Ginny Taare

From: Sue De Lisle <sue.de@xtra.co.nz>
Sent: Thursday, 22 September 2022 2:35 pm
To: Unitary Plan
Subject: Submission PC 78
Attachments: Submission PC78.pdf

Please find my submission attached

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
Te Kaunihera o Tāmaki Makaurau

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) Sue de Lisle

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

Address for service of Submitter

18 Derby Street, Devonport

Telephone: 21608249 Fax/Email: sue.de@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

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 unique seaside village with character houses that make it a very desirable destination to both live and to visit.

Just this morning a bus of tourists went along my street looking at the houses. Hi-rise apartments will ruin our character streets.

The village needs visitors and they come here because of its historic seaside village and homes. Lake Road does not support mutiple housing.

(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 south of the golf course and in Cheltenham. 508.1

Retain the special character overlay in central Devonport/Cheltenham/Stanley Point 508.2

Make the village a historic heritage area 508.3

508.4

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)

09/22/2022
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: Sue De Lisle <sue.de@xtra.co.nz>
Sent: Thursday, 22 September 2022 2:52 pm
To: Unitary Plan
Subject: Submission PC78 Cambria Road
Attachments: Submission PC 78 Cambria Road.pdf

Please find my submission attached.

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
Te Kaunihera o Tāmaki Makaurau

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) Sue de Lisle

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

Address for service of Submitter

18 Derby Street, Devonport

Telephone: 21608249 Fax/Email: sue.de@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: 21 and 23 Cambria Road, Devonport

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:

These two adjoinging properties are on the North East of my property. Currently the ground level is 3-4m higher than my property, any significant building on these sites would hugely impact sun and light to my propety.

Cambria St already is a very narrow street with parking issues, more housing would make it even worse.

(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. ☐

Re-instate character overlay to these two properties

508.5

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 ☒

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

09/22/2022
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: Thursday, 22 September 2022 1:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jennifer Lyndsay Brock

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jennifer Lyndsay Brock

Organisation name:

Agent's full name:

Email address: artist@kiwilink.co.nz

Contact phone number:

Postal address:
10 Bulwer 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:
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 historic area, unparalleled in that full community of homes has survived and is still occupied by residents. Its asset as tourist destination is well recognized, and must be protected, along with its marine environment.
Intensive development would greatly impact its heritage value and destroy its character. It is also a fact that the sewage infrastructure in the area does not have the capacity to support rapid growth.

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 Unitary Plan Special Character overlay over Devonport. Remove policy 3d from residential areas in Devonport. 513.1 513.2 513.3

Submission date: 22 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: Friday, 23 September 2022 1:00 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Douglas Sierra Trust
Attachments: Submission - PC78 - Sierra Street.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Douglas Sierra Trust

Organisation name: Positive Planning Limited

Agent's full name: Matthew Harrison

Email address: matthew@positiveplanning.co.nz

Contact phone number: 093020461

Postal address:
PO Box 228
Shortland Street
Auckland Central
Auckland 1010

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:
We refer to the attached submission

Property address: We refer to the attached submission

Map or maps: We refer to the attached submission

Other provisions:
We refer to the attached submission

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 refer to the attached submission

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

Details of amendments:

Submission date: 23 September 2022

Supporting documents
Submission - PC78 - Sierra Street.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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28th September 2022

Auckland Council
Private Bag 92300
Auckland 1142

AUCKLAND UNITARY PLAN – PROPOSED PLAN CHANGE 78 – INTENSIFICATION – SUBMISSION

1.0 Submitter Details

Name:	Douglas Sierra Trust
Postal Address:	20 Stoneyroyd Garden, Remuera
Email Address:	scott@southbourne.co.nz

2.0 Agent Details:

Organisation:	Positive Planning Limited
Contact:	Gary Deeney
Postal Address:	PO Box 582, Shortland Street 1140
Email Address:	gary@positiveplanning.co.nz
Phone:	(09) 302 0461 or 021 828 969

3.0 Details of the Plan Change 78 in relation to this Submission

- This submission is in relation to the zoning for the site located at 50 Sierra Street, Glendowie, and surrounding properties in relation to the Auckland Councils proposed plan change 78, as well as the 'Medium Density Residential Standards' new bulk and location rules within this plan change.

4.0 Stance on Plan Change 78:

- We support the new Medium Density Residential Standards (MDRS).
- We support the Residential – Mixed Housing Urban Zone for the abovementioned site and surrounding properties.

5.0 Reasons for the Submission

Our reasons for supporting the proposed new MDRS rules and Residential – Mixed Housing Urban Zone, are as follows:

- We consider the abovementioned site is located in an excellent location for future intensification and development.
- The site is located within close proximity to the following amenities which in our view demonstrates the appropriateness of the up-zoning of the site to Residential – Mixed Housing Urban Zone and allow for intensified development:
  - Sacred Heart College
  - Glendowie College
  - Healthcare Facility and Hospital (EastMed Doctors and Retirement Village)
  - Little Wonders Day-care facility (54 Sierra Street)
  - St Heliers Bay Road (Arterial Road)
  - West Tamaki Road (Arterial Road)
  - St Heliers Beach and Town Centre, Roberta Reserve, Tahuna Torea and Churchill Park recreation areas
- With regard to the proposed development standards resulting from the Medium Density Residential Standards (MDRS) being proffered within the Plan Change 78, we consider these to be entirely appropriate given the need for intensification and will unlock the potential of the site and allow for it to be re-developed in a suitable manner that is promoted by the Unitary Plan, NPS:UD and MDRS.

6.0 Preferred Outcome:

For the reasons stated in section 5.0 of this submission, we consider the following outcomes appropriate:

- Retaining the 'Residential – Mixed Housing Urban Zone' for the sites and surrounding properties. 529.1
- Retain the MDRS rules as proposed to achieve the intentions of the NPS:UD. 529.2

7.0 Hearings:

We wish to be heard in support of this submission. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Yours Faithfully,

Positive Planning Limited

On behalf of – Douglas Sierra Trust

Gary Deeney
B.R.P (Hons), MNZPl
Director

From:	Unitary Plan
To:	Unitary Plan
Subject:	Unitary Plan Publicly Notified Submission - Plan Change 78 - Douglas Sierra Trust
Date:	Friday, 23 September 2022 1:00:33 pm
Attachments:	Submission - PC78 - Stoneyroyd Gardens.pdf Attachment 1 - NZTA Emergency Vehicle Access Design Requirements_20220923125446.118.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Douglas Sierra Trust

Organisation name: Positive Planning Limited

Agent's full name: Matthew Harrison

Email address: matthew@positiveplanning.co.nz

Contact phone number: 093020461

Postal address:
PO Box 228
Shortland Street
Auckland Central
Auckland 1010

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:
We refer to the attached submission

Property address: We refer to the attached submission

Map or maps: We refer to the attached submission

Other provisions:
We refer to the attached 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:
We refer to the attached submission

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

Details of amendments: We refer to the attached submission

Submission date: 23 September 2022

Supporting documents

Submission - PC78 - Stoneyroyd Gardens.pdf
Attachment 1 - NZTA Emergency Vehicle Access Design Requirements_20220923125446.118.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.

Can you change Auckland? You can.

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28th September 2022

Auckland Council
Private Bag 92300
Auckland 1142

AUCKLAND UNITARY PLAN – PROPOSED PLAN CHANGE 78 – INTENSIFICATION – SUBMISSION

1.0 Submitter Details

Name:	Douglas Sierra Trust
Postal Address:	20 Stoneyroyd Garden, Remuera
Email Address:	scott@southbourne.co.nz

2.0 Agent Details:

Organisation:	Positive Planning Limited
Contact:	Gary Deeney
Postal Address:	PO Box 582, Shortland Street 1140
Email Address:	gary@positiveplanning.co.nz
Phone:	(09) 302 0461 or 021 828 969

3.0 Details of the Plan Change 78 in relation to this Submission

- This submission is in relation to the zoning for the site located at 20 Stoneyroyd Garden, Remuera and surrounding properties, as well as the 'Medium Density Residential Standards' new bulk and location rules.

4.0 Stance on Plan Change 78:

- We oppose the new Medium Density Residential Standards (MDRS).
- We oppose the Residential – Mixed Housing Urban Zone for the abovementioned site and properties located off Stoneyroyd Garden.

5.0 Reasons for the Submission

Our reasons for opposing the proposed new MDRS rules are as follows:

- The abovementioned site and majority of surrounding properties, are located along a local, cul-de-sac street that comprises larger single dwellings on moderately sized sites, that are consistent with the established development of the area. Being down a small cul-de-sac, we consider the re-zoning and additional bulk/location rules to be ambitious given the infrastructural constraints of this historically purpose designed subdivision. The zoning proposed takes no account of the original master planning of the street and is ill-conceived.
- Given the intensified bulk, location and dwellings proposed under Plan Change 78 and the MDRS rules, we consider a narrow cul-de-sac street to give rise to significant traffic engineering limitations if the street was to reach even a fraction of development potential under Plan Change 78, much of which could be undertaken as permitted activity with no oversight or consenting management of potential cumulative infrastructure effects
- The existing cul-de-sac is some 17 metres in diameter, including the parking spaces around the edge of the cul-de-sac. Parking is provided around the edge of this cul-de-sac, therefore, this diameter could be restricted to some 12 metres or less. We refer to the attached emergency vehicle access design guide, prepared in December 2021 (page 7 – Attachment 1). This document states for carriageways with a dead end, the design requirements needs:
    - *"a turnaround area so that our vehicles don't have to do multi-point turns to turn around. This is so we can move our vehicles quickly in an emergency to protect them. Fire and Emergency vehicles need to be able to turn a full 360° within a 25 m circle (wall-to-wall clearance) to meet Waka Kotahi NZ Transport Agency requirements."*
- In our opinion, the existing carriageway, dead end cul-de-sac is already developed to its sensible capacity in a logical and planned fashion. Any intensification of properties around the street are only going to cause further limitations for access and, in our opinion, result in significant traffic engineering issues and in particular emergency vehicle access restrictions.
- The street contains a number of larger residential developments with pools and large landscaped/outdoor living areas for residents' enjoyment. This is a consistent pattern of development for the area and any intensified development as proposed in Plan Change 78 and the MDRS rules would be inappropriate given the context and typology of development of these sites, and that the 'Residential – Low-Density Residential Zone' is more appropriate for this street.

6.0 Preferred Outcome:

For the reasons stated in section 5.0 of this submission, we consider the following outcomes appropriate:

- Rezoning properties located on Stoneyroyd Garden from 'Residential – Mixed Housing Urban Zone' to 'Residential – Low Density Residential Zone'. 529.3
- Revise the MDRS rules to align with the intensity and bulk/location that smaller local streets can accommodate given the various traffic engineering problems that arise. 529.4

7.0 Hearings:

We wish to be heard in support of this submission. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Yours Faithfully,

Positive Planning Limited

On behalf of – Douglas Sierra Trust

Gary Deeney
B.R.P (Hons), MNZPl
Director

Encl:

Attachment 1 – Emergency Vehicle Access Design Requirements

Designers' guide to firefighting operations

Emergency vehicle access

F5-02 GD

Document Title: Emergency vehicle access

Published: 10 December 2021

Document review date: 10 December 2023

Status of this document

This document is issued by Fire and Emergency New Zealand.

Recommendations for change

The document, its content and specific processes are not to be altered except through Fire and Emergency New Zealand document management processes.

Requests or recommendations for changes to this material should be sent to National Manager Response Capability.

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1. Context

Scope	We need to be able to reach your building with our different vehicles in a fire or other emergency. This chapter helps you understand the types of vehicles we use, and how you can provide access for them on your site.
Who this chapter is for	This chapter outlines our position on appropriate considerations for building owners, building designers and other building practitioners, on emergency vehicle access to sites, both completed and under construction/refurbishment. It may also provide useful guidance for anyone undertaking planning of any kind that needs to consider emergency vehicle access.
What is not included in this chapter	This chapter is a guide to provide advice to the building industry on Fire and Emergency's operations and recommendations in relation to emergency vehicle access – it does not replace any mandatory/statutory requirements. We recommend you read it alongside other chapters in the guide. This is not an exhaustive guide to Fire and Emergency operations, but an overview of the relevant expectations building industry stakeholders can have of our operations.
Legislative framework	We aim to reduce the risk to both firefighters and building occupants through encouraging appropriate building design which allows us to achieve our statutory objective (under the Fire and Emergency New Zealand Act 2017) to reduce the incidence of unwanted fire and the associated risk to life and property. Our functions include responding to and suppressing fires and attending to other types of emergencies that may occur in a building. Read this guide alongside the: • mandatory requirements of the New Zealand Building Code (Building Code) • requirements of New Zealand Standards (Standards), and • Building Act 2004. This guide **does not** replace any part of the Building Code or Standards or other mandatory building requirements. We note that the Building Code Fire Safety C – Protection from fire clauses C1– C6 define the Building Code performance requirements of the Building Act 2004. Clause C5 is the performance requirement on 'Access and Safety for Firefighting Operations'.

2. Definitions

The following definitions apply for the purposes of this chapter. Defined terms used throughout this document are consistent with the Building Act 2004, Building Code and Acceptable Solutions C/AS2.

Address point	This point is part of the data set administered by Land Information New Zealand, (LINZ). It is the address (point) where the building is commonly known to be located. It can be either a single point or a range of individual points as described on the LINZ data set.
Aerial device	Encompasses all the types of Fire and Emergency aerial components (turntable ladder, elevating platforms, elevating monitors, baskets, cages and booms).

Aerial vehicle	A specialised emergency vehicle that has an aerial device that hydraulically rises to suppress fire and/or effect rescue as well as support other operations.
Allowable bearing pressure	The calculated pressure required to counter compression forces exerted by dead loads (i.e. the minimum strength required to maintain stability under a weight load).
Appliance	An emergency vehicle that provides capability to Fire and Emergency's mandated functions.
Attendance point	The place where the first attending Fire and Emergency pumping vehicle will stop and set up. **There is only one attendance point**, usually, at the building's primary entry point. Firefighters may be deployed to other firefighter access points from here. A full description of the attendance point can be found within **F5-02 GD FFO Emergency vehicle access**.
Breathing apparatus (BA)	A device firefighters wear to provide breathable air in an atmosphere that is immediately dangerous to life or health. Also known as self-contained breathing apparatus (SCBA) or compressed air breathing apparatus (CABA).
Building hydrant system	Fixed water main pipe system, normally already charged with water and supplemented by Fire and Emergency pumps. This should not be confused with an in-ground hydrant connected to the town mains.
Canopy	Projecting hood supported on brackets, corbels or columns over a door, window or niche.
Carriageway	The driveable portion of a road (which may or may not include a sealed top surface layer).
Collapse zone	The collapse zone is an area around the building measured as 1.5 times the height of the structure. This is the area which would be considered dangerous in the event of an outward failure of a facade element. In this document, the term 'collapse zone' only applies to pre-cast concrete panel (tilt-slab) and unreinforced masonry type construction. Use a pragmatic approach where practicable when designing, and when in doubt, consult Fire and Emergency.
Fire engineering brief (FEB)	A formal process outlined in the International Fire Engineering Guidelines for all stakeholders to define and agree on the basis and scope of work for fire engineering analysis.
Firefighter access point	The place where firefighters gain access to a building. This must comply with the New Zealand Building Code Clause C5.6: Buildings must be designed and constructed in a manner that will allow firefighters, taking into account the firefighters' personal protective equipment and standard training, to: (a) reach the floor of fire origin, (b) search the general area of fire origin, and (c) protect their means of egress.

Fire and Emergency vehicular access	Vehicular access provided to Fire and Emergency vehicles should be consistent with Acceptable Solution C/AS2 Part 6 (relating to firefighting). Buildings must be provided with access that allows appliances to reach a position that makes it convenient for firefighters to get into the building and access the inlets to fire sprinkler systems or building fire hydrant systems, where these are installed. Occupants of risk group SI are more likely to require rescue by Fire and Emergency. An additional recommendation for this risk group is to allow access for the larger size of aerial vehicles to get as close to buildings as possible with space to 'jack' the vehicle. If a building has a large footprint (which is most likely to occur for a single-storey building such as a warehouse) and is not protected with fire sprinkler systems, access to two sides of the building is required. This gives Fire and Emergency the ability to access the building in a number of places and means that their travel within the building is minimised to reach any fire source. In addition, for the health and safety of our personnel, this access: • should not involve a canopy, or other part of a structure to drive or park under • should be located outside a horizontal collapse zone requirement of 1.5 times the height of a portal frame building • should be within 135 metres of a firefighting water supply. Where access meets these recommendations above, and is acceptable to Fire and Emergency, the 75 m hose run may be measured from this hard-standing point.
Hard-standing area (for Fire and Emergency vehicles)	A hard (roading) surface capable of withstanding the fully laden weight of a fire appliance from which fire operations for a structure are conducted. A hardstanding should be big enough for the fire appliance to enter, exit and manoeuvre and for firefighters to move around it to connect hose and safely access equipment. In most cases, the hardstanding will be the main road if the structure is close to it. A full description of the hardstanding area can be found in this chapter (F5-02 GD FFO Emergency vehicle access).
Jacks	External outriggers and jacks fitted to aerial vehicles that extend to stabilise the vehicle when its centre of gravity shifts during the operation of the aerial device.
Overhang	The portion of a vehicle's body that extends forwards past the front wheels or backwards past the rear wheels. It relates to body swing, which is where a set of wheels when turning acts as a pivot point and the bodywork swings past that point. The longer the overhang, the greater the body swing.

3. Our operations

Vehicle types

We use several different types of vehicles (also referred to as appliances).

Each type of vehicle carries a different combination of equipment and has a specific function at an emergency incident. Most of our vehicles have a specially built body fitted on a commercial vehicle chassis, normally a truck.

Vehicle types include pumping appliances, aerial appliances and a range of specialist function vehicles such as mobile command units, logistics and support vehicles, and water tankers.

Timeliness

To fight a fire effectively, save lives and limit damage to property, we need to respond quickly and start applying water while the fire is still small. While automatic detection systems and good information help us respond quickly, good access is also vital.

This highlights the importance of having designated hard-standings with all the provisions for a fast fire attack proximate to as many parts of a building as possible, that are free from obstructions.

4. Challenges

4.1. Fire and Emergency vehicles

Capability of vehicles

Pumping appliances are vehicles used to pump water for firefighting. They carry a relatively small amount of water (1,350–2,000 litres) and a limited length of hose. This is why we must have access to a water supply and must also be able to base our operations near the building, so firefighters can reach the fire with water. Often, this can be done from the public road, and this is how we prefer to operate where possible. However, for large sites, sites with multiple buildings, or sites with large set-backs, our vehicles may have to operate from within your site, which is less favoured.

Aerial appliances are larger and heavier than our other vehicles and may be on a two-, three, or even four-axle heavy vehicle chassis. Aerial appliances have limited reach and need to get close to buildings or structures to operate effectively. We will normally try to reverse these vehicles into position beside a building and, where possible, operate from building corners.

For these reasons, we recommend that you provide access and working space for Fire and Emergency vehicles on your site.

Vehicle dimensions

Each vehicle type has different dimensions. Table 1 below shows maximum vehicle dimensions of Fire and Emergency's current fleet of vehicles.

Table 1 – Maximum parameters for Fire and Emergency vehicles

Dimension	Maximum dimensions
Gross vehicle mass	25 t
Maximum overall length	12.6 m
Maximum overall width	2.55 m (6.5 m when stabilisers are deployed)
Required free height	4 m

4.2. Access requirements

Carriageway widths

Carriageways should be wide enough to allow our vehicles to get through them easily and to allow us to carry out emergency operations. This means that when our vehicle is parked, we can easily open and exit the doors, access equipment from its compartments and safely connect the hose to the pump.

Figure 1 – A pumping appliance showing width required for hose

To accommodate a Fire and Emergency vehicle, carriageways should have a minimum width of 4 m. This can be reduced to a minimum width of 3.5 m at entrances, provided tight turns are not required (see Figure 2 below).

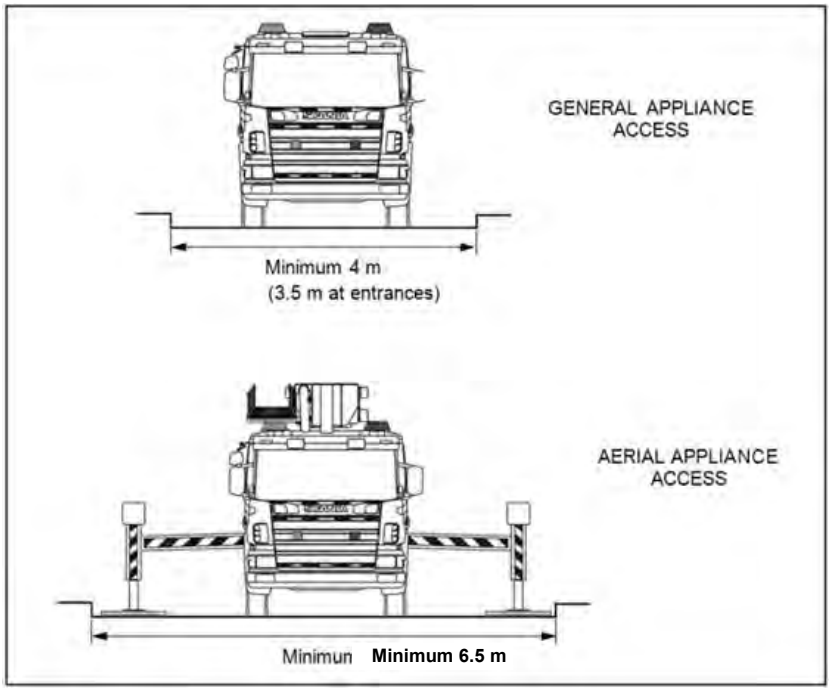


Figure 2 – Minimum carriageway widths along straight sections

Curved carriageway sections should allow for expected vehicle body swing. The minimum distance between the inner and outer arcs should be not less than 5.0 m for pumping vehicles and 7.3 m for aerial vehicles (see Figure 3).

For pumping vehicle access, the minimum inner radius should be 6.3 m and the outer radius 11.3 m. For aerial vehicle access, the minimum inner radius should be 5.2 m and the outer radius 12.5 m (see Figure 3).

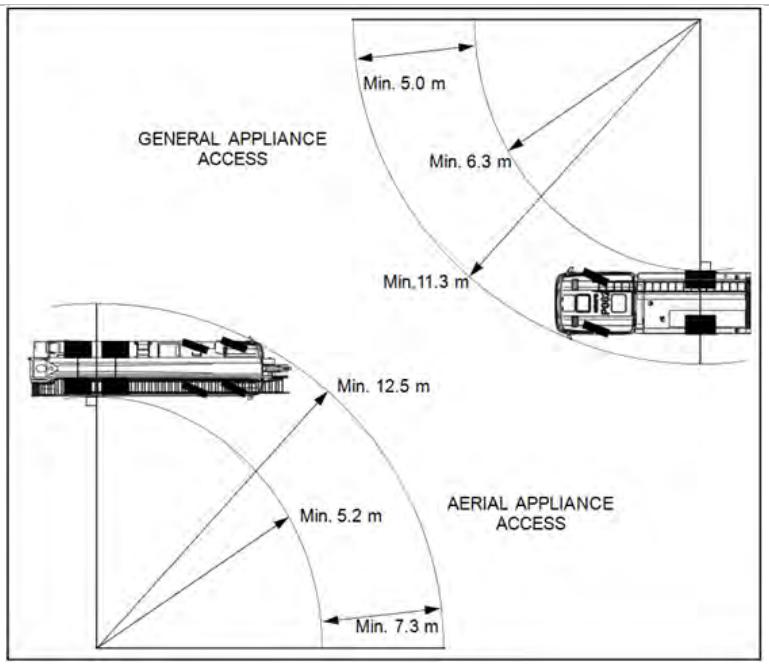


Figure 3 – Minimum carriageway widths – curved sections

The radius dimensions above are for wall-to-wall clearance from body overhang, and do not represent the vehicle's wheel tracks.

Figure 4 – Showing long rear overhang

Figure 5 – Showing long front overhang

Kerb dimensions

Kerbs built along the edges of a carriageway should be no higher than 250 mm and should be free of vertical obstructions at least 300 mm back from the kerb face to allow clearance for front and rear body overhang.

This means that if absolutely necessary, we can mount the kerb with our vehicles, although this is a last resort due to the additional hazards.

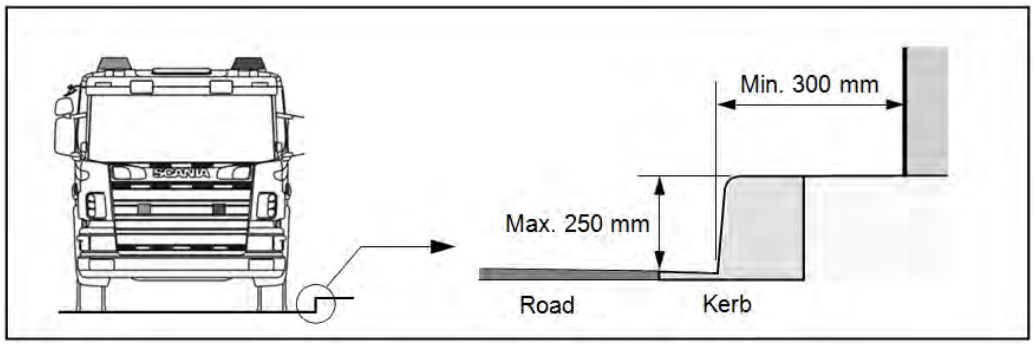


Figure 6 – Carriageway kerb clearance dimensions

Turning areas

Any carriageway with a dead end needs a turnaround area so that our vehicles don't have to do multi-point turns to turn around. This is so we can move our vehicles quickly in an emergency to protect them.

Fire and Emergency vehicles need to be able to turn a full 360° within a 25 m circle (wall-to-wall clearance) to meet Waka Kotahi NZ Transport Agency requirements. The minimum turning radius of turnaround areas should be no less than 11.3 m for pumping vehicles and 12.5 m for aerial vehicles (see Figure 3).

The Waka Kotahi NZ Transport Agency's Road and traffic guidelines for New Zealand on-road tracking curves for heavy motor vehicles (RTS 18) as indicated in Table 1, should be considered. Table 2 below summarises the tracking curves and their radii for design vehicles.

Table 2 – Turn radii and tracking curve sheet numbers for the design vehicles at various radii (Source: https://www.nzta.govt.nz/assets/resources/road-traffic-standards/docs/rts-18.pdf)

Vehicle	Radius of turn				
	10 m	12.5 m	15 m	20 m	25 m
8 m rigid truck	1	2	3	4	5
11.5 m rigid truck		6	7	8	9
Semi-trailer*		10	11	12	13
Tour coach		14	15	16	17

Table 3 – Fire and Emergency fire vehicle types in relation to the Waka Kotahi NZ Transport Agency on-road tracking curves

Fire and Emergency fire vehicle type	Waka Kotahi on-road tracking curve
Pumping appliance	8 m medium rigid truck
Aerial appliance	12.6 m rigid truck

Change of level

The only acceptable means of providing access through a change of level is a ramp that meets the requirements set out below. Fire and Emergency vehicles are not designed to drive up or down steps.

Access ramps

Ramps should not delay vehicle response and should provide entry and exit clearances for Fire and Emergency vehicles.

Gradients for straight ramps

Fire and Emergency prefers a ramp gradient of 1:8 or less for straight ramps. The maximum straight ramp gradient our vehicles can negotiate is 1:5.

Gradients for curved ramps

Access ramps that follow a curved or circular profile in plan view should have a maximum gradient no greater than 1:10 (measured along the centre line). The vehicle chassis will twist and flex when driving up a curved ramp, so we need a lower gradient.

Change of ramp gradients

Access ramps should have a smooth transition between the main ramp gradient and entry and exit gradients. A minimum 4.0 m long 1:15 transition grade is best for both ramp approach and departure (see Figure 7 below).

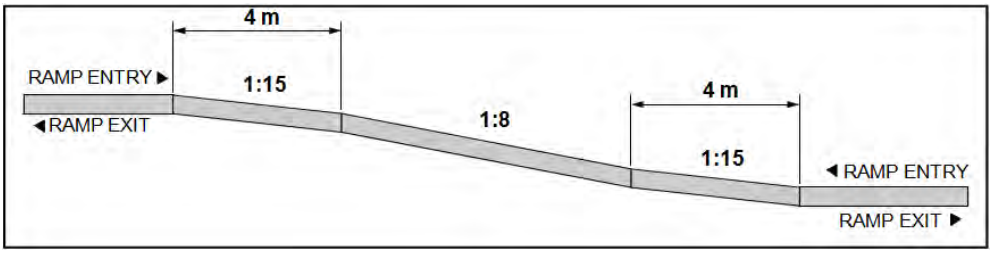


Figure 7 – Maximum access ramp gradients

Reduced gradient clearance

When a change of gradient includes a recessed threshold such as a gutter (e.g. for storm water drainage), the reduced approach and departure clearance should be allowed for in the design of the access way (see Figure 8).

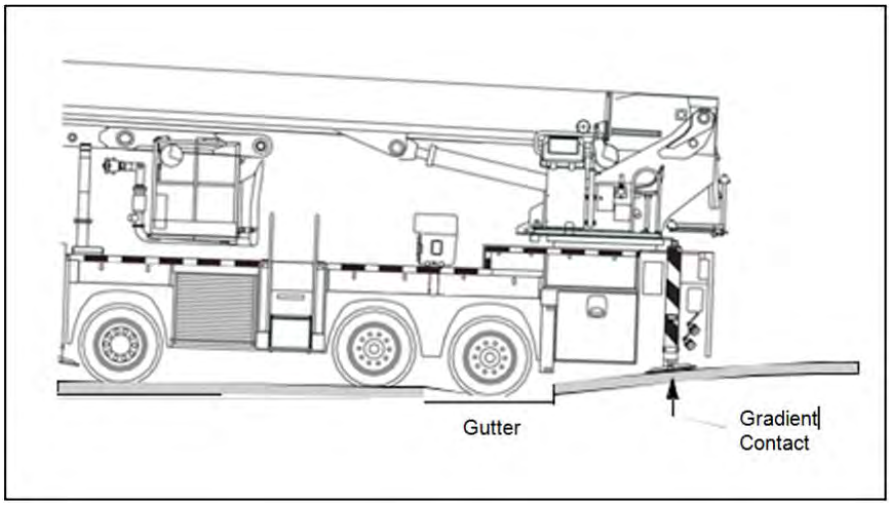


Figure 8 – Reduced gradient clearance due to gutter

When wheels go into a gutter, the body slants downwards, reducing the effective underbody clearance height at both the front and rear overhanging sections. The clearance is even smaller when the gutter is deeper and/or when the overhang is longer.

Building and structure

We need vehicle access routes to have an unobstructed clearance height of at least 4.0 m so that vehicles can pass through openings. This includes clearance from

clearance height

building construction, archways, gateways/doorways and overhanging structures (e.g. ducts, pipes, sprinklers, walkways, signs, structural beams, trees, hanging cables, etc.).

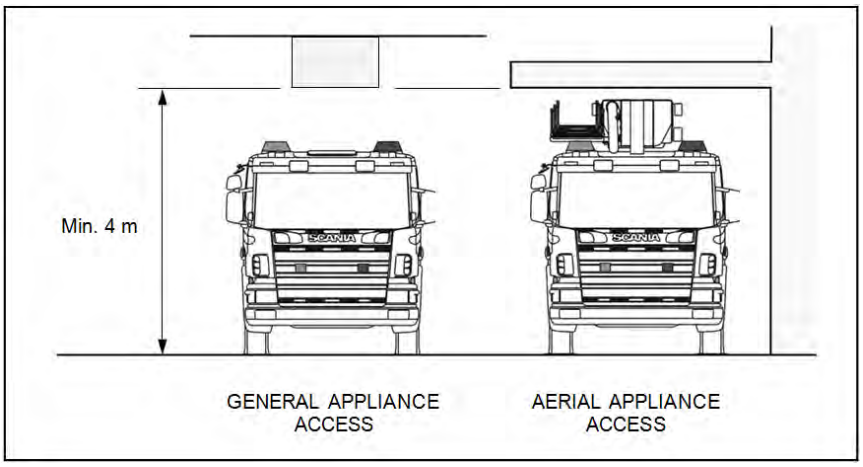


Figure 9 – Building and structure clearance heights

Note: Special considerations apply where there are both height restrictions and gradient changes. In some cases, height clearance will need to be more than 4.0 m so the vehicle can make the gradient change.

Ensuring clear access

We need clear access routes for our vehicles at all times.

Site managers should ensure that nothing blocks or partly blocks the carriageways for our vehicles. We need to be able to drive through access routes during all weather conditions. This means we need some form of hard-standing so our vehicles don't get bogged down. If a vehicle gets stuck, it creates two problems, we can't use it, and it may stop other vehicles getting through.

Perimeter security points (e.g. sliding/swinging gates, boom gates, bollards and vehicle security barriers) should not make it difficult for vehicles to gain access.

Figure 10 – Clear access available to a site

Site entrances, internal entrances and space between buildings should be at least 3.5 m wide and 4 m high.

The following common occurrences often make access difficult:

- Overhanging vegetation which restricts height clearances
- Overgrown vegetation which restricts width access and clearances

- Illegally parked vehicles in long driveways, narrow rights of way or halfway onto kerbs in small streets.

Contact us at designers.guide@fireandemergency.nz to discuss.

4.3. Vehicle weights (loads)

Static loads of vehicles

Carriageways need to be able to withstand the load of a Fire and Emergency vehicle, particularly if they are supported, elevated or reinforced by structural members (e.g. suspended floors, ramps, wharfs, aprons, etc.).

Figure 11 shows the vehicle loads exerted through the wheels that are used to determine forces acting through load-bearing structural members. Wheelbase distances between the front and back axles range from 3.7 to 5.5 m for pumping vehicles and 4.4 to 5.6 m for aerial vehicles. Designers should consider the distances between the wheels – both longitudinal and lateral – when calculating point loads for the wheels.

Note: Axle loads, such as those shown in Figure 11, are not always evenly distributed over all wheels.

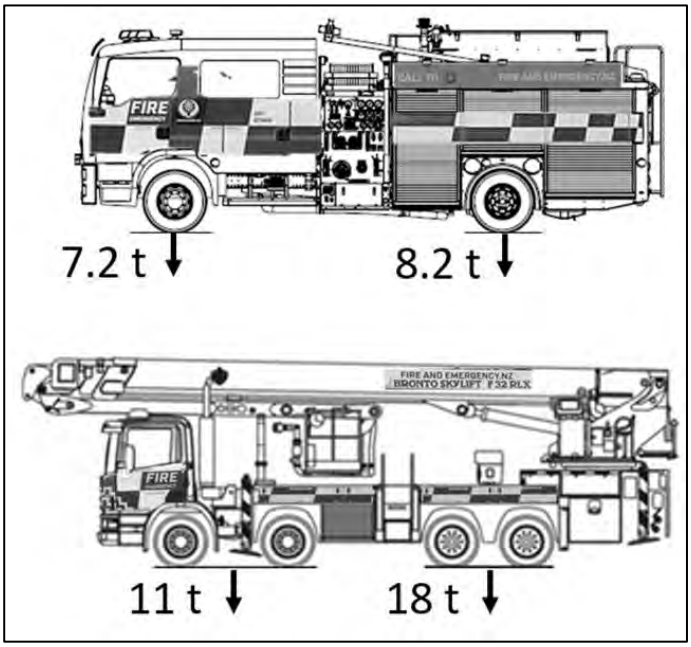


Figure 11 – Axle loads of vehicles

In general, access routes should be able to withstand a laden weight of up to 25 tonnes with an axle load of 8 tonnes or have a load-bearing capacity of no less than the public roadway serving the property, whichever is lower.

Roadway pavements designed for aerial vehicles must withstand a vehicle with multiple axles spaced at no less than 2.5 m centres and each carrying 8.2 tonnes.

The hardness of the carriageway surface should withstand static pressure of no more than 850 kPa from a vehicle's tyres.

Note: Pavements Fire and Emergency vehicles use for access should be designed according to Waka Kotahi NZ Transport Agency's HN-HO-72 traffic loading specifications, to meet the load-bearing requirements.

Dynamic loads (on aerial vehicles)

Aerial vehicles are fitted with stabilisers that prevent the vehicle from overbalancing when the aerial device is operating. Aerial vehicles will either have two stabilisers at the rear only, or more commonly, two front and two rear stabilisers (see Figure 12).

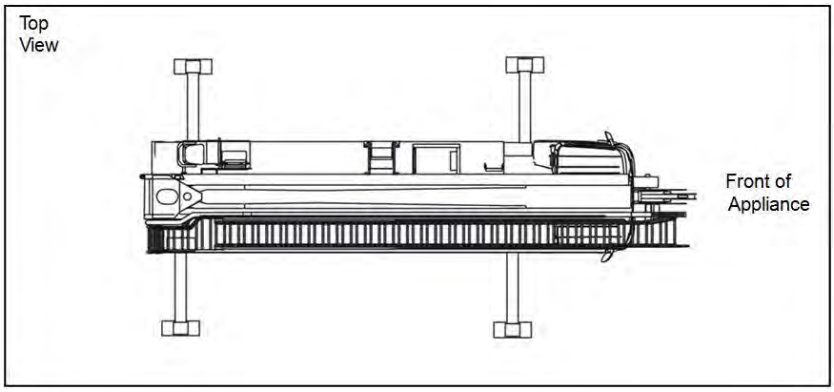


Figure 12 – General stabiliser arrangement on aerials

Extending and rotating the aerial device changes the vehicle's weight distribution and creates other forces, such as torsion moment forces. These exert dynamic forces through the stabiliser.

Note: The changing distribution of weight can cause up to 70 percent of the total vehicle weight to be borne by a single stabiliser.

Figure 13 – Highlights the space requirements for jacking stabilisers

The maximum dynamic loads and pressures exerted though a single stabiliser of the Bronto Skylift F44 RLX, with a fully loaded cage (500 kg), at maximum extension/outreach and under worst-case rotation angle, are:

- maximum stabiliser force: 200 kN
- maximum footplate pressure: 11 kg/cm^2 (1079 kPa)
- maximum bearing plate (block) pressure: 2.8 kg/cm^2 (274 kPa).

Consider the maximum exerted pressures above when calculating the minimum Allowable Bearing Pressure (ABP) for the carriageway or hard-standing area.

4.4. Site access and security features

Security features can delay site access

Many sites have security measures in place that restrict public access. These are to meet legal requirements for health and safety in the workplace and to keep the site and its staff secure.

However, enhanced security measures often delay firefighters when they investigate fire calls. Features such as security gates, high fences and bollards delay our vehicle access.

Security features can also translate to issues with physical access to buildings, including to locations where firefighters are required to interface with fire systems. Where enhanced security measures are present, this is likely to delay our investigation of the fire call.

There are solutions to overcome the issues presented by enhanced security and these include automatic unlocking or opening of security features upon a fire alarm activation. These may also have a time delay built into the system, so the site remains secure for longer, accounting for our response time. A master lock control switch could also be provided for our use in an area we can access such as a fire control centre (FCC).

Alternatively, where the building fire alarm is connected directly to Fire and Emergency, keys to the site may be provided to us.

Another option is a lockbox on site provided that information regarding its location and its access is provided to us ahead of time. On-site security staff, or contracted security staff who respond automatically in the event of a fire alarm activation, may also be able to provide access for us.

If you have any concerns about responding Fire and Emergency crews having timely access to a site, contact designers.guide@fireandemergency.nz to discuss options.

4.5. Vehicle hard-standing

Vehicle hard-standing requirements

A vehicle hard-standing is a designated area that can withstand the laden weight and associated loads of the Fire and Emergency vehicle and its crew and facilitate firefighting operations.

For our vehicles to work effectively, the hard-standing must be as close as possible to both the water supply and the structure to be protected. We encourage you to follow the guidance within this document. If you can't meet the criteria in this chapter, email designers.guide@fireandemergency.nz for help.

Under Clause C5.3 of the Building Code:

> Buildings must be provided with access for fire vehicles to a hard-standing from which there is an unobstructed path to the building within 20 m of:
>
> (a) the firefighter access into the building, and
>
> (b) the inlets to automatic fire sprinkler system or fire hydrant systems, where these are installed).

This is to enable firefighter to get into the building and to move freely around our vehicles.

Under Clause C5.4 of the Building Code:

Access for fire vehicles in accordance with clause C5.3 must be provided to more than 1 side of firecells greater than 5,000m^2 in floor area that are not protected by automatic fire sprinkler system.

The hard-standing should:

- comply with Section 4.2 of this chapter regarding access requirements
- enclose a rectangle at least 4.0 m wide and 11 m long
- not have a gradient of more than 1:50
  - Stabilisers used on aerial vehicles limit hard-standing gradients. Aerial vehicles can only use their stabilisers and operate if the ground slope is within +/- 5°
- be outside the collapse zone (see 'Collapse zone' in the Definitions section for details)
- be in the open air and have no overhead obstructions along its entire area
- be within 135 m of a pressurised water supply, or within 6 m of an open water source, due to equipment limitations (supply hose)
  - This distance should not include any sharp angles
  - This distance should be measured taking into consideration obstructions such as buildings, fences, waterways and storage or parking areas. See Appendix B for examples.

Note:

- Hose runs can be measured from this point, provided all the requirements above are satisfied.
- The above hard-standing requirements do not apply to the following classified uses (as defined in Clause A1 of the Building Code):
  - backcountry huts
  - detached dwellings
  - within household units in multi-unit dwellings
  - outbuildings
  - ancillary buildings.

Attendance point

Our policy is to respond to a single attendance point. The attendance point is generally at the building's main entrance and is often (but not always) the same as the address point. This location should include the alarm panel, building hydrant/sprinkler inlets, a suitable firefighter access point, etc.

If there is a remote place within the building which cannot be reached by hose within 75 m of the attendance point, a common solution is to provide a building hydrant system. In certain situations, this is even mandated by prescriptive guidance (for example Acceptable Solution C/AS2, paragraph 2.2.1 and associated tables)).

Note: This attendance point should not be confused with a firefighter access point or vehicular hard-standing, which may be remote from the attendance point and provided with a building hydrant outlet. It may also provide a mimic fire alarm panel or other fire safety features.

The attendance point should also include all the requirements for a hard-standing area and meet clauses C5.3 and C5.7 of the Building Code.

When identifying an attendance point, factor in the following:

- Operational procedures do not allow firefighters to drive vehicles down narrow lanes, under canopies or through flood water

- It is our policy not to park a vehicle under a canopy, or within the collapse zone in certain circumstances (see 'Collapse zone' under Definitions)
- Location of and ease of access to fire alarm panel
- Location of and ease of access to the controls for fire safety systems
- Inlets for fire sprinkler and/or building hydrant (riser) systems.

See Appendix B for examples.

Safer siting areas

We often strategically place our vehicles at building corners, particularly our aerial vehicles.

This is because the corners are generally safer if the building collapses outwards, and we can usually use our aerials across two faces of the building providing for better coverage and observation.

5. Recommendations

Fire and Emergency recommended approach

We need you to consider how you could provide access for firefighting vehicles in the course of your work. Our requirements may differ case by case, basis and you should discuss any queries you have with us.

We recommend you consider the following points:

Consider the dimensions of our vehicles

- Access gates, driveways should meet the minimum dimensions outlined.
- Driving surfaces should be designed to support the weight of our vehicles.

Consider the manoeuvrability of our vehicles

- Dead ends and turning circles should meet the requirements discussed in this chapter.
- Straight ramps designs should take in into account our vehicles' needs, particularly at ramp entry and exit points.
- Curved ramps should be carefully considered in relation to our vehicles' weights and clearances including vehicle overhangs.
- Recesses such as storm water drains should be carefully placed to consider our vehicle movements.

Consider hard-standing recommendations

- Hard-standings should be at the correct distance from building, firefighting systems/inlets and firefighting water supplies.
- Consider vehicle loading requirements for attendance and hard-standing points.
- Allow working space for firefighters in and around our vehicles. Consider:
  - doors opening
  - firefighters exiting vehicles with PPE and BA on
  - whether firefighters can access important equipment around our vehicles, such as ladders and hoses.
- Allow working space for the deployment of stabilisers on our aerial vehicles.

Consider how we will access the site in an emergency

- Consider how any site security could affect our access, particularly outside business hours.

- Keep access routes always clear, particularly from vegetation, parked cars and temporary structures, etc.
- Speed is critical – the sooner we start firefighting operations, the more likely we are to limit the consequences.

5.1. Completing the firefighting facilities checklist

Completing the checklist

When completing F5 SC Part C: 2 Access to site and 3 Access to building of the firefighting facilities checklist (FFFC), you should state what access you have given us to key facilities and the attendance point. This will allow us to understand the proposed layout and ensure that this access meets our operational needs for firefighting.

Remember that facilities are put in place for our use in emergency situations and the location of those facilities should be decided in consultation with us.

6. Related information

6.1. Designers' guide to firefighting operations

- F5 01 GD FFO Introduction
- F5-02 GD FFO Emergency vehicles access
- F5-03 GD FFO Radio communications
- F5-04 GD FFO Fire alarm panels
- F5-05 GD FFO Building hydrant systems
- F5-06 GD FFO Automatic sprinkler systems
- F5-07 GD FFO Stairs in buildings
- F5-08 GD FFO Lifts
- F5-09 GD FFO Fire Control Centres
- F5-10 GD FFO Evacuation and rescues
- F5-11 GD FFO Water supplies
- F5-12 GD FFO Construction, refurbishment and demolition sites
- F5-13 GD FFO Multi-tiered vehicle stacking buildings
- F5-14 GD FFO Firefighting shafts in taller buildings

6.2. Legislation

- Fire and Emergency New Zealand Act 2017
- Building Act 2004
- New Zealand Building Code (Building Regulations 1992 > New Zealand Building Code > C Protection from fire)
- Health and Safety at Work Act 2015

6.3. Standards

- SNZ PAS 4509:2008 Firefighting water supplies code of practice
- NZS 4510:2008 Fire hydrant systems for buildings
- NZS 4512:2021 Fire detection and alarm systems in buildings
- NZS 4541:2020 Automatic fire sprinkler systems

6.4. References

- Waka Kotahi NZ Transport Agency guidelines:
  - Vehicle mass and dimension rules
  - HN-HO-72 – Waka Kotahi NZ Transport Agency Bridge manual (2013)

    Note: This standard covers the requirements for all pavements bearing a heavy load such as a fire appliance.
  - Road and traffic guidelines – New Zealand on-road tracking curves for heavy motor vehicles (RTS 18)
- Acceptable Solution C/AS2 > New Zealand Building Code Compliance C Protection from fire
- New Zealand Building Code handbook (third edition, amendment 13)

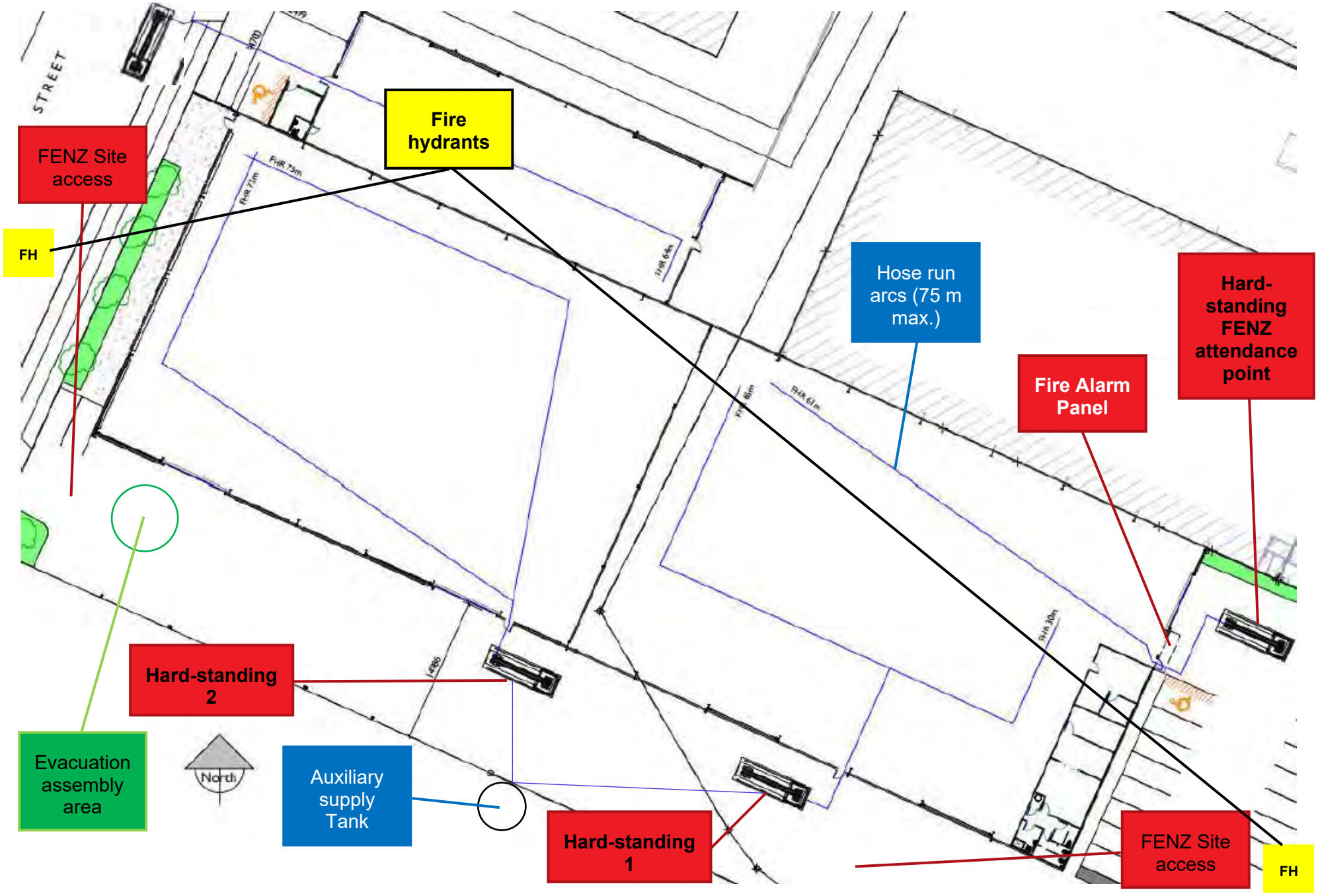
Note: The legislation, standards and references referred to in this guide (including those listed above) are relevant at the time that this document was published. Note however that the legislation/links may have been updated since this document was published.

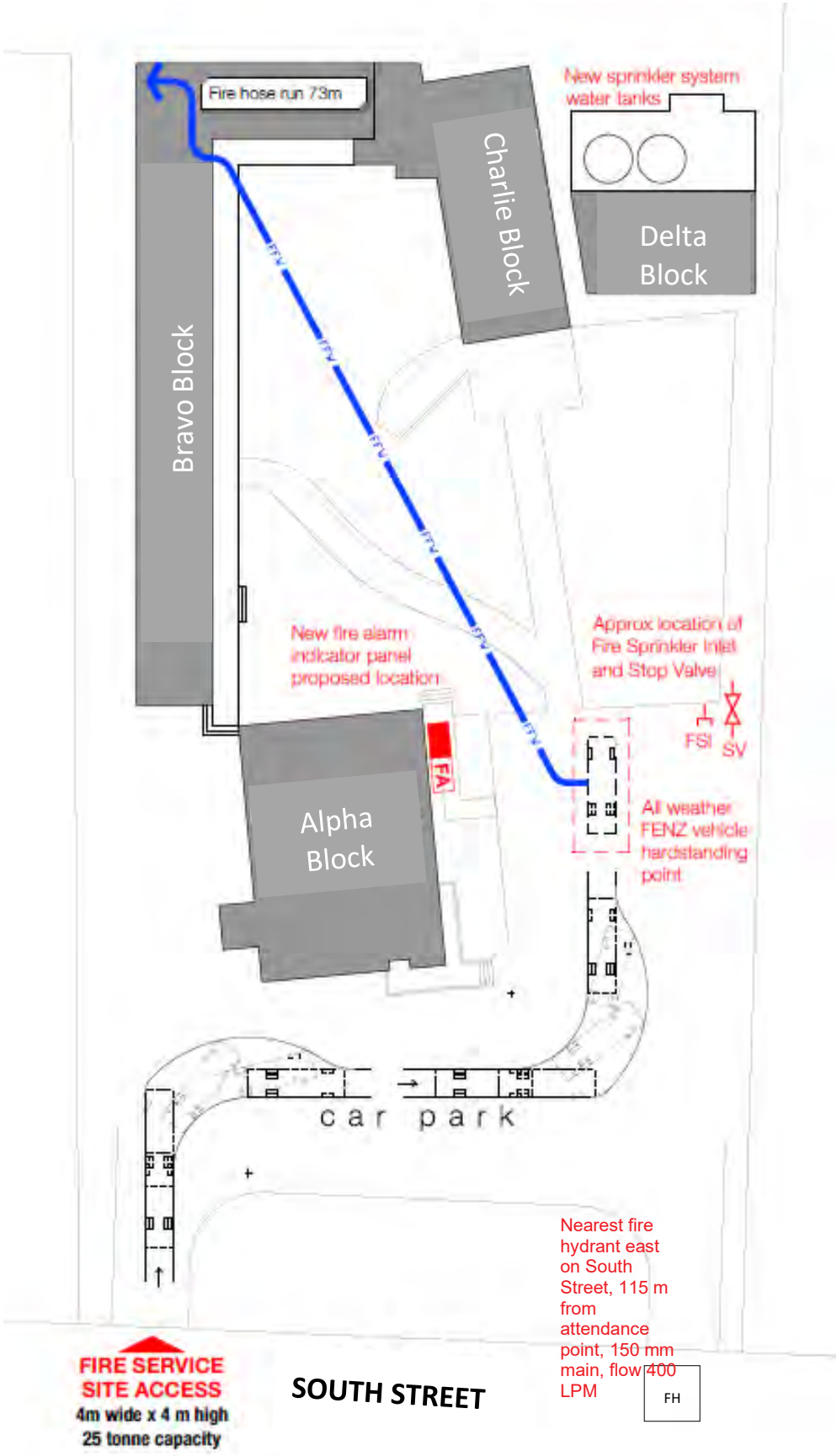
Appendix A – Images

Pumping appliances

Aerial appliances

Appendix B – Site layout examples




Fire hose run 73m
Charlie Block
New sprinkler system water tanks
Delta Block
Bravo Block
New fire alarm indicator panel proposed location
Approx location of Fire Sprinkler Inlet and Stop Valve
FSI
SV
FA
Alpha Block
All weather FENZ vehicle hardstanding point
car park
Nearest fire hydrant east on South Street, 115 m from attendance point, 150 mm main, flow 400 LPM
FH
FIRE SERVICE SITE ACCESS
4m wide x 4 m high
25 tonne capacity
SOUTH STREET

Document information

Owner	National Manager Response Capability
Last reviewed	10 December 2021
Review period	Every second year

Record of amendments

Date	Brief description of amendment
December 2021	Format update and SME content review
March 2018	Initial version

Ginny Taare

From: Unitary Plan
Sent: Friday, 23 September 2022 12:45 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Yash Idnani and Divya Verma
Attachments: 75 Jolson Road PC78 Submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Yash Idnani and Divya Verma

Organisation name:

Agent's full name: Baris Chung

Email address: baris.chung@cornerstoneplanning.co.nz

Contact phone number:

Postal address:
34 Gordon Avenue
Milford
Auckalnd 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:
Refer to attached submission.

Property address: 75 Jolson Road, Mount Wellington, Auckland 1062

Map or maps: The zoning maps and the Qualifying Matters map related to Flood Plains.

Other provisions:
Refer to attached 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:
Refer to attached submission.

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

Details of amendments: Refer to attached submission.

Submission date: 23 September 2022

Supporting documents
75 Jolson Road PC78 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.

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.

CORNERSTONE PLANNING

Submission on Proposed Plan Change 78 to the Auckland Unitary Plan (Operative in Part)

23 September 2022

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

unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: Yash Idnani and Divya Verma

Yash Idnani and Divya Verma ("the Submitter") provide this submission on Proposed Plan Change 78 ("PC78") TO THE Auckland Unitary Plan (Operative in Part).

The submission relates to:

- The property at 75 Jolson Road, Mount Wellington, Auckland 1062, which the Submitter owns;
- The PC78 zone maps; and
- The PC78 Spatially Identified Qualifying Matters map, in particular to Flood Plains.

Reasons for the submission

- The submitter considers that flooding should be dealt on a case-by-case scenario and should not be subject to a blanket development restriction.
- Further, the submitter is currently engaging a flood specialist to confirm if flooding does, in fact, impact the site or not and its magnitude, if relevant.

Relief sought

The submitter seeks the following decision from Auckland Council in respect of PC78:

- Enable the MDRS provisions to apply on sites where flooding applies on a case-by-case scenario;
- Support the zoning to Residential – Mixed Housing Urban Zone at 75 Jolson Road, Mount Wellington. 538.1
- Remove the flooding identified on the PC78 Spatially Identified Qualifying Matters map, in particular to Flood Plains as it relates to 75 Jolson Road, Mount Wellington. 538.2 538.3
- Such other amendments to the relevant provisions of the Auckland Unitary Plan (Operative in Part) to facilitate the relief sought in this submission.

CORNERSTONE PLANNING LIMITED
34 Gordon Avenue, Milford, Auckland 0620
Email: baris.chung@cornerstoneplanning.co.nz | Mobile: 021 0251 1917

CORNERSTONE PLANNING

If other parties make a similar submission, the Submitter would consider presenting a joint case with them at any hearing.

Baris Chung
Cornerstone Planning Limited
For and on behalf of Yash Idnani and Divya Verma

Address for service of submitter:

C/ - Cornerstone Planning Limited
34 Gordon Avenue
Milford
Auckland 0620

Attention: Baris Chung
Mobile: 02102511917
Email: baris.chung@cornerstoneplanning.co.nz

George Bramer

From: Unitary Plan
Sent: Monday, 26 September 2022 4:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Richard Darke

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Richard Darke

Organisation name:

Agent's full name:

Email address: darkes@slingshot.co.nz

Contact phone number:

Postal address:
140 Victoria Rd.
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:
Any intensification has not been properly planned as no additional infrastructure has been put in place to support it.

The area's historical ambience is already being destroyed by modern apartment blocks totally blocking the outlook and sunlight from existing properties.

People have chosen to live here because of its appealing character. The proposed changes will only add to the onslaught of intensification.

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

Submission date: 26 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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George Bramer

From: Unitary Plan
Sent: Saturday, 24 September 2022 2:45 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Richard Rutherford Wallace

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Richard Rutherford Wallace

Organisation name:

Agent's full name:

Email address: richard.wallace@xtra.co.nz

Contact phone number: 021925092

Postal address:
5 Summer 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:
Optional

Property address: Optional

Map or maps: Optional

Other provisions:
I have not idea what the question below means. What do you mean by "Specific Provisions"? I do not want to lose the heritage value of the area in any way.

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 Council should have followed Christchurch and not been prepared to implement this policy. This is a failure of Council leadership. The fact I need to make this submission is disappointing. I do not support any intensification of the Devonport peninsula. The three reasons are (1) it will destroy the heritage value of the area, (2) lower the quality of

life for existing residents (3) lead to pressure on already struggling infrastructure and (4) increase carbon emissions from the peninsula.

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

Details of amendments: Retain the Special Character Overlay over all of Devonport. Delete the Mixed Housing Zone on the Peninsula.

565.1
565.2
565.3

Submission date: 24 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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George Bramer

From: Unitary Plan
Sent: Monday, 26 September 2022 1:00 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Rupinderdhillon

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rupinderdhillon

Organisation name:

Agent's full name:

Email address: ritunz@yahoo.co.nz

Contact phone number:

Postal address:
23 patts Avenue
Glendene
Auckland 0602

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:
Low densityhousing

Property address: 23 patts Avenue, Glendene

Map or maps: Qualifying matters

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:
Qualifying matter is flood plain which can easily be mitigating by meeting minimum floor area requirement. If there will be medium density housing built next door then its bit impractical to have few houses on this street under low density housing. Either medium density housing should not be permitted on whole street or allowed for everyone including properties under flood plains.

Flood plain should be removed as Qualifying matter instead intensification should be allowed with minimum floor level requirements

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

Details of amendments: Flood plain should be removed as Qualifying matter instead intensification should be allowed with minimum floor level

571.1

Submission date: 26 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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George Bramer

From: Unitary Plan
Sent: Sunday, 25 September 2022 10:30 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Sabrina Joy Davies
Attachments: S J Davies Hill Park SUMMARY OF SUBMISSION.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sabrina Joy Davies

Organisation name: N/A

Agent's full name: N/A

Email address: sdavies33@xtra.co.nz

Contact phone number: 0292008705

Postal address:
33 Kelvyn Grove
Hill Park
Manukau 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:
PC78 Chapter D Special Character Areas Overlay - Residential and Business

Property address: Hill Park

Map or maps: Hill Park

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:
Hill Park adds beauty to Auckland City with its mature bush, huge trees, gardens and its nurturing/ supporting of NZ wildlife in the suburban environment of Auckland. It is the "lungs" of Auckland. It is the necessary green area of Auckland.

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

Details of amendments: More green spaces of a mature nature need to added to our Auckland Unitary Plan.

572.1

Submission date: 25 September 2022

Supporting documents
S J Davies Hill Park SUMMARY OF 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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SUMMARY OF SUBMISSION

My submission relates to Special Character Areas Overlay – General: Hill Park, which is codified in PC 78 Chapter D Special Character Areas Overlay – Residential and Business, and which is identified in the corresponding maps.

Specifically, I note that Hill Park is identified as a site specific location as a special character area and it it is therefore proposed that Hill Park be subject to the D18.2 Objectives and D18.3 Policies of PC 78 as well as Table D18.4.1 Activity table – Special Character Areas Overlay – Residential.

I agree with the identification of Hill Park as a special character area and its consequential including in Chapter D of PC 78 to be subject to planning controls. I request that the Independent Hearings Panel uphold Hill Park as a special character area.

572.2

Objectives and Policies

I note the objectives and policies of special character area overlays, which apply to residential.

D18.2. Objectives

Special Character Areas Overlay – Residential and Business

(1) The special character values of the area, as identified in the special character area statement are maintained and enhanced.

(2) The physical attributes that define, contribute to, or support the special character of the area are retained, including:

(a) built form, design and architectural values of buildings and their contexts;

(b) streetscape qualities and cohesiveness, including historical form of subdivision and patterns of streets and roads; and

(c) the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces.

(3) The adverse effects of subdivision, use and development on the identified special character values of the area are avoided, remedied or mitigated.

Special Character Areas Overlay – Residential

(4) Existing residential buildings provide for and respond to housing needs and demand in a way that maintains and enhances the special character values of the area. Page 2 of 7

(5) A minor dwelling provides for additional housing needs and demand in a way that maintains and enhances the special character values of the area.

(6) A limited range of non-residential activities in residential areas provide for the community's social, economic and cultural well-being, while maintaining and enhancing special character values, as identified in the special character area statement.

D18.3. Policies

Special Character Areas Overlay - Residential

(1) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.

(2) Maintain and enhance the built form, design and architectural values of the buildings and the area, as identified in the special character area statement, so that new buildings, alterations and additions to existing buildings, infrastructure and subdivision (where applicable):

(a) maintain the continuity or coherence of the identified special character values of the area;

(b) maintain the streetscape qualities and cohesiveness;

(c) respond positively to the design, scale, height, setback and massing of existing development, any distinctive pattern of subdivision, intensity of development, its relationship to the street, streetscape cohesiveness and is of a compatible form which contributes to the identified special character values of the area;

(d) maintain the relationship of built form to open space and landscape context;

(e) maintain the setting of the special character area, where these features, such as mature trees and landform, contribute to the special character values of the area;

(f) enable the removal of additions and features that detract from the special character of the building or identified special character of the wider area;

(g) minimise the loss of built fabric and encourage maintenance and repair;

(h) require new materials to be compatible with the age, detailing, finishes and colour; and Page 3 of 7

(i) recover or reveal special character values of buildings and features.

(3) Discourage the removal or substantial demolition of buildings that contribute to the continuity or coherence of the special character area as identified in the special character area statement.

(4) Require any application for demolition or removal of a building in a special character area to, on its own or cumulatively as a result of other removals or demolition, demonstrate that the loss of the building:

(a) would not erode the identified special character values of the area; and

(b) would not disrupt the cohesiveness of the streetscape and wider special character area, including links with scheduled historic heritage places.

(5) Encourage the on-going use and maintenance of buildings in special character areas.

(6) Manage the design and location of car parking, garaging and accessory buildings to maintain and enhance the streetscape and special character values of the area, as identified in the special character area statement.

(7) Encourage the retention of special features such as boundary walls, fences, paths and plantings that contribute to the character of the area.

(7A) Enable the conversion of existing buildings to provide for up to two dwellings, or for up to two dwellings and one minor dwelling where the special character values of the area, as identified in the special character area statement, are maintained.

(7B) Enable the establishment of a minor dwelling where the special character values of the area, as identified in the special character area statement, are maintained.

(7C) Provide for non-residential activities in residential areas that:

(a) are in keeping with the special character values as identified in the special character area statement;

(b) support the social and economic well-being of the community; and

(c) avoid, remedy or mitigate adverse effects on residential amenity.

With respect to the Section 32 analysis of PC 78 Chapter D Special Character Areas Overlay – Residential and Business, I note the options analysis, which has been codified in the report to the Independent Hearings Panel. I agree with Option 3 of that analysis. Page 4 of 7

I refer the Independent Hearings Panel to the inclusion of an environmental assessment as per Option 3 (i.e. apply MDRS and Policy 3 in a modified form) in particular:

Will maintain and enhance identified special character values.

and …

Retaining similar patterns of development will encourage the retention of trees and vegetation.

I strongly agree with the assessment and conclusion as set out in Option 3 and share the preference for Option 3.

How the special character overlay became operative in the first place

The Special Character Overlay for Hill Park is a testament to the residents of Hill Park who presented evidence in submissions to the Panel on the Proposed Auckland Unitary Plan in 2015 and 2016. The overlays discussion was dealt with in Topics 079, 010, 029 and 030 by the Panel at the time.

I note the following from the Panel's report, which dealt with the matters set out at the time:

> "The Hill Park Residents Association, Mr G Frost and a number of other submitters supported that Hill Park be included in a Special Character Overlay. The Hill Park Residents Association and Mr G Frost presented extensive evidence (evidence in chief and in rebuttal to the Council's

> expert evidence of Mr Mathews, heritage architect), Ms Mein (planner and urban designer) and Ms Fogel (heritage advisor) on the history and development of Hill Park, the character that has developed (mainly mid-20th century houses)." …
>
> "The Panel, having considered all of the evidence from submitters and the Council accepts that Hill Park has a special character (as set out and explained by Mr Frost) that warrants a Special Character Overlay. A special character statement has been drafted; being adapted from that provided by Mr Frost. Accordingly the Panel recommends the Special Character Overlay for Hill Park as shown on the planning maps."

While the Special Character Overlay hearings at the time primarily considered the merits of defending the pre-1944 built environment, Mr Frost for the Hillpark Residents' Association made compelling and ultimately successful submission arguments based on other matters. I refer to submission 5703-11 (Glen Frost) and 5646-11 (Hillpark Resident's Association) on the Proposed Auckland Unitary Plan: Page 5 of 7

"Compared to surrounding areas, a large number of trees in Hill Park are scheduled, giving a clear indication of the significance of the tree specimens in the area, however not nearly enough to ensure that the native forest cover will be sustained for future generations. Continued scheduling of significant trees is required, however residents have had little success in having nominated trees assessed by council, let alone listed. A simple overlay similar the former 'Urban Tree Protection' overlay will help protect those significant trees that have not yet been nominated / assessed / scheduled, of which there are many in Hill Park alone." …

"The Hill Park forest is generally self-seeded, regenerated native forest dating back to the latter half of the 19th century. It is a natural continuation of the preceding ancient native forest. Significant native plant species in Hill Park include Kahikatea, Kowhai, Nikau, Puriri, Rimu, Kohekohe, Kauri, Pohutakawa, Totara, and Pukatea.

"Collectively the many layers of Hill Park's forest are important - mature trees, young trees, and undergrowth – and further controls should be considered to protect younger/ lower level vegetation to ensure the overall structure of the forest is retained.

"Significant stands of native forest are located on both public and privately owned land. Presently the survival of any vegetation in Hill Park is generally dependent on the attitudes of individual property owners. While the majority of Hill Park residents are passionate about the native forest, it has been noted that significant trees are being removed at an increasing rate. Hill Park needs an overlay similar to the former 'Urban Tree Protection' overlay to emphasise the importance of the forest, to provide guidance and constraints, and to ensure it is sustainably managed by residents and local authorities." …

"Hill Park's native forest is not only a prominent landscape feature, but is also home to a thriving native wildlife population. Trees are a living organism and a community on their own with slugs, birds and fungi – a rare situation in any Auckland suburb. The forest is also part of a wider ecological corridor – a network of significant tracts of mature native vegetation that stretches from the Hunua Ranges through to Hill Park. This corridor once extended to the Waitakere Ranges, providing a route for larger native bird species to migrate to and from Northland, however land clearing and development has broken this corridor from Manukau through to Hillsborough approximately 20kms away with no significant stands of native forest in between. This is similar in distance to crossing the Cook Straight (Strait)!"

The decision to accept the submission evidence of Mr Frost and the Hillpark Resident's Association in 2016 illustrated both the significance of the evidence as well as the that Panel's understanding of the role that Hillpark's urban forest canopy played in contributing to the natural character of that suburb. This represents a prominent Page 6 of 7 landscape feature, which I submit is both complementary to the built landscape of Hillpark and a qualifying matter; and therefore should be retained via confirmation of the special character overlay of this site specific location.

As noted in the Section 32 analysis, retaining the special character overlay as accepted in 2016 does not represent a 'rolling over' of the existing provisions. PC 78 will significantly upzone the footprint of urban Auckland, including the vast majority of the wider Manurewa suburb. But Option 3 as codified in the Section 32 analysis recognises the balance between applying MDRS and Policy 3 in a modified form and retaining unique features that I submit requires Hillpark to be treated as a suburb subject to a qualifying matter and consequently a special character overlay.

I strongly agree that the features identified in submission 5703-11 (Glen Frost) and 5646-11 (Hillpark Resident's Association) on the Proposed Auckland Unitary Plan in 2014 and 2015 and which were upheld by the Independent Hearings Panel in 2016 continue to reflect the unique character of Hillpark, and these features alone should qualify Hillpark to be treated as a suburb subject to a qualifying matter and consequently a special character overlay.

How Hillpark's urban landscape contributes to its special character

As Arena Williams MP noted in her submission to Auckland Council's Planning Committee in August 2022, Hillpark was owned by David Nathan and his family until the 1960s, and in the period of his ownership the area was planted with native bush and significant tree species including totara, oaks, gums and poplars.

the 1960s, the area was subdivided in close cooperation with the Manurewa Borough Council. From the outset the development sought to achieve a low-density character with distinct features that are still present today:

Architectural character: The buildings of Hillpark retain special character from the area's historic ownership and subdivision in the 1960s. The area features quality modernist houses, brick and tile bungalows, Arts and Crafts influenced houses and English cottage style houses. It also features older buildings including historic heritage buildings, such as the Nathan Homestead and Orford Lodge.

Preservation of natural environment and extensive tree cover: Hillpark contains preserved ancient native forest featuring significant native species including kahikatea, kowhai, nikau, puriri, rimu, kohekohe, kauri, pōhutukawa, totara and pukatea. The forest is part of an ecological corridor of mature native vegetation stretching from the Hunua Ranges to Hillpark. Strands of native forest in Hillpark are included on both public and private land, and are a prominent landscape feature. It is also home to a thriving native wildlife population.

I am aware that other submitters are seeking a landscape architect's assessment of Hillpark's built environment. I would welcome the opportunity to comment on that assessment if it forms the basis of evidence supplementary to a submission, and I Page 7 of 7 reserve my right to comment on that matter should information made available via a further submissions process.

I strongly agree that the Panel should consider the relation between both the built environment and the natural environment constituted by the urban ngahere, which contributes to the special character of Hillpark.

Gap analysis, the absence of a corresponding Significant Ecological Area (SEA) concurrent to the Special Character Overlay

Hillpark's ecological values which include a distinctive grouping of Significant Ecological Areas (SEAs), Notable Trees and a high proportion of Manurewa's tree cover. These values deserve protection in their own right, particularly given the loss of tree cover in Manurewa since the Auckland Unitary Plan.

I consider that the SEAs that do apply in Hillpark are important and I support that additional planning control. However, I consider that Auckland Council should have undertaken an SEA assessment of the entire Hillpark suburb in 2014, 2015 or 2016, and it should have done so again in 2022 prior to publicly notifying PC78.

I consider that an SEA concurrent to the Special Character Overlay would be an appropriate supplementary planning tool and I would support its inclusion.

I request that the Panel directs Auckland Council to undertake this assessment to address the need for further protections to the natural environment beyond the existing SEAs so as to not require overreliance on notable trees as a planning tool.

572.3

George Bramer

From: Unitary Plan
Sent: Monday, 26 September 2022 5:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Shaarina A Taylor

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shaarina A Taylor

Organisation name:

Agent's full name: Shaarina A Taylor

Email address: jas.shaarina@gmail.com

Contact phone number:

Postal address:
21 Buchanan St
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:
Allowance for intensification of up to five storey buildings in commercial zones areas and up to three storey in residential areas in Devonport

Property address:

Map or maps: Areas of Special Value

Other provisions:
Retention of historic character, landscape values and Maunga character cultural values and views 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:
The lifeline for Devonport Village and surrounding areas is the retention of its character, historic value and relationship to the Maunga's. Tourism income for businesses relies upon the feel and character of the village area which would be greatly damaged by the allowance for intensification developments in the adjoining commercial and residential areas. With the current plan recommendations any preservation to these values relies solely on the limited Special Areas overlays. This is insufficient protect the cultural, landscape and historic values contained within this Suburb. Greater

574.1
574.2

protection from intensification is needed to ensure future developments are undertaken in appropriate areas and with sympathetic design for the long term survival and integrity of the community. As a resident of a property owned by our family for 3 generations and 70 years bordering onto the village shopping area we have witnessed the incremental chipping away of development to the detriment of the community. Furthermore the ability of the areas infrastructure to support further intensification is extremely limited and life threatening in the case of any civil defence emergency. These plan changes will have long reaching implications for our community and I sincerely feel there needs to be more specific considerations for the geographical (a peninsula) location and historic character of the Devonport area. 574.3 574.4

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 above

Submission date: 26 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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Harry Barnes

From: Unitary Plan
Sent: Friday, 23 September 2022 4:45 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Daniel Bulog

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Daniel Bulog

Organisation name: Brave Architects

Agent's full name: Daniel Bulog

Email address: dan@bravearchitects.co.nz

Contact phone number:

Postal address:
1 Union Street
Auckland Central
Auckland 1010

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:
It appears a flood plain is shown on PC78, one that is more extensive when compared to Geomaps (no flood plain shown), we believe this is a mapping error. The council are incorrectly saying that this needs to be treated as a Qualifying Matter under PC78. 582.1

The QM means we cannot use the MDRS rules, which we believe is not correct and unduly onerous. We would like this reviewed asap and the flood plain removed from PC78. 582.2

In terms of consent trigger under E36 – we go with Geomaps. So if no flooding shown on Geomaps – no consent trigger.

Property address: 127 Hutchinson Avenue, New Lynn, Auckland

Map or maps: 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:
Incorrect flood plain mapping, which is adversely affecting the sites development

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

Details of amendments: remove the flood plain - PC78

Submission date: 23 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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Harry Barnes

From: Unitary Plan
Sent: Monday, 26 September 2022 7:46 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Danute Leathem

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Danute Leathem

Organisation name:

Agent's full name: Danute Leathem

Email address: danute.leathem@gmail.com

Contact phone number:

Postal address:
36 Woodford Rd Mt Eden
Auckland
Auckland 1024

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 housing in Mt Eden

Property address: 36 Woodford Rd Mt Eden

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:
There is room for intensification of housing but not at the cost of established and iconic housing and areas around Auckland. There are 100 yr old plus house with established gardens and big trees that give Auckland its character, and these must not be destroyed.With careful planning there is room for all kinds of housing, but painting a piece of the city map white and designating it as an area for intensification is dangerous. Street by street may have to be the way to go. Please dont destroy our city.

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

583.1
583.2

Submission date: 26 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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Harry Barnes

From: Unitary Plan
Sent: Monday, 26 September 2022 3:31 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Femke Darke

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Femke Darke

Organisation name:

Agent's full name:

Email address: femketissot@gmail.com

Contact phone number:

Postal address:
140 Victoria Rd.
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 Specific 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:
* Any intensification would diminish the historical character of the area.

* Nothing has been done in the way of infrastructure to support any intensification.

* Devonport as a tourist destination would be severely impacted. It is the heritage character that brings the tourists here.

592.1
592.2

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

Submission date: 26 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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Harry Barnes

From: Unitary Plan
Sent: Friday, 23 September 2022 3:30 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Gail Lorraine Stratton

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Gail Lorraine Stratton

Organisation name:

Agent's full name:

Email address: healthlink@live.com

Contact phone number:

Postal address:
22 Ngatira Place
Snells Beach
Rodney
Auckland 0920

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:
PC 78: 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:
Transport –Warkworth is distant from major employment areas and it does not have a sufficiently developed public transport system to support high-density housing at this time. New residents are unlikely to heavily rely on public transport so the MDRS (allowing three dwellings per property) will likely result in more cars being added to our local roads. With smaller boundary restrictions, dwellings may be built with insufficient off-street parking for the 2-3 vehicles per household typically owned in Warkworth, so residents may find they need to park their cars in narrow streets, on berms, and blocking footpaths. This could become an access issue for emergency vehicles, rubbish and recycling

trucks, and other residents' access to their properties. In addition, many of our existing residential areas have complete footpath networks meaning that walking is often not a safe option. Warkworth also has a very minimal safe cycling network. Therefore, new residents will be unlikely to heavily rely on active transport such as walking and cycling to get around. Private vehicles Will more likely continue to be the preferred method of getting around, even over short distances. Therefore, a submission on Plan Change 78 could seek that Transport is added as a qualifying master for Warkworth's Single House zone–to remove or reduce the building heights and densities enabled by MDRS for this area. This is because Warkworth does not have a comprehensive public transport and active transport system that offers residents an alternative to using private cars. There is also no significant investment planned by Auckland Transport to implement such a system in the medium-term future.2.Wastewater Infrastructure–It is acknowledged that significant investment is being made into Warkworth's wastewater infrastructure with the present upgrade of the Snells Beach Wastewater Treatment Plant, a pump station in Lucy Moore Park, and wastewater pipe between Warkworth and Snells Beach. However, Watercare's presentation at a recent community meeting said that the current upgrade was expected to have a life of 35 years to meet the planned growth. This planned growth was calculated before the Medium Density Residential Standards came into effect. Watercare's representatives commented that the MDRS could add an additional 5,000 dwellings to Warkworth, vastly shortening the life of the current upgrade before significant further investment and expansion is required. Private Plan Changes in Warkworth's Future Urban zoned area is also accelerating Warkworth's growth ahead of the sequencing initially planned. Therefore submission on Plan Change 78 could seek that wastewater infrastructure be added as a qualifying matter in Warkworth's Single House zone –to remove or reduce the building heights and densities enabled by MDRS for this area.

593.1

593.2

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

Submission date: 23 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.

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.

Harry Barnes

From: Unitary Plan
Sent: Monday, 26 September 2022 4:31 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Gilles Demaneuf
Attachments: FBRA-members-Submission-Template-FINAL.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Gilles Demaneuf

Organisation name:

Agent's full name:

Email address: gilles.demaneuf@gmail.com

Contact phone number: 022 655 8238

Postal address:
19 Collingwood Street
Freemans 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:
Proposed Plan Change 78 Auckland Unitary Plan (Freemans Bay)

Property address: 19 Collingwood Street

Map or maps:

Other provisions:
See PDF attached

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 provisions have been rushed with political considerations in mind, as an headlines-making expedient after years of inaction. This is the worst possible solution: overreacting to previous years of neglect by destroying the historical and human fabric of a remarkable city.

Instead one should step back, protect historical districts, improve public transport, develop peripheral town centres as

connected nodes, and carefully intensify modern sections while balancing this with proper amenities (including green space).

I noticed too that my own 1879 villa, which is listed Heritage NZ Category 2 (https://www.heritage.org.nz/the-list/details/4514), would be directly affected by the intensification in the street.

The street itself is of remarkable historical interest, the plots being sold in the 1870s with some grand Victorian villas quickly coming up at the top and very humble workers cottage being built on the lower section of the street, all lovely maintained.

There are very few streets in Auckland that show that societal and architectural history from bottom to top (Franklin road, which is parallel to Collingwood st, is the only other one I know).
This is not about being a snob. The workers cottage are often still owned by people by bought them many years ago, when the whole area was rather terribly run down.

I bought my own villa (19 Collingwood) from the widow of the son of our great architect William Henry Gummer, who did so much to make Auckland such a beautiful place. I carefully worked on it with Heritage NZ to respect its integrity and original features.

I wonder what his son would think when seeing how Auckland societal and historical fabric is being threatened by ill conceived plans that are just easy expedients for years of official neglect.

The technical details of my submission are in the attached PDF.

Thanks,
Gilles

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 PDF attached

Submission date: 26 September 2022

Supporting documents
FBRA-members-Submission-Template-FINAL.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.

Yes

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

I (Gilles Demaneuf of 19 Collingwood St, Freemans Bay) confirm that I am directly affected by the matters referred to in this submission and that I could not gain an advantage in trade through this submission.

Scope of submission - Freemans Bay

A. Background- Freemans Bay Historic Heritage Precinct and Community

1. Freemans Bay is a largely intact historic heritage precinct with European settlement commencing in the area from the 1840's. The cadastral layout of Freemans Bay is based on the workers cottages of the late 19th century.

2. The age of housing predominantly ranges from the period 1860 to 1930. For many years planning controls have required new buildings and alterations to be in keeping with the historic heritage nature of the area and as a consequence Freemans Bay has retained its status as an historic heritage precinct.

3. Freemans Bay is a successful tightly defined community with already existing mixed housing types and very significant existing intensification. Approximately 40 % of Freemans Bay is already zoned THAB (Terrace Housing and Apartment Zone) under the Auckland Unitary Plan.

4. Over many years Auckland City Council and Auckland Council have shown their commitment to protect Heritage and Character areas. Property owners acting on reliance of Auckland Councils commitment have progressively upgraded and continued to maintain the unique built character of the area, as I have done with utmost care and dedication as the owner and occupier of the Heritage NZ Category 2 villa built in 1879 at 19 Collingwood Street, Freemans Bay (https://www.heritage.org.nz/the-list/details/4514).

B. Submission on proposed classifications for Freemans Bay (excluding existing THAB and mixed use zoned areas).

1. I support the proposed Special Character Areas (SCA) for Freemans Bay and the proposed Low Density Residential Zone (LDRZ) for Freemans Bay. 594.1 594.2

2. I do not support the shrinking of the Special Character overlay areas and request that the entire area covered by the AUP Overlay be retained. For clarity, this excludes the existing THAB and Business Mixed Use zoned areas. 594.3

3. Freemans Bay as a whole is an historic heritage precinct and a partial rezoning

a) Undermines the integrity of the precinct,

b) Will adversely affect the individual properties within SCA adjacent to proposed intensified areas.

c) At the density enabled would generate construction effects and long term access and parking difficulties that would make the congestion at an extreme level.

4. I oppose the proposed rezoning of the existing Medium Urban Housing (MHU) cluster comprising 2-8 Ryle Street and 32-34 Wood Street. The existing zoning provides adequately for the use of pensioner/social housing and re zoning will have an adverse effect on the

adjoining SCA individual properties and area. If the land is to be rezoned I request that the LDRZ be consistent with neighbouring sites and subject to SCA overlay. 594.4 594.5 594.6

C. Submission opposing any further intensification in Freemans Bay (excluding existing THAB/MHU areas)

I oppose any intensification in Freemans Bay beyond the pre-existing provisions in the Auckland Unitary Plan on the following grounds:

1. Freemans Bay is a taonga comprising houses constructed of Kauri and other timbers being the mauri and wairua of the ancient forests of Aotearoa and should be protected from destruction.

2. Intensification will disrupt a successful, integrated community incorporating a full range of socio economic groups and housing types which instead should be a model for social and economic urban functioning in Auckland.

3. Intensification in Freemans Bay will not promote or provide affordable housing because of the cost of land and small section sizes. Previous attempts at intensification in Freemans Bay have failed due to these factors.

4. The proposed walking catchment of 1.2 km from the City Centre edge is not based on evidence and bears no relationship to the transport networks in Freemans Bay, Britomart, or the Queen Street/business centre, which is the focus of employment opportunities. 594.7

5. The designation of the whole of Ponsonby Road as a "large town centre" is contrary to normal concepts of a town centre, and is also inconsistent with the proposed treatment of other areas in Auckland. 594.8

6. Freemans Bay is comprised largely of small section sizes and as such individual properties will be disproportionately adversely affected by intensification.

7. The existing infrastructure including three waters, the roading network, car parking and open spaces will not support further development beyond that already permitted. The roading network is unable to support the emergency fire access required for six story plus apartments which is of a completely different risk management profile to the existing housing stock.

8. Freemans Bay has limited street parking. Auckland Transport introduced a Residents Exempt Parking Scheme to enable residents to park in their own suburb. Any intensification of 6 story plus apartments would multiply this issue tenfold and would create blocked streets and gridlock.

9. Freemans Bay has an economic value as a world class heritage site adjacent to the Auckland City Centre where the value in its existing form exceeds any potential gains from intensification.

10. No account has been taken in the proposals of the "Urban Heat Island Effect" or the role of Freemans Bay in providing cooling and amenity to the Auckland City Centre. Auckland Council Planners Report to Plan Change 60 acknowledges that the Freemans Bay North area lacks open spaces/parks. Any further development without additional parks being created would run contrary to Auckland Council's Urban Ngahere Strategy and Climate Plan 2020

11. I do not support the numerical scoring system used by Council to individually rate each property in the Character Area overlay and request this to be reconsidered. The scoring

applied is arbitrary, and the survey by its nature relies on the depth of knowledge and understanding of each reviewer. Council was given an impossible task in the timeframe set by the legislation.. Council officers have done their best, however they did not consult with the community in creating this methodology, and had the constraints of both time and the Covid restrictions to work with. There are errors as a result, and biases that are possibly unintended, but which have huge effect on the outcome of the survey given that these numbers have been used to 'rate' the character value of parts of the area overlay and this has resulted in splits and losses of parts of the overall area. 594.9

12. The 66% and 75% thresholds are an arbitrary threshold unilaterally imposed by the Council without any statutory or evidential foundation. The thresholds have been applied based on those percentages (which are set through the scoring system which I do not support) to determine whether parts of the SCAs that fall within 'walkable catchments' should retain the overlay. I do not support this methodology as it stands and request this to be reconsidered.

13. Generally no planning has been undertaken or controls proposed as to how intensification is to be successfully implemented to avoid or mitigate adverse effects. In relation to the THAB zone's no effective standards have been proposed to protect privacy and access to developments within and beyond the THAB zone. 594.10

14. Overall, the Council has failed in its duty to prepare a plan change which meets the purpose of s32RMA and other sections of the RMA

I wish to be heard in support of this submission.

Signed (Submitter): Gilles Demaneuf

Date: 26 Sep 2022

Bronnie Styles

From: Unitary Plan
Sent: Monday, 26 September 2022 9:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Kristin Edgeworth
Attachments: Intensification26SEP22 Submission on Plan Change 78.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kristin Edgeworth

Organisation name:

Agent's full name:

Email address: kristin@360edge.co.nz

Contact phone number: 0274333704

Postal address:
83 Esperance Road
Glendowie
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:
1. Support THAB Zone shown on Plan Change 78 Map Viewer for St Heliers, 18th August 2022 provided that it is NOT extended or changed.

2. Do not support up zoning of properties currently zoned Residential - Single House Zone, and Residential – Mixed Housing Suburban Zone within the suburbs of St Heliers and Glendowie to the new Medium Density Residential Standards (MDRS), and Residential – Mixed Housing Urban Zone.

3. Apply Qualifying Matter of Coastal Hazard/Protection Area, to properties along the coastal fringe (setback from Queens Chain), along the St Heliers and Glendowie coast line.

Property address:

Map or maps: See attached PDF

Other provisions:
The specific provisions that our submission relates to are:

1. Support THAB Zone shown on Plan Change Map Viewer, 18th August 2022.

2. Do not support up zoning of properties currently zoned Residential - Single House Zone, and Residential – Mixed

Housing Suburban Zone within the suburbs of St Heliers and Glendowie to the new Medium Density Residential Standards (MDRS), and Residential – Mixed Housing Urban Zone.

3. Apply Qualifying Matter of Coastal Hazard/Protection Area, to properties along the coastal fringe (setback from Queens Chain), along the St Heliers and Glendowie coast line.

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 PDF for my views.

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

Details of amendments: Refer attached

Submission date: 26 September 2022

Supporting documents
Intensification26SEP22 Submission on Plan Change 78.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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Submitter details: Kristin Edgeworth
Ph: 0274333704
Email: kristin@360edge.co.nz

Scope of Submission

This is a submission on the following proposed **Plan Change 78 – Intensification**

The specific provisions that our submission relates to are:

1. Support THAB Zone shown on Plan Change Map Viewer, 18th August 2022.

2. Do not support up zoning of properties currently zoned Residential - Single House Zone, and Residential – Mixed Housing Suburban Zone within the suburbs of St Heliers and Glendowie to the new Medium Density Residential Standards (MDRS), and Residential – Mixed Housing Urban Zone.

3. Apply Qualifying Matter of Coastal Hazard/Protection Area, to properties along the coastal fringe (setback from Queens Chain), along the St Heliers and Glendowie coast line.

Enable more intensive development in and around neighbourhood, local and town centres.

1. Support THAB Zone shown on Plan Change Map Viewer, 18th August 2022.

I support the zoning for St Heliers, as outlined under Plan Change 78 Map Viewer, 18th August 2022, that is zoned Residential -Terraced Housing and Apartment Building Zone (THAB). 603.1

Provided that the THAB area as shown on Plan Change 78 Map Viewer, 18th August 2022 is not extended or changed.

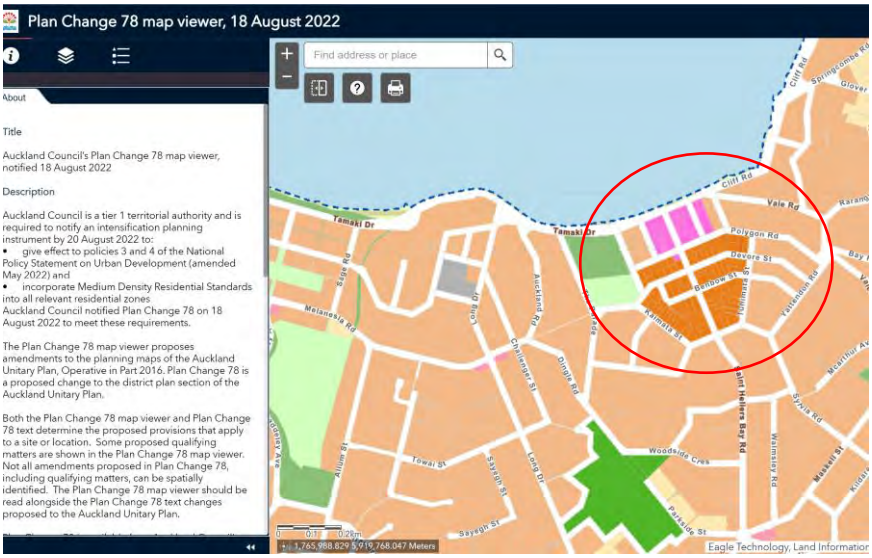

Figure 1. Plan Change 78 Map Viewer, 18 August 2022

Noted, no change to the existing area of THAB within St Heliers.

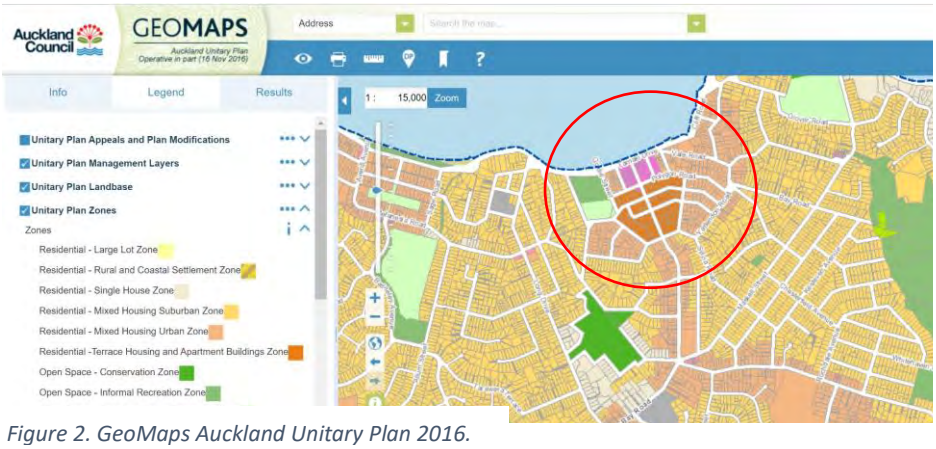

Figure 2. GeoMaps Auckland Unitary Plan 2016.

Incorporate Medium Density Residential Standards that enable three-storey housing in most residential areas.

2. *Do not support up zoning of properties currently zoned Residential - Single House Zone, and Residential – Mixed Housing Suburban Zone within the suburbs of St Heliers and Glendowie to the new Medium Density Residential Standards (MDRS), and Residential – Mixed Housing Urban Zone.*

I <u>do not</u> support the proposed Medium Density Residential Standards and up zoning of sites from Residential – Single House Zone and Residential – Mixed Housing Suburban to Residential Mixed Housing Urban. 603.2

It is noted that all sites within St Heliers and Glendowie currently zoned Residential - Mixed Housing Suburban Zone are to be up zoned to Residential - Mixed Housing Urban as shown in the following *Figures 3. GeoMaps Auckland Unitary Plan 2016* and *4. Plan Change Map Viewer, 18 August 2022.*

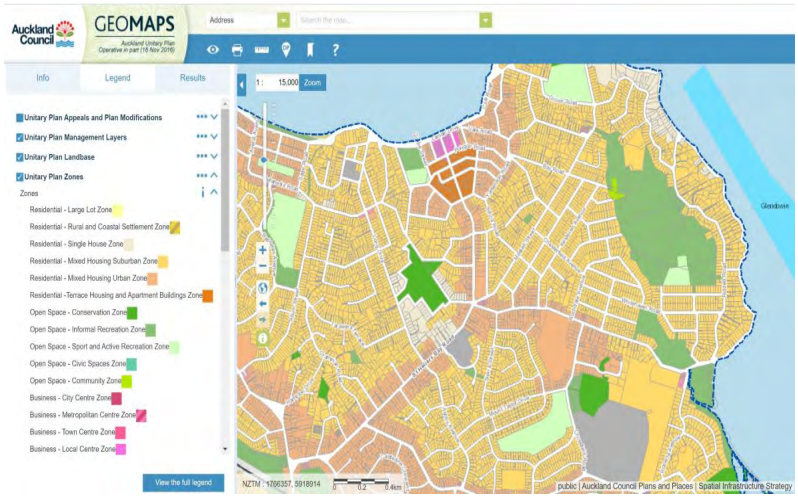

Figure 3. GeoMaps Auckland Unitary Plan 2016

Figure 4. Plan Change 78 Map Viewer August 2022

There are also a select number of sites currently zoned Residential – Single House Zone that are also to be up zoned to Residential - Mixed Housing Urban. As shown in the following *Figures 3 GeoMaps, Auckland Unitary Plan 2016 and 4. Plan Change Map Viewer, August 2022.*

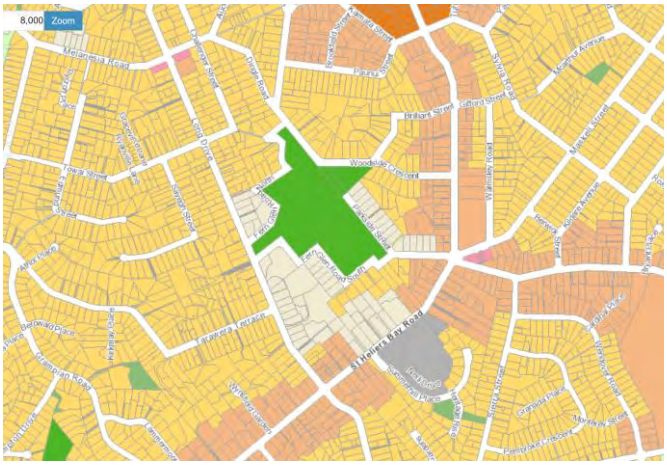

Figure 5. GeoMaps, Auckland Unitary Plan 2016

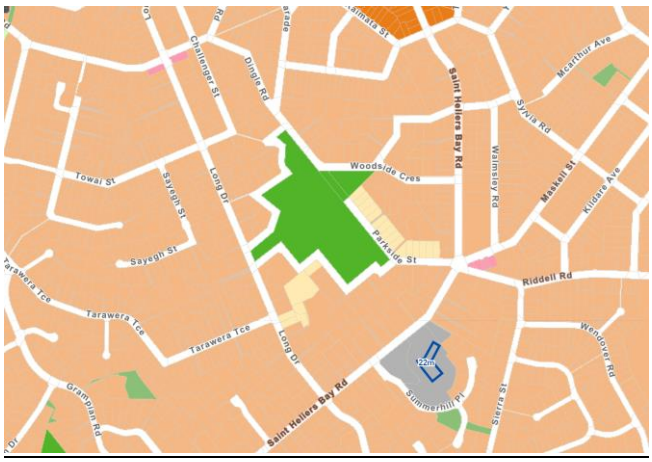

Figure 6. Plan Change Map Viewer, August 2022

I <u>do not</u> support the up zoning of these properties to Residential – Mixed Housing Urban Zone.

Special Character – Residential

I propose the following:

1. That the special character located within the suburb of St Heliers be reassessed. I am of the opinion that this entire special character residential area should be retained, based on the overall special attributes that make up the entire character of the area that includes i.e. openness; mature vegetation; stone walls; large sites; birdlife; existing built form etc. 603.3

Area details

Name	**Parkside Street, St Heliers**
SCA Overlay	Isthmus B
Survey Area Number(s)	55

2. Request that Auckland Council uses a 4/6 as threshold score for assessing percentage of properties, to determine SCA overlay (rather than requiring 5/6). 603.4
3. Lower the percentage threshold for SCA (eg 50% of properties instead of 66%). 603.5
4. Auckland Council should identify groupings of 10 properties (or across road, around the block etc) in rough cluster, not just next door. 603.6
5. Landscape values should also be incorporated, within the assessment and not just the architectural attributes of the property. 603.7

I do not support Council's proposed residential special character areas. I think there are more areas that should be identified as a qualifying matter ie: all special character areas, not just a subset. These areas have been identified as contributing to the existing character that makes specific suburbs unique and attractive.

Up Zoning of Areas to Residential – Mixed Housing Urban Zone

It is noted in the Zone description for **Residential – Mixed Housing Urban Zone** is defined as follows:

Over time, the appearance of neighbourhoods within this zone will change, with development of typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments.

I do not support the up zoning of any of these properties.

The current provisions of the Auckland Unitary Plan 2016 (AUP), already provide for 3 dwellings per site within the Residential – Mixed Housing Suburban Zone, the new Medium Density Residential Standards proposed will create significant adverse effects on these properties in terms of loss of sunlight, privacy and attributes that are currently enjoyed by our residential community that lives within suburban sites.

It is understood that there are no density limits within these zones (and as it currently stands under the AUP) if one applies for a resource consent. Therefore, by obtaining a resource consent, more than 3 dwellings can be built on a site, subject to a number of standards that don't necessarily have to be met. These resource consents generally fall into the category of a restricted discretionary activity, whereby Council will restrict its matter of discretion to only those matters that the activity requires consent on.

It is my view that Building 4 or more dwellings on a site zoned previously Residential - Mixed Housing Suburban, and in some cases Residential - Single House Zone, should be required to obtain resource consent as a **discretionary** activity whereby all effects of the activity on the environment should be considered.

It is my view that the activity status of allowing more than 4 houses on a site zoned previously suburban and single house zone, should be given a full discretionary status. There are significant adverse effects that have not been considered with these new standards. 603.8

The Medium Density Residential Standards that are being enforced on our suburban areas of St Heliers and Glendowie, will have significant adverse effects in terms of loss of sunlight and loss of privacy, on adjoining properties. Furthermore, with no density provisions enforced in the AUP now, there is no limit to the number of dwellings that can be built on a site with a resource consent. This will have considerable social implications on adjoining property owners. Council needs to provide stricter controls/standards/rules when multiple (**more than 3**), units are being built on sites, in terms of height, side and yard controls, height and landscaping requirements. 603.9

Here is an example of a three-storied development granted resource consent 25th January 2018, at 285 West Tamaki Road, Glendowie.

285 West Tamaki Road, Glendowie
Council Ref: LUC60310539 and SUB603105370, 285 West Tamaki Road BUN60310538
Site is zoned**: Residential - Mixed Housing Suburban.**

Development was granted for a Non-Complying Resource Consent, non-notified.
Consent was granted subject to a landscaping plan submitted. As evident in the photo, as the landscaping condition has been signed off, Auckland Council considered "grass" to be landscaping and a mitigation measure of potential adverse effects from the development.

Photo 1. 285 West Tamaki Road, Glendowie

Due to the topography of the site, the adjoining property owner to the south-east (289 West Tamaki Road, Glendowie), is now overlooked, has loss of privacy, and during the winter months, the property is shaded from 1pm onwards.

I do not support this boxed type of development, which was over the permitted height standards at the time, with little to no landscaping being undertaken.

If this is the type of development Council is proposing going forward to be built in our suburbs, it will decimate the amenity and attributes of what this community currently enjoys and have moved to the area for.

Qualifying Matters – PART 1.

3. *Apply Qualifying Matter of Coastal Hazard/Protection Area, to properties along the coastal fringe (setback from Queens Chain), along the St Heliers and Glendowie coast line.* 603.10

I do not support the Plan Change Map Viewer, 18 August 2022, for the suburbs of St Heliers and Glendowie, only identifying a small portion of properties on the coastal fringe being zoned Residential – Low Density Residential Zone.

Council has identified that these properties highlighted in red, *Figure 7.* along the coastal fringe of Glendowie, be up-zoned to **Residential – Mixed Housing Urban Zone**, I do not support.

The Coastal areas of St Heliers and Glendowie should be protected from overdevelopment of these sites, and protected from Coastal Inundation, Erosion and Land Instability as required under the New Zealand Coastal Policy Statement 2010. 603.11

I propose that an Environmental Impact Assessment (EIA) be undertaken on all those other property's (at least one-two sections back from the Coast, or Queens Chain delineation) on the coastal fringe of both St Heliers and Glendowie, as highlighted in red on the following Figure 1. Drawing – Coastal Area Identified in Glendowie (*Source: Plan Change 78 Map Viewer, 18 August 2022*). 603.12

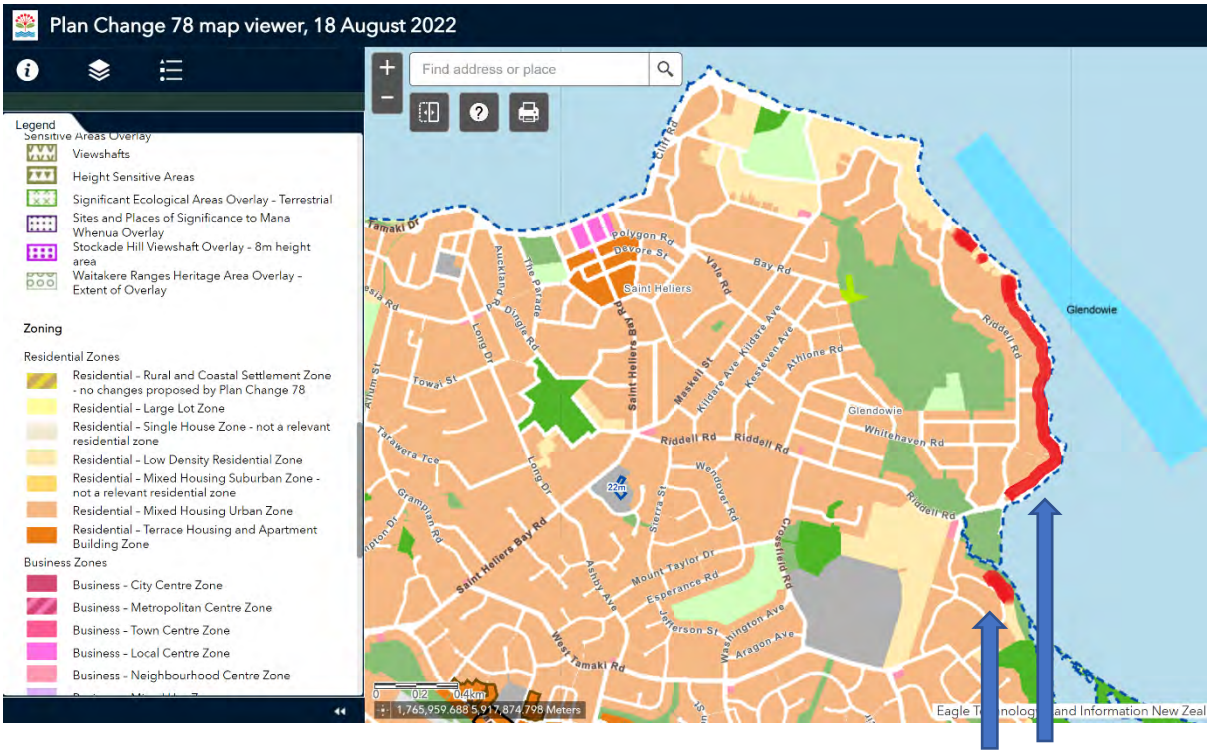

Figure 7. Coastal Area Identified Glendowie

EIA should be undertaken on following red highlighted areas.

Areas that warrant further investigation – Coastal Hazard Qualifying Matter should apply

GLENDOWIE ROAD, Glendowie

Glendowie Road, Glendowie

Figure 8. Map showing location of Glendowie Road, Glendowie

Photo 3. Coastal evidence of erosion, bottom end Glendowie Road, adjacent Churchill Club

Photo 4. Coastal evidence of erosion, top end Glendowie Road, near Glendowie Boating (Sailing) Club

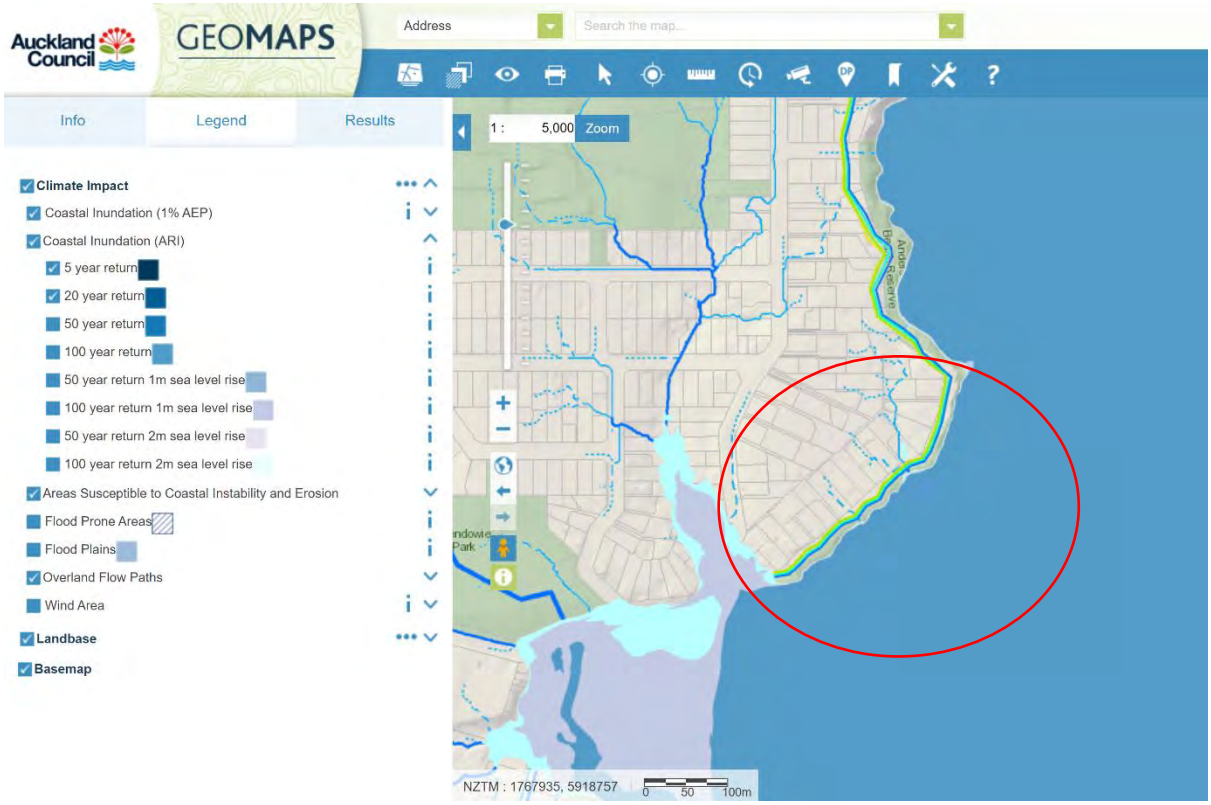

Figure 9. GeoMaps Auckland Council Coastal Inundation Area – Glendowie Road

Road access to these sites along Glendowie Road and the Glendowie Boating (Sailing) Club will not be possible if the erosion of this coastline continues unless this area is protected from further intensified development. This area should be rezoned (those sites that have immediate access to Glendowie Road) to **Residential - Low Density Residential Zone** as shown in following Figure 10. Areas hatched yellow**.**

603.13

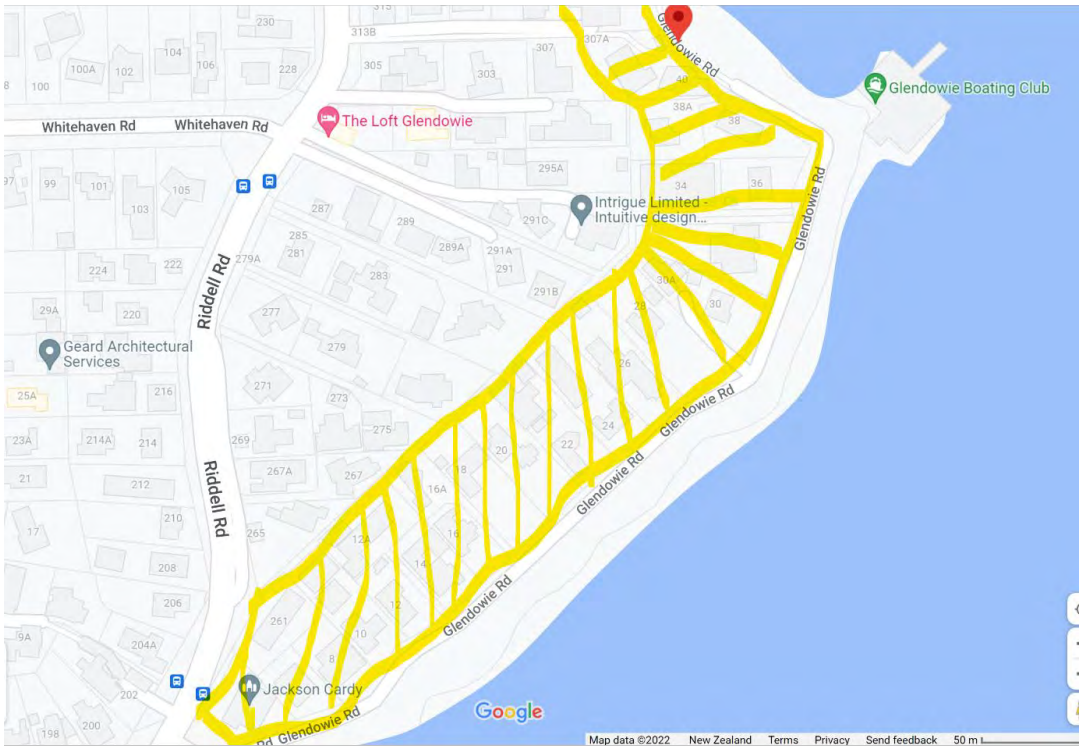

Figure 10. Areas to be rezoned Residential – Low Density Residential Zone – Qualifying Matter to be applied – Coastal Hazard / Protection Area.

VISTA CRESCENT, Glendowie

There is current evidence of road subsidence in front of residential properties on Vista Crescent, 16-18 Vista Crescent, Glendowie. Auckland Council's GeoMaps also show a number of properties, highlighted in the red area *Figure 11. & 12. Coastal Area Identified Glendowie*, to be within the coastal inundation area.

This area should be reassessed, and an EIA undertaken, and consideration should be given to rezone these properties to **Residential - Low Density Residential Zone**, and a Qualifying Matter be applied Coastal Hazard/Protection Area. As required under The New Zealand Coastal Policy Statement 2010. 603.14 603.15

Figure 11. Coastal Area subject to erosion/subsidence

Photo 1. Road subsidence Vista Crescent, 23.09.22.

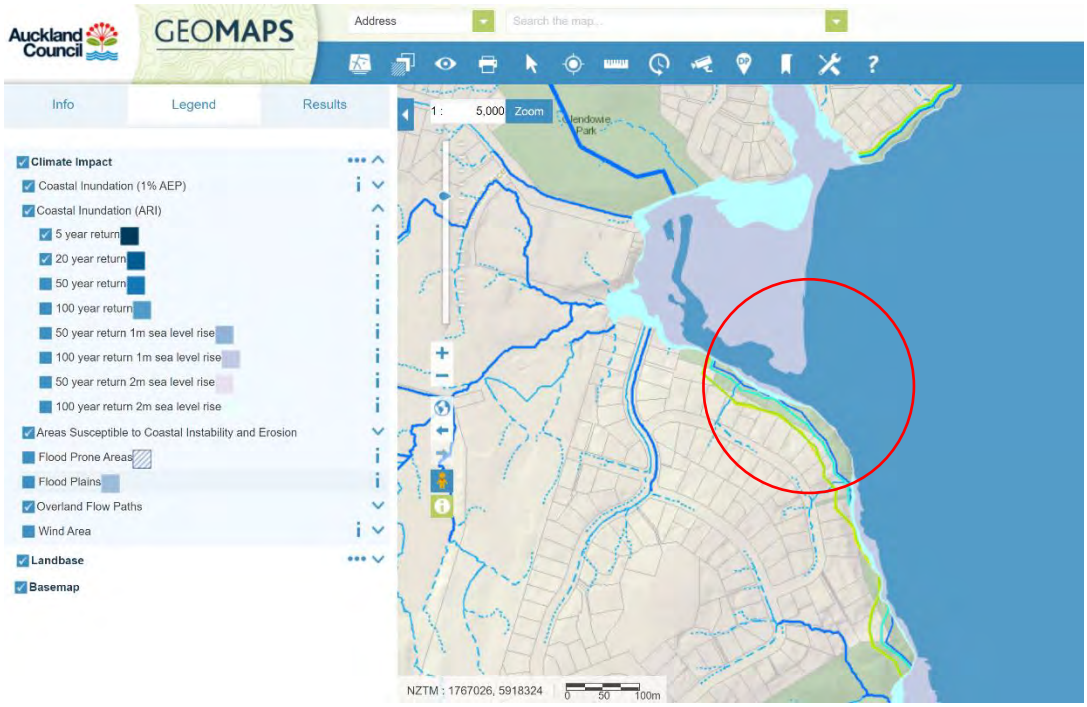

Figure 12. GeoMaps Auckland Council Coastal Inundation Area – Vista Crescent

Figure 13. Areas to be rezoned ***Residential – Low Density Residential Zone*** *–* ***Qualifying Matter*** *to be applied –* ***Coastal Hazard / Protection Area.***

Qualifying matters are characteristics about some properties or within some areas that may allow the council to modify, or reduce, required building heights or density. Qualifying matters include sites of cultural, historic, or ecological significance or requirements to avoid development in areas with natural hazards. Many of them are shown as overlays in the AUP that protect or recognise the feature or value that is being identified.

The government also allows councils to identify other qualifying matters that are relevant for places and communities.

The Council should also undertake an EIA on the remaining area of St Heliers and Glendowie's Coast, as shown in Figure 7. Below, to ensure that the Qualifying Matter of Coastal Hazard / Protection Area should also be applied, and the area rezoned to Residential – Low Density Residential Zone. 603.16 603.17 603.18

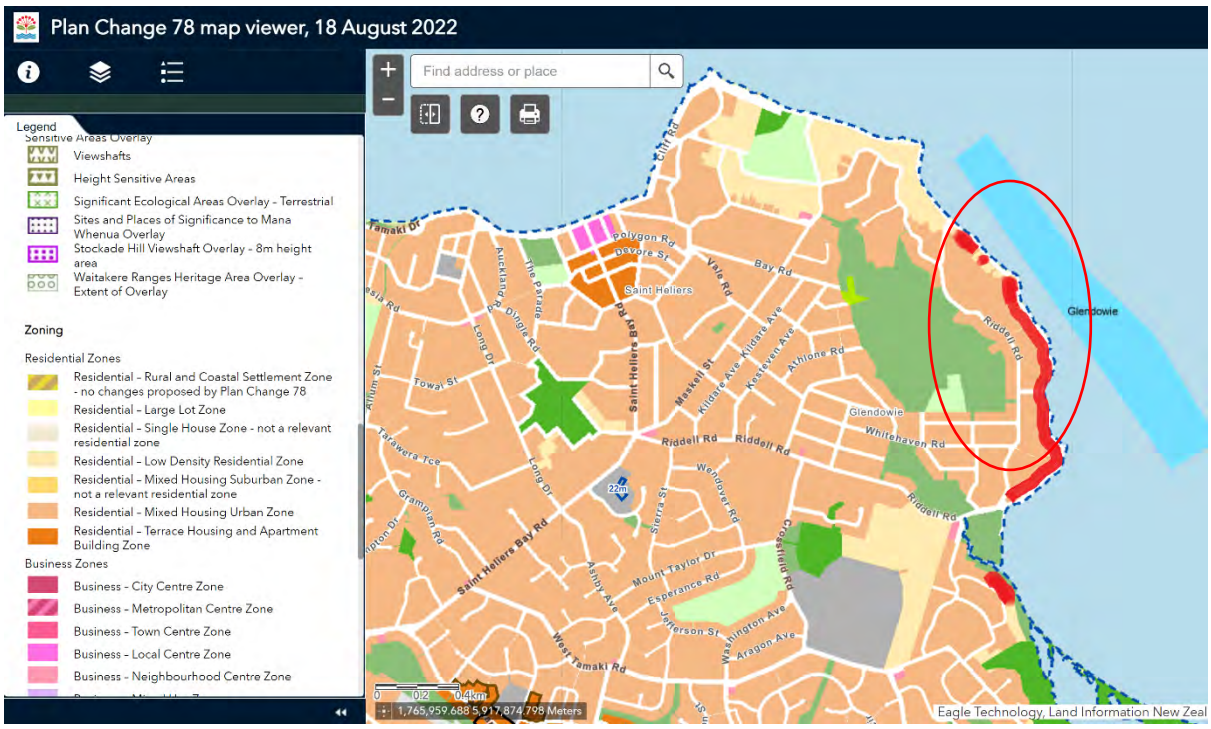

Figure 14. Further area to be investigated EIA - Areas to be rezoned ***Residential – Low Density Residential Zone*** *–* ***Qualifying Matter*** *to be applied –* ***Coastal Hazard / Protection Area.***

I understand that applying a qualifying matter doesn't prevent development from happening in that area. It only reduces development enough to ensure that what is being protected or managed isn't compromised by that development.

I am of the view, that the coastline of both St Heliers and Glendowie should be protected for future generations to come, from Coastal Inundation, erosion and instability, as required under The New Zealand Coastal Policy Statement 2010.

Bronnie Styles

From: Unitary Plan
Sent: Monday, 26 September 2022 10:01 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Julia Gatley
Attachments: 2022_Gatley support for special character areas.pdf; 2022_DMo_Support for Hill Park special character area.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Julia Gatley

Organisation name:

Agent's full name:

Email address: julia.gatley@auckland.ac.nz

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:
Special Character Areas

Property address:

Map or maps:

Other provisions:

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

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

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

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

Details of amendments:

Submission date: 26 September 2022

Supporting documents
2022_Gatley support for special character areas.pdf
2022_DMo_Support for Hill Park special character area.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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Assoc Prof Julia Gatley
C/- School of Architecture and Planning
University of Auckland
Private Bag 92019
Auckland 1142
New Zealand
P. +64-9-923 4656
E. julia.gatley@auckland.ac.nz

26 September 2022

Mayor, City Councillors and Planning Office
Auckland Council
Auckland

Dear Mayor Goff, city councillors and city planners,

Re: Support for Special Character Areas

I am an Associate Professor of Architecture at the University of Auckland, teaching and conducting research in the fields of architectural history and heritage conservation. My research interests include New Zealand's history of building higher density housing, particularly blocks of flats, since the 1910s.

I am writing to voice my support for the continuation of Special Character Areas in Auckland's older inner suburbs in the Unitary Plan. 605.1

I commend Council for its commitment to retaining the category of Special Character Area. These areas are an important part of the city character, and the Special Character Area overlays are an excellent way to ensure that this can be retained over time.

I commend the Council Heritage Unit for the work it has done to identify Special Character Areas with a high degree of cohesion (66% and 75%), as distinct from the streets where the cottages, villas and bungalows are already isolated from other such houses as a result of later interventions. We can't keep every cottage, villa and bungalow, and difficult decisions about reducing the size of these areas do need to be made. I therefore accept the reduced boundaries for the Special Character Areas as proposed.

I have written a separate letter of support under the auspices of DOCOMOMO New Zealand for Hill Park as a mid-century modern Special Character Area.

I also support the use of the Special Character Area category for business areas. This includes the retention of the Devonport overlay. 605.2 605.3

It is recognised that central government gave inadequate attention to infrastructure in developing the NPS-UD and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act, and the important issue of limited stormwater and sewerage systems in Auckland's older suburbs has received much attention since the new medium-density housing maps were first released.

Infrastructure is a particular consideration for Devonport, Stanley Bay and Stanley Point. In addition to the limited stormwater and sewerage systems, Devonport is a popular visitor destination, with access facilitated by ferries, but traffic on Lake Road is an ongoing problem, and one that is already being exacerbated by housing densification in Belmont. Lake Road cannot continue to take more and more vehicular traffic, and should never be made two-lane in each direction as this would only make the problem worse.

It is in view of all of the above that I support the current proposals for Special Character Areas, balanced with allowance for increased housing density in surrounding areas.

Yours sincerely,

Julia Gatley

Bronnie Styles

From: Unitary Plan
Sent: Friday, 23 September 2022 3:00 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Joanne Harlick

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Joanne Harlick

Organisation name:

Agent's full name:

Email address: abfabrehab@xtra.co.nz

Contact phone number:

Postal address:

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 historical area of the Auckland Community and a popular tourist destination because of this and the proposed change will greatly impact its significance as a tourist destination, economical contributor and a part of Aucklands Heritage history. Specifically the area in Oxford TCE near Cheltenham beach will cause issues with Parking over summer and the proposal is to knock over 2 historical character houses for multi unit developments. The area already has major parking and safety issues particularly over the summer months with Vehicles parking over driveways and on traffic islands berms that are signposted no parking, reserve gate entrances causing a danger to the safety of the public particularly the elderly and children crossing the road and accessing Balmain Reserve. The

606.1
606.2

unit developments would further add to the amount of congestion, cars and increase the chances of serious accidents occurring. Council will have on file many cases and numbers from members of the public contacting them over such concerns a further increase to density will only further heighten and manifest what already is occurring. Many near misses have occurred and there are serious and genuine health and safety concerns that exist in this area to date on file with Auckland Council.

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

Submission date: 23 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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Bronnie Styles

From: Unitary Plan
Sent: Monday, 26 September 2022 12:00 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Kevin Pan

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kevin Pan

Organisation name:

Agent's full name:

Email address: kpan2202@gmail.com

Contact phone number:

Postal address:

Papatoetoe
Auckland

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. Application of D24 Aircraft Noise Overlay to the proposed Unitary Plan.

2. Restrictions of development activity under A37 of D24 Aircraft Noise Overlay.

Property address: 219 Portage Road

Map or maps: Aircraft Noise 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? Yes

The reason for my or our views are:
D24 Aircraft Noise Overlay should not apply to the proposed changes to the Auckland unitary plan and the restriction (under D24) where new dwellings in a residential zone cannot exceed a density of one dwelling per 400sqm should be removed (A37 of D24). 612.1 612.2

Residential area around the airport has increasing housing demands, with the development of the airport and nearby

area, more workers and staffs need to reside closely to where their work is. D24 should not apply to the proposed changes to the unitary plan for the following reasons.

1. (A38)(a): Under D24.3, the policies state that there are restrictions of “establishing residential…activities within the area between the 60dB Ldn and 65dB Ldn noise contours, unless the effects can be adequately remedied or mitigated through… the acoustic treatment (including mechanical ventilation)”. With the use of double-glazing windows and doors, the noises of the aircraft can be effectively reduced in MANA. With that in mind, the limitation of density (i.e., not exceeding one dwelling per 400m2) in MANA is not an appropriate measure given the current housing crisis and the immediate need to provide more housing.

2. (A38)(b): In the I412 flat bush precinct plan (referred to in (A28)(b) in D24 Aircraft Noise Overlay), sub-precinct D and sub-precinct E (both within MANA) have a maximum allowable density of 150sqm and 180sqm per dwelling. A common feature of the sub-precincts includes its proximity to public open space and shopping centre. The same exception should apply to 219 Portage road and the area nearby. 219 Portage road is directly opposite multiple schools and kindergartens, 3 minutes’ drive to the motorway which leads to the CBD and around 15 mins walk to train station. The convenience that brings in living in the area is unparalleled and critical to busy workers for them to both access public transport easily and to take care of pick-ups and drop-offs from schools. 612.3

It will be against the intention of the policymakers to restrict developments when a property can install multiple mechanical ventilation to reduce aircraft noise and is located conveniently next to schools and public transport.

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

Details of amendments: Remove D24 as a qualifying matter to the proposed changes to the unitary plan and to remove the density limit in D24 for MANA..

Submission date: 25 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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Bronnie Styles

From: Unitary Plan
Sent: Monday, 26 September 2022 6:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - KIm Pick

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: KIm Pick

Organisation name:

Agent's full name: Kim Pick

Email address: pickcreative@xtra.co.nz

Contact phone number:

Postal address:
22 Buchanan Street
Devonport
Auckland
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: Devonport area

Other provisions:
We support the continuation of the Special Character Overlay in Plan Change 78, but we believe the SCA overlay for Devonport must be retained in its entirety in order to protect Devonport's historic integrity, harmony of scale and visual coherence.

WE SUGGEST AMENDMENTS FOR THE REASONS THAT:

1. The proposed changes to the SCA in Devonport are in conflict with the policies and objectives of the Section 32 report.

2. Mixed Housing Urban zones being applied to pockets of Devonport are in direct conflict with the intentions of the SCA as outlined in the Auckland Unitary Plan.

Height:

The increased building coverage will mean three storey developments filling up to 50% of sites. Yet the two storey nature of SCA's is an integral and consistent feature of the built environment. As the PC 89 Section 32 report states on page 14:

The consistency in height is an important, tangible characteristic of the overlay; it illustrates the physical attributes of the areas and original development patterns.

Density

The increased density that the MHU allows will also conflict with the SCA's more open, single house settlement pattern often accompanied by mature vegetation.

Section 32 Report page 14 states –

'Density is also key to the specific characteristics of residential areas in the overlay. SCA residential areas exhibit a predominantly single house settlement pattern…and has resulted in a level of consistency in patterns of subdivision, lot sizes, lot widths, house setbacks and spacing between houses.'

Vegetation

Increased building coverage will inevitably mean the loss of mature vegetation that characterises the Devonport SCA and enable the new buildings to be more prominent.

Section 32 Report Page 19 states -

'Increased building coverage is likely to impact trees and vegetation within SCA residential areas. Enabling this level of development will result in considerable change to SCA residential areas. Such development would be visible dominant and not maintain and enhance the values of the area.'

The absence of urban design requirements in the MHU zone will mean new buildings will not have to respond sympathetically to the heritage nature of the surrounding environment and therefore have a detrimental impact on the area's character.

The proposed pockets of MHU for Devonport will have a hugely detrimental impact on the heritage values because they will interrupt the low scale height and density of the area. They will enable modern developments that will be out of keeping with the neighbouring heritage houses and therefore diminish the collecting weight of the heritage landscape.

4. The loss of the SCA in Devonport and reversion to the Low Density Housing zone will enable development closer to the boundaries, greater bulk and less restrictive height to boundary rules. It will also mean loss of vegetation which contributes to the values of the SCA.

This will adversely impact on the ability to protect the low-scale, open streetscape of Devonport streets and diminish the heritage value of the area.

5. Policy 3d: This should be removed from residential area around the Devonport Town Centre as it conflicts with the Volcanic Cone viewshaft overlay, the Height sensitive overlay, the Special Character overlay and the Low Density Residential zone.

The collective weight of these overlays plus the underlying zone means five storey THAB development would be impossible. Therefore the policy 3d should not apply.

6. Devonport's Victoria Road business area should be an Historic Heritage Area.

Victoria Road is one of the most intact streets of Victorian and Edwardian buildings in Auckland and together with Windsor Reserve is a regionally significant historic area.

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 moved to Devonport specifically because it is a unique marine suburb - one of the best we have seen in the world,

with character heritage dwellings and village main street, a short ferry ride from the city, offering a green and low-rise village lifestyle. We have invested hundreds of thousands in restoring our home to retain its Edwardian features and in keeping with the character of the neighbourhood. We believe intensive developments will greatly impact the heritage value and coherence of the area, reducing its value and appeal to residents and tourists alike.
Because of this, we would like council to:
Delete the Mixed Housing Urban zones identified in the area.
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

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

613.1
613.2
613.3
613.4
613.5

Details of amendments: Delete the Mixed Housing Urban zones identified in the area. 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: 26 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: Sunday, 25 September 2022 6:30 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Chris Clouston

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Chris Clouston

Organisation name:

Agent's full name: Chris Clouston

Email address: oneina@xtra.co.nz

Contact phone number: 0211656229

Postal address:
34 Tainui Rd 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:

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:
Our heritage will be wiped out. The Special Character of Devonport its buildings and surrounds is what makes us kiwis and gets us returning to NZ.
I don’t want the quality of our privacy and sunlight diminished. Our health and wellbeing is affected through intensification. We will become like other poor countries where people are subjected to just surviving in little homes without outside areas for grass flowers trees. Young Kiwis will not want to live here or return after their OE. Kiwis have appalling family violence issues for many reasons and intensification will only add to stress levels.

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

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.

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: Monday, 26 September 2022 8:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - CHIMENE DEL LA VARIS

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: CHIMENE DEL LA VARIS

Organisation name:

Agent's full name: CHIMENE DEL LA VARIS

Email address: chimenedellavaris@gmail.com

Contact phone number:

Postal address:
chimenedellavaris@gmail.com
Auckland
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:
PC78

Property address:

Map or maps:

Other provisions:
Intensification adjacent to special ecological areas

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:
Special ecological areas must be protected from the direct impacts of intensification.

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

Details of amendments: There is a need for a green corridor around special ecological areas to soften the impact of intensification.

648.1

Submission date: 26 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: Sunday, 25 September 2022 11:30 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Annabelle White

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Annabelle White

Organisation name:

Agent's full name:

Email address: abelle@xtra.co.nz

Contact phone number: 0212833592

Postal address:
PO BOX 34506 Birkenhead
Auckland
0746
Birkenhead
Auckland 0746

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 the historic heritage and would like to see it extended to the last few properties that currently aren't protected (95-101) & (85-91) 649.1

-Support the following Qualifying matters that council has proposed for Le Roys Bush and surrounding areas - "Keep Significant Ecological Areas" 649.2

- Support the qualifying matter for Water and/or Wastewater constraints control. 649.3

Property address: 93 Hinemoa Street, Birkenhead

Map or maps:

Other provisions:
- Supporting the Historic Heritage Extent Of Place Overlay 649.4

- This Villa at 93 Hinemoa St, was built by my great grandfather in 1907, and it's protection is of major concern as it is one of the few remaining Edwardian villas that has been kept in pristine condition by the family. Fully aware of it's historical significance.

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:
It is important that the council is mindful that while intensification in hubs like Highbury where it has the infrastructure setup is acceptable. What is not acceptable is the destruction of the historic template, that is the old north road (Hinemoa Street).

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

Details of amendments: Protection of special character of Hinemoa Street where young people can walk from the ferry up the hill, past historic houses and buildings eg: old Birkenhead post office and shops that were once the center of old Birkenhead.

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? 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: Tuesday, 27 September 2022 4:16 am
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Charles Gordon Willmer
Attachments: Images Charles Willmer.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Charles Gordon Willmer

Organisation name:

Agent's full name:

Email address: charlesgwillmer@gmail.com

Contact phone number: 0279008686

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:

Property address:

Map or maps:

Other provisions:
1) Failure of the Plan Change to meet a Council set objective
2) Flawed Town Centre Zone classification methodology
3) Flawed Special Character Res classification methodology
4) Flawed Car Park provisioning

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

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

The reason for my or our views are:
1) Failure to achieve a key Council Objective set for the Plan Change:
Council has set a small number of key objectives they wish to achieve in construction of Plan Change 78. One of these is to “Manage privacy, building dominance and shading on adjoining sites”. This objective has not been achieved. All the new zoning allows imposing building heights to be built to within 1m of the sites boundary right up of the edge of the zone. This means that it is possible to build a 10 storey building (Town Centre Zone rules) next to a

one storey one. And in a Walkable catchment 6 storey buildings can be constructed. Rules that allow buildings of these magnitudes to be constructed 1m from the boundary cannot be described as meeting an objective of “Manage privacy, building dominance and shading on adjoining sites”. At a minimum, a transition area that steps building hight down between zones should be introduced. 650.1

Even Medium Density Residential Standards which will now be used for most residential areas allows a build of 3 storeys to within 1m of the boundary. Whilst accepting that some residential areas were already allowed to do this, it fails to meet the new Council objective. Attached are two diagrams lifted from Council documentation.

Town Centre Zoning classification model: The Zoning systems identifies “smaller” and “larger” town centres and the methodology used seems flawed. Whilst not fully understanding the “rules” used for this classification, please visit Milford Town Centre and then Birkenhead Town Centre. Milford centre covers a larger area, has a larger shopping centre and a longer Main Street than Birkenhead but is classified “small” whilst Birkenhead is classified “large”. 650.2

Special Character Area - Residential Classification model: The classification methodology used is flawed:
Flaw 1: A system of identifying a “high quality” zone has been identified by Council on a points basis and then a qualifying percentage attached. The qualifying percentage is different depending on if it is inside or outside of a walkable catchment. Doesn’t logic say that “high quality” is “high quality” regardless of where it is?
Flaw 2: An area classified as SCA Residential may hide an horrendous few houses which cannot be touched and conversely an area that doesn’t meet the standard may have some gems which can be bowled without question.
Flaw 3: The classification methodology does not take into account what “heritage” might be in 50 or 100 years. New Zealand has a very short built history, the new regulations will ensure it remains short rather than promoting and protecting what will be considered “heritage” in the future. 650.3

Car Parking: The NPS-UD’s rejects the current standard to provide a minimum amount of off street car parking, even in low-density suburban areas remote from good public transport services. Surely this is counter intuitive as residents only transport option is personal transport (please don’t say “buy a bike”). We understand that Council has a thing against cars however this is a recipe for street congestion and the resulting loss of amenity value for ratepayers as well as an increase in damage to property. 650.4

With such a high number of basic flaws and a failure to meet a key Council objective, Plan Change 78 should be rejected. 650.5

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

Submission date: 27 September 2022

Supporting documents
Images Charles Willmer.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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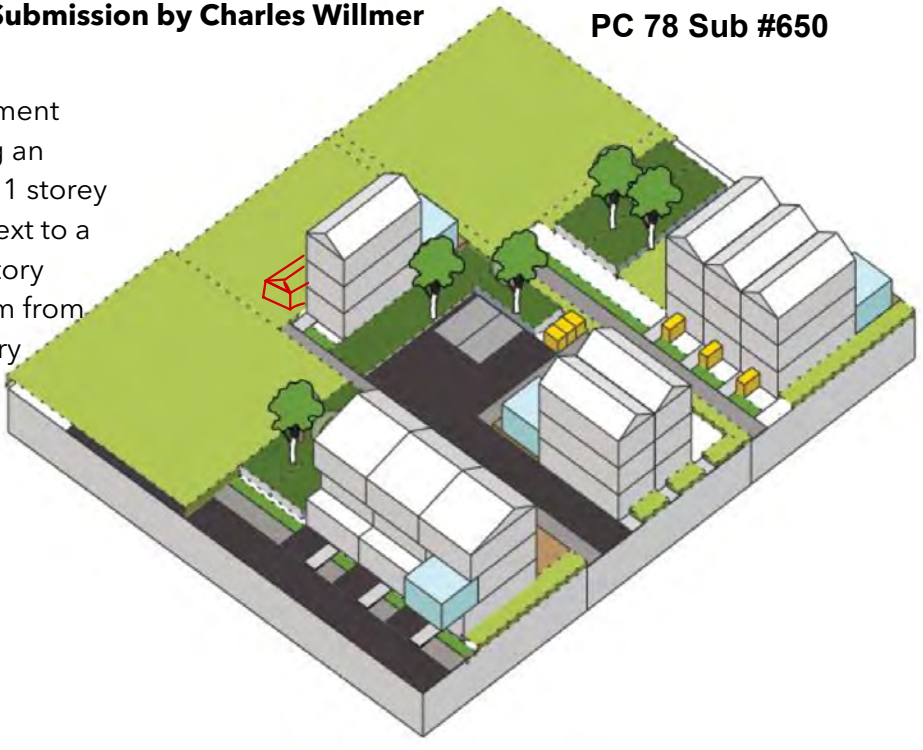
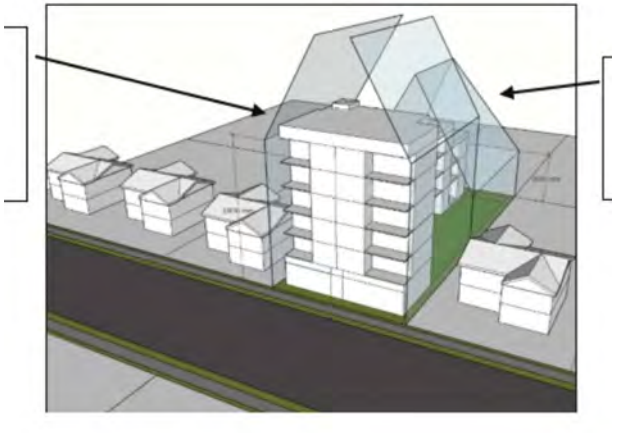
Amendment showing an existing 1 storey home next to a new 3 story block 1m from boundary



Shows a 2 story existing home next to a new 6 storey block



Neither of these Council images support Councils objective of:
"Manage privacy, building dominance and shading on adjoining sites"

SUBMISSION ON PLAN CHANGE 78 PROPOSED AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Fraser Gracechurch Development Limited

This submission relates to Plan Change 78 to the Auckland Unitary Plan (AUP). This submission specifically relates to the following properties:

- 77, 81, 85, 93B and 93C Gracechurch Drive, Flat Bush

This properties fall within the Howick Local Board area.

The specific provisions addressed by this submission are as follows:

a) The submitter opposes the proposed zoning of 77, 81, 85, 93B and 93C Gracechurch Drive, Flat Bush as Residential - Low Density Residential Zone and seeks to rezone the sites to Mixed Housing Urban, as indicated on Figure 1. 657.1

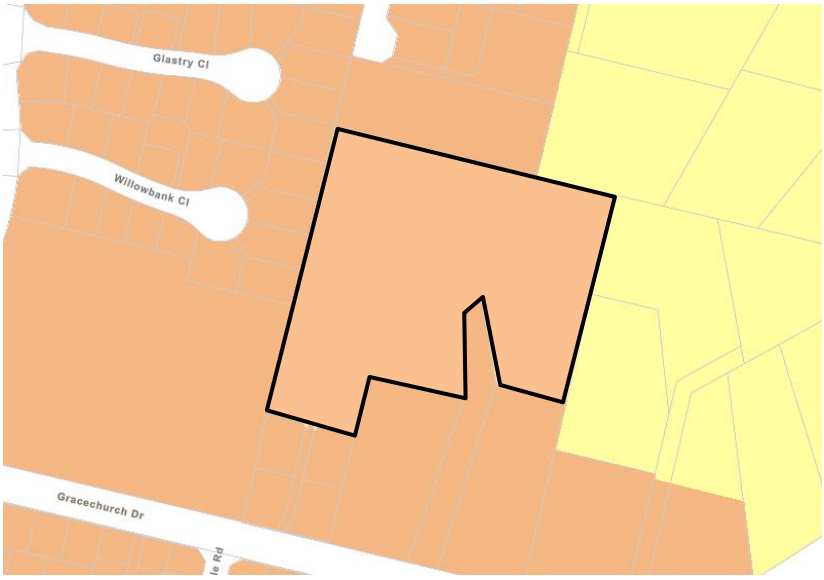


Figure 1 : Proposed rezoning to Mixed Housing Urban

The reasons for the submitter's concerns are:

1. The applicable zoning does not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The zoning is not soundly based on evidence or an appropriate costs benefit analysis as required by section 32 of the Act;

3. The applicable zoning of the AUP, as they relate to the Submitter's site:

   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act, and the National Policy Statement – Urban Development (NPS-UD) and the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021;
   iii) will give rise to adverse effects on the environment that are not avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The specific reasons for the submitters' concerns are as follows:

   a) The submitter considers that it is inappropriate to restrict the zoning of a location due to a general flood plain qualifying matter. The submitter acknowledges that any future redevelopment of such land would need to take the flood plain and or Overland Flow Path (OLFP) into account and, in some cases, this may well restrict development on all or part of a site. The AUP already includes controls to manage the effects of such flood plains and OLFP's.

   b) Consistent of with the current approach of the Auckland Unitary Plan, rezoning should be based on land use principles and issues such as flooding should not determine the zoning, unless that is clear evidence of significant risk from natural hazards.

   c) In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding.

   d) It is noted that there are numerous examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a flood plain or OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels.

   e) It is also noted that the actual extent of the indicated flooding on the identified sites is very limited, as indicated on Figure 2. A substantial part of these sites is located outside the flood plain. Similarly, these are sites that have the identified flood plain overlay that have not been 'downzoned'.

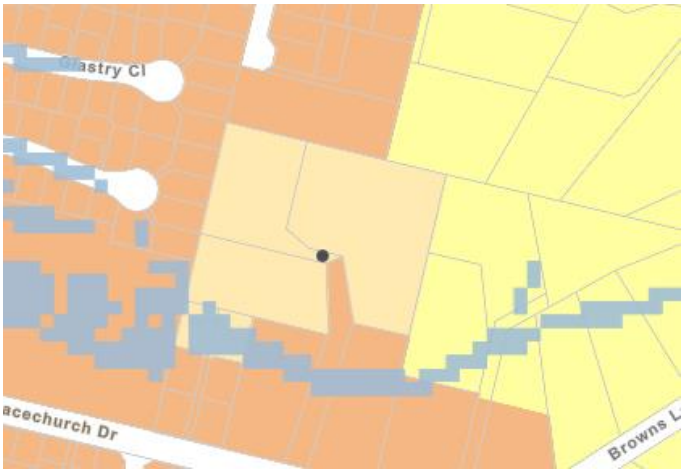


Figure 2 : Proposed Floodplain overlay (Source : Auckland Council)

The submitter seeks the following decisions from Auckland Council, regarding the Proposed Auckland Unitary Plan:

a) That 77, 81, 85, 93B and 93C Gracechurch Drive, Flat Bush is rezoned to Mixed Housing Urban, as indicated on Figure 1.

b) That the Auckland Council reviews **all** flood plain areas located identified within Plan Change 78 , and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain overlay, are rezoned to Mixed Housing Urban as a minimum. 657.2

c) Any other consequential changes that would give effect to the relief sought in this submission.

The submitter wishes to be heard in support of their submission. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

The submitter is not a trade competitor, and could not gain an advantage in trade competition through this submission.

Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Fraser Gracechurch Development Limited as its duly authorised agent.

Date: 25 September 2022

Address for service of submitter:

Fraser Gracechurch Development Limited
C/- Campbell Brown Planning Limited

PO Box 147001
Ponsonby
AUCKLAND 1144

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

George Bramer

From: Unitary Plan
Sent: Tuesday, 27 September 2022 12:00 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Colleen Brown

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Colleen Brown

Organisation name:

Agent's full name: Colleen Brown

Email address: thebrowns@colbar.co.nz

Contact phone number: 0274797978

Postal address:
19B Claude Road Hillpark
Auckland
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:
Qualifying Matters, Special Character

Property address:

Map or maps: Hillpark Special Character Overlay

Other provisions:

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

666.1

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

The reason for my or our views are:
The bush area in Hillpark is unique. It is referred to as an 'Urban Forest'. From when the Nathan Family subdivided the farmland it has always been understood by those who live here that it has a unique and special character.
We have lived here for 38 years. In that time we have seen the Hillpark area confirmed as being unique with an Historic Overlay by Manukau City Council. We believe it was the vision of the Nathan family to preserve as much of this ancient forest by creating large sections so that residents could be connected to the bush and protect and preserve the legacy. Many who live here feel we have a duty of care to preserve the bush. You have to walk through the area to get a feel for the diversity of tree life, for how the mid-century homes blend in with the forest and how

many different varieties of bird life thrive here. On a daily basis we see families of tui, and kereru, wax eyes and occasionally each year we have Kaka in the bush near our property or in our back yard. To see the connection between bush and bird life is a joy. It is an ecological corridor for wild life which in my view should be preserved for the future.
The area has a number of important Ron Sang homes and is a great area to see mid-century architecture in street after street blending into the forest seamlessly.
It is important to note that many of the homes back onto reserves, that are part of areas designated as being a Significant Ecological Area (SEA). In some cases on Lawrence Cres, the SEA is entirely within private home ownership and in others the SEA is part of a public open space which blends into residential areas. Some properties have 10-15 Totara trees on them, some in the vicinity of David Ave where there is a small gully have more than 15 Totara. The eco-systems that abound in these forested areas is precious. The people who live there regard themselves as Kaitiaki - there to look after the natural forms. People have small streams that wend their way through their properties with fish and other freshwater life in them, all connected to the forest.
As a community we rallied behind the call to 'notify' our trees and I believe that Hillpark probably has more notified trees and groups of trees than most parts of the city. It would be helpful to open up the notification of trees again as when the data was collected it was done by faxing lists of trees and residences to the then Manukau City council. It was a challenge to make sure all those who wanted to notify their trees actually were able to do so. Now, some years later, we could add to the original number. We do need to increase the protection of the bush area. Residents have witnessed notified trees being chopped down. we have called for Council support - none was forthcoming in time to stop the destruction of two beautiful Totara. 666.2
Within the community, the Hillpark area can be seen right across the region. From the highest point you can see through to the Manukau Harbour and to the city itself. The Urban Forest sits on the ridgeline and can be seen from afar.
I believe it is the only character area in the South - it should be seen as a Taonga to be preserved. we do have a duty of care. People gain a great deal of spiritual support from the proximity of this natural environment. People meditate, pray and simply enjoy it - with recreational use and family time.

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

Details of amendments:

Submission date: 27 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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From:	Unitary Plan
To:	Unitary Plan
Subject:	Unitary Plan Publicly Notified Submission - Plan Change 78 - Harshad Tendulkar
Date:	Friday, 23 September 2022 3:15:49 PM
Attachments:	43 Beaubank Road - PC 78 Submission Final.pdf K220419-1 - Geotechnical Letter (ASCIE Assessment) - 43 Beaubank Road.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Harshad Tendulkar

Organisation name:

Agent's full name: Mark Weingarth

Email address: mark@planco.co.nz

Contact phone number: 0211671873

Postal address:
84 Birkenhead Avenue
Birkenhead
Auckland 0626

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 subject site and several other sites at the east side of Beaubank Road are rezoned for Low Density Residential Zone on the assumptions that the eastern end of these sites identified with coastal erosion as a qualifying matter that would exclude the adoption of the Medium Density Residential Standards (MDRS) from this site.

Property address: 43 Beaubank Road Kelston

Map or maps: Plan Change 78 viewer

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:
Following site specific assessment the subject site is not inhibited by any of the definitions of qualifying matters as set out in the Enabling Act and in particular there are no matters of national important associated with the subject site. Neither are there any out of the ordinary or unusual characteristics of the site that would suggest the application of ‘other matters’ (consistent with s77I of the Enabling Act) would apply in this case.

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

673.1
673.2

Details of amendments: The subject site should be included in the Plan Change 78 with a Residential – Mixed Housing Urban zoning and no Qualifying Matters.

Submission date: 23 September 2022

Supporting documents
43 Beaubank Road - PC 78 Submission Final.pdf
K220419-1 - Geotechnical Letter (ASCIE Assessment) - 43 Beaubank Road.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.

Can you change Auckland? You can.

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IN THE MATTER	of the Resource Management Act 1991 ("**RMA**")
AND	
IN THE MATTER	of a submission in relation to Plan Change 78 in response to the National Policy Statement on Urban Development 2020 (NPS-UD)

SUBMISSION BY MARK ROBERT WEINGARTH ON BEHALF OF

Harshad Tendulkar

23 September 2022

1.0 INTRODUCTION AND QUALIFICATIONS

1.1 My name is Mark Robert Weingarth. I am a Director of Plan Co. NZ Limited, a planning consultancy firm. I hold the qualification of Bachelor of Arts in Planning Studies and Diploma in Town Planning plus a Certificate in Regeneration from Oxford Brookes University in the UK. I am an Associate member of the New Zealand Planning Institute.

1.2 I have 19 years of experience in planning and resource management. My experience has included work in both the private and public sectors, and has encompassed a full range of resource management matters including preparation and assessment of resource consent applications and development plan development and implementation.

1.3 I have appeared as a witness at Council hearings and before the Environment Court, relating to a range of resource consent matters.

1.4 I have previously held the position of Team Leader and Lead Consent & Performance Specialist with Auckland Council's Central Resource Consent Unit. In these roles I oversaw a section of the Council that had responsibility for processing a range of resource consent applications including district and regional land use consent applications, discharge consents, coastal permits and subdivision consents involving a diverse range of matters including small and large scale urban developments (both commercial and residential), heritage protection, coastal walkway and large scale infrastructure projects. A number of such application required my attendance at resource consent hearings where technical planning input was provided to both processing planners and the hearing panel.

1.5 I act on behalf of Harshad Tendulkar who are the owners of 43 Beaubank Road, Kelston (LOT 67 DP 40638).

2.0 SCOPE OF SUBMISSION

2.1 This submission is made following Auckland Council's notification of Plan Change 78 on 18th August 2022.

2.2 The submission addresses the following matters:

(a) The context of the 43 Beaubank Road (subject site) and the urban nature of Kelston and how the NPS-UD applies to this urban environment.

(b) The proposed changes for the subject site.

(c) The relation of the walkable catchment of Kelston, New Lynn and Western Train line to the NPS-UD.

(d) The outcomes sought by this submission.

(e) Concluding comments.

3.0 SUBMISSION

Surrounding Urban Environment

3.1 The subject site comprises one residential lot and is located within the urban environment side of the Rural Urban Boundary (RUB) and is currently zoned Residential - Single House Zone. The site is not subject to any overlays under AUP(OP). A minor overland flow path is running at the front of the existing dwelling from south to north.

The site is effectively flat and is not identified by Auckland Council GIS as being subject to other natural hazards.

Figure 1: Local context (existing)

3.2 Kelston is an established residential suburb, with strong connections to key Auckland settlements including the New Lynn, Glen Eden, Henderson, and the major local employment areas in Central/Western Auckland. In particular, the following factors illustrate the necessity and capacity of the subject site as part of the urban environment to enable great housing capcaity in Kelston as envisaged in Objectives and policies of NPS-UD:

Infrastructure services

Discuss reticulated waste and stormwater systems and established road network

Access to Education: It holds numerous education facilities across different schooling ages and needs, for instance, Kelston Intermediate School, St Leonards Road School, Kelston Primary School, Kelston Girls College, Kelston Boys' High School, Ko Taku Reo – Deaf Education Auckland and several other early childhood education facilities.

Access to Transport network: There is good provision for public transit, including public buses along Archibald Road and Kelwyn Road which connects to town/neighbourhood centres nearby as well as Western Line Train service linking other suburbs, employment areas and Auckland CBD. Therefore, it is determined that the subject site and its surroundings is well-serviced by public transport to access local centres, urban services, jobs and rapid transit network.

Access to recreational opportunities: Directly to the north of the subject site is Archibald Park, a large park in the neighbourhood with established shared walkways/cycleways, playground, sports field, boat ramp and jetty, picnic tables and seating. These facilities ensure the health, cultural wellbeing of the surrounding residential community to be provided for[1].

Access to neighbourhood amenities: There a range of local services/businesses available in the vicinity of the subject site (in 20 minutes walking distance). This includes takeaways/cafes, groceries, shopping mall, barbers etc which provides living necessities for residents in the area.

Population growth and long-term development: Kelston has experienced growth over the past decade. This suburb had an estimated population of 5,750 as of June 2021, which was an increase of 453 people (9.25%) as compared to 5,355 people in 2018 Census[2]. In Auckland Plan 2050, Kelston is identified as a part of Glen Eden-Kelston Development Area where housing and business growth and redevelopment is anticipated in 11 – 30 years[3].

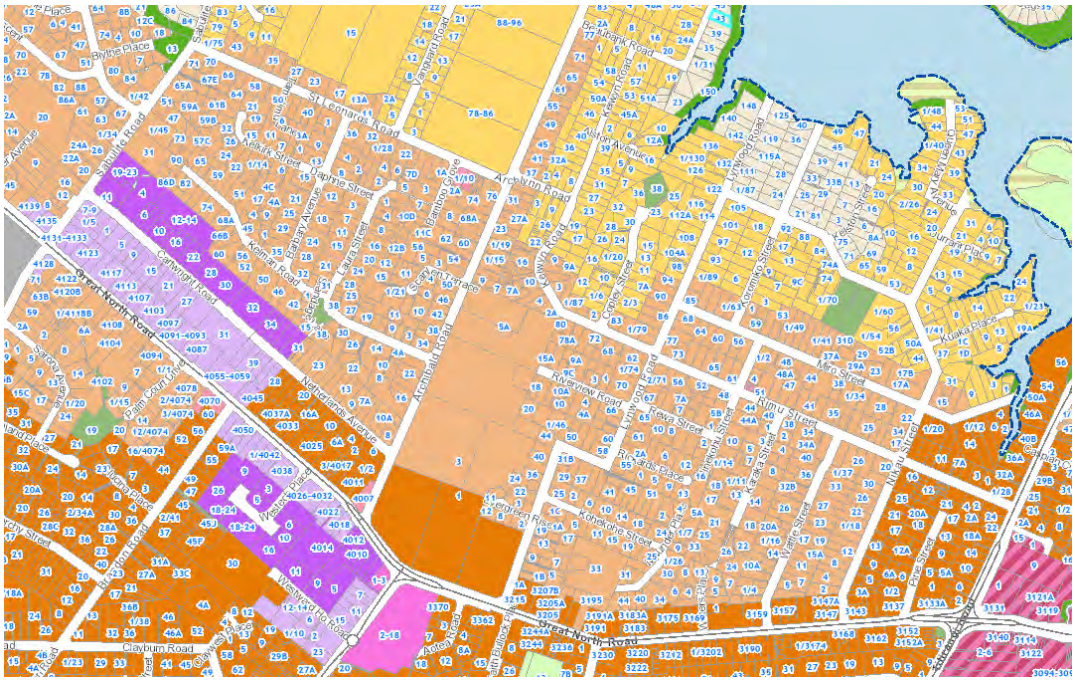

Figure 2: Local context – AUP(OP)

[1] Archibald Park: https://www.aucklandcouncil.govt.nz/parks-recreation/Pages/park-details.aspx?Location=2791

[2] Subnational population, 30 June 2018-2021: https://nzdotstat.stats.govt.nz/wbos/Index.aspx?DataSetCode=TABLECODE7979

[3] Anticipated growth - where and when – Auckland Plan 2050: https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/auckland-plan/development-strategy/Pages/anticipated-growth-where-when.aspx

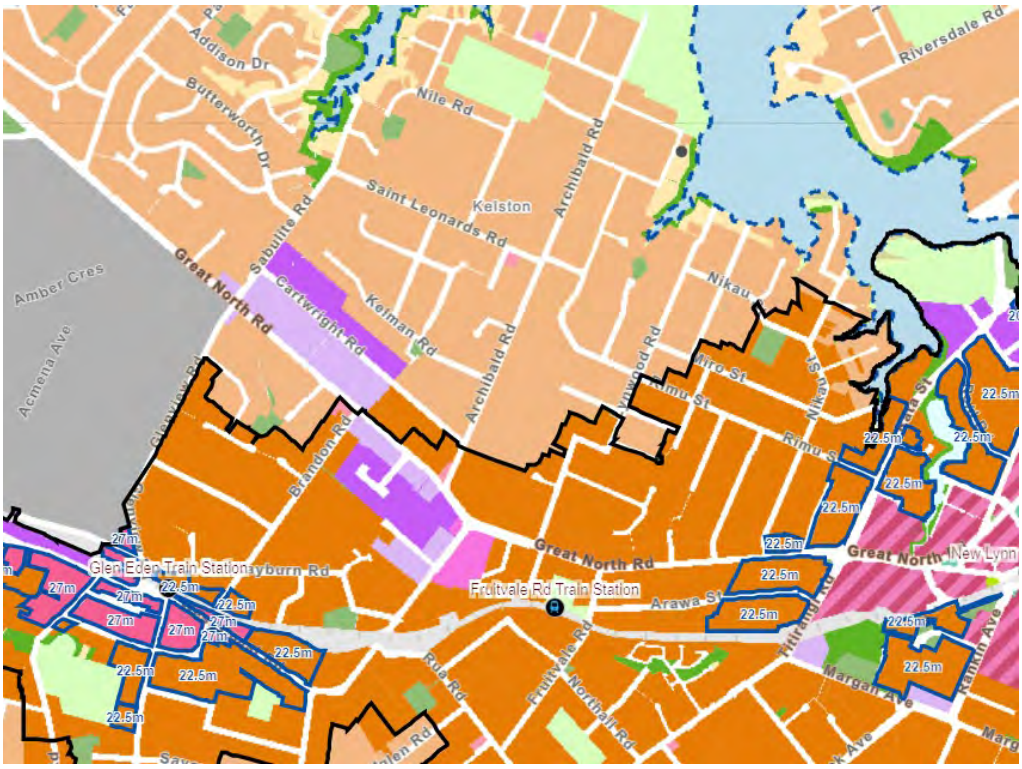

Figure 3: Local context – PC78 viewer

Figure 4: Development Areas - Auckland Plan 2050

Figure 5: Business areas - Auckland Plan 2050

3.4 Whilst the residential environment is typified by single detached dwellings due to the area's Single House zoning, there are notable examples of higher density development consisting of terraced houses or standalone houses with narrower yards in the wider environment. Examples include 87 and 89 Archibald Road located approximately 180m to the west of the subject site, 24 and 33 Kelwyn Road which lie approximately 400-500m to the south. It can be noted that when zoning permits higher density development to the west and south of Beaubank Road, this is generally taken advantage of.

Figure 6: 87-89 Achibald Road

Figure 7: 33 Kelwyn Road

Figure 8: 24 Kelwyn Road

3.5 The above area description and assessment demonstrates that Kelston at a wider scale encompasses a sizeable urban environment with commercial social, economic, and cultural services available to its growing population. Reticulated infrastructure is provided for the urban catchment. These factors, along with Kelston's strategic connection to the surrounding areas and strong transport linkages, leads to the conclusion that this is an urban area suited for the purposes of the NPS-UD and therefore subject to the changes in zoning explicitly required by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill (Enabling Act). This, however, has not been reflected in the notification of Plan Change 78 in which the subject site and several other sites at the east side of Beaubank Road are rezoned for Low Density Residential Zone on the assumptions that the eastern end of these sites identified with coastal erosion as a qualifying matter that would exclude the adoption of the Medium Density Residential Standards (MDRS) from this site. However, it is noted that the same Coastal Erosion Qualifying Matters are applied to sites Koromaiko Street,. Queen Mary Avenue and Kuaka Place in close proximity to the subject site also with coastal boarders have a proposed Residential - Mixed Housing Urban. Furthermore, 47 Beaubank Street is also subject Coastal Erosion as a Qualifying Matter, adjoins the coast and is proposed to be zoned Residential - Mixed Housing Urban.

Figure 9: Subject site (dotted parcel), proposed zoning and Qualifying matter layer

The site's accessibility to jobs, community services, natural spaces, and open space that support urban intensification, and its location being well-connected to public transport network posits that a higher density zoning should be permitted for the proposed zoning to be consistent with the provisions established by the Central Government.

A geotechnical investigation report assessing coastal erosion and instability at the subject site over the next 100 years has been prepared by KGA Geotechnical Ltd to accompany this submission as evidence. In summary, the geotechnical assessment concludes that:

(a) Auckland Council's "Areas Susceptible to Coastal Instability and Erosion" (ASCIE) viewer indicates that an area of between 20m and 25m from the coast may be susceptible to coastal instability and erosion. Notwithstanding, this is a regional scale assessment and does not take into consideration of site-specific conditions and adjacent coastal embankment.

(b) The subject site does not exhibit any signs of global instability during a site walkover undertaken by KGA Geotechnical Ltd. Evidence of shallow soil creep to a depth of approximately 1m was noted across the coastal slope.

(c) A site-specific calculation based on a 100-year period based off climate emission scenario RCP8.5 adopted in 2021 Tonkin and Taylor Report

"*Regional Assessment of Areas Susceptible to Coastal Instability and Erosion*" and Auckland Council Guidance Document "*Coastal Hazard Assessment in the Auckland Region, August 2021*" determined that, ASCIE extends approximately 16.7m from the existing cliff toe, which falls outside the property boundaries of the subject site (see Drawing KGA 1 and 2 appended in the report). On this basis, KGA Geotechnical Ltd does not anticipate future coastal slips to extend into the property and any future development will not be subject to localised soil creep or soil-slumping type failures over a 100-year period.

In addition, directly adjacent to the subject site is an esplanade reserve zoned for Open Space – Conservation Zone where dense vegetation is present. As identified by the RMA one of the key purposes of esplanade reserves is to protect against natural hazards and therefore the presence of the esplanade in affords the protection against natural hazards envisaged by the RMA and no further or greater degree of development restriction should be imposed. .

Considering the above, provided specific geotechnical inputs to confirm the site is not subject to coastal instability or poses a risk for further development, further development at the subject site meeting the purpose of the RMA, NPS-UD and MDRS is plausible. The actual extent of coastal hazard area on the ASCIE is inaccurate. The proposed Low-Density Residential zoning and Qualifying Matter layers – Coastal Erosion is therefore not applicable to the subject site and inconsistent with the requirements for Auckland's evolving built character and squanders the development potential of the subject site, and potentially the wider area adjacent to the coastline subject to further site-specific assessment.

The relation of coastal hazards at the subject site to the NPS-UD

3.6 It is clear that Council intends to limit the extent of the development at existing coastal hazard areas in AUP(OP) and proposed coastal erosion hazard areas under Plan Change 78 and further coastal hazards plan change in future as 'qualifying matters' that would exclude intensification under the Enable Act and therefore the use of the Medium Density Residential Standards (MDRS) in the future.

3.7 We do not consider this to be an appropriate use of qualifying matters for the following reasons:

3.8 Qualifying matters are defined as:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6:

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

(f) open space provided for public use, but only in relation to land that is open space:

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:

(i) the requirement in the NPS-UD to provide sufficient business land suitable for low density uses to meet expected demand:

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77I is satisfied.

N.B – Section 77I requires an assessment of site-specific matters and characteristics tied back to matters of national significance and the objectives and policies of the NPS-UD in order to meet the threshold of being considered a qualifying matter.

3.9 It is acknowledged that management of significant risks from natural hazards is a matter of national importance under Section 6 of the RMA and sustainable management of coastal hazard risks is a matter to give effect to New Zealand Coastal Policy Statement 2010 (NZCPS). Whilst Council determines that a part of the subject site is within a coastal erosion hazard area, the above assessment demonstrated that the subject site is not subject to coastal erosion hazards over a 100-year period taking into account of climate change.

This qualifying matter layer is, therefore, not applicable to the subject site and any limitations imposed at the site in this respect are directly inconsistent with the provisions of the NPS-UD. Although it is necessary to manage coastal hazard areas by locating new development away from areas prone to such risks as per Objective 5 of NZCPS, Objective 6 of NZCPS enables "*people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that: the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limit*". It is also noted that Policy 1 of NZCPS recognises that "*the extent and characteristics of the coastal environment vary from region to region and locality to locality*".

In this case, the evidence provided in the above and the supporting geotechnical report confirms that the subject site is not prone to coastal instability or erosion hazard risks. The extent of the coastal erosion area encompassed by the qualifying matter layer leads to the conclusion that this overlay has been applied to a wider area without site specific analysis or discretion. Hence, whilst the subject site is situated near the coast, it cannot automatically be determined that excluding the subject site from the use of MDRS for the sole reason of this regional scale qualifying matter layer imposed in the area is consistent with the objectives of the NZCPS and the purpose of the RMA. Furthermore, the proposed rezoning of the site is also inconsistent with the intent of the NPS-UD, as the coastal environment has not been identified as an Outstanding Natural Landscape or Feature and therefore the objectives, policies and assessment criteria of the Residential - Mixed Housing Urban zone, MDRS and NPS-UD are considered sufficient to ensure that the residential character of these subject site and neighbouring sites can be maintained in accordance with the requirements of national planning polices and direction.

3.10 It can be determined that there has been an excessive and inattentive coverage of the subject site and local area in the proposed coastal erosion area layer, rather than a site specific assessment of coastal erosion and character of individual sites. Furthermore, the nature of this overlay hinders the overall development potential of Kelston as a suburb envisgaed for future growth and development. The proposed Low Density Residential zone in the subject area without site-specific assessment worsens suburban sprawl within the suburb, undermines the efficient use of land resources within the urban environment, and hinder the area's potential of supporting, great housing

capacity, competitive land and development market to improve housing affordability, which the NPS-UD was introduced to achieve.

3.11 In regard to the assessment of objectives and policies of the UD-NPS as required under s77I to support the use of qualifying matters it is noted that the objectives and policies strongly favour the development of well-functioning urban environments, that promote housing affordability and that result in liveable environments that adapt to the changing needs of the population over time. The objectives and policies do not seek to hinder the use of brownfield urban land and do not promote the protection of existing character or previous planning decisions on an area's zoning over the directive to intensify and make better use of existing urban environments. Therefore, at a high level, it is not considered that there are any other matters relevant or appropriate that would allow the Council to impose the any other protective overlay as a qualifying matter, thereby excluding the subject site form future intensification consistent of the NPS-UD.

3.12 It is therefore concluded following a site specific assessment of coastal erosion that there are no qualifying matters currently applicable to the subject site or able to be imposed as 'other matters' and consequently the subject site should be included in the planned re-zoning of the wider Kelston urban environment to Residential – Mixed Housing Urban.

The outcomes sought by this submission

3.13 The outcome sought by Harshad Tendulkar is that subject site be included in the future plan change relating to the NPS-UD and Enabling Act as Residential – Mixed Housing Urban with no Qualifying Matters restricting the use of the MDRS.

4.0 CONCLUSION

4.1 For the reasons discussed above it is our strong view that the subject site as well as the wider Kelston area meets the definition of urban environment by way of its location inside of the Rural Urban Boundary, the population of the Kelston suburb and due to the current zoning afforded to wider area by the Unitary Plan.

4.2 As part of the urban environment both the NPS-UD and Enabling Act apply to the subject site.

4.4 The subject site is located adjacent to areas that are experiencing considerable intensification due to their location close to public services, areas of greater intensification and an establishing transport network providing connections to wider Auckland. As such, the local and immediate environment of the subject site too should be one of change thereby demonstrating the suitability of the environment to accommodate intensification.

4.3 Following site specific assessment the subject site is not inhibited by any of the definitions of qualifying matters as set out in the Enabling Act and in particular there are no matters of national important associated with the subject site. Neither are there any out of the ordinary or unusual characteristics of the site that would suggest the application of 'other matters' (consistent with s77I of the Enabling Act) would apply in this case.

4.4 As such, based on the above it is concluded that the subject site should be included in the Plan Change 78 with a Residential – Mixed Housing Urban zoning and no Qualifying Matters.

Mark Weingarth

23 September 2022

11 July 2022

K220419-1

Harshad Tendulkar
43 Beaubank Road
Kelston
Auckland 0602

GEOTECHNICAL INVESTIGATION REPORT
ASSESSMENT AGAINST COASTAL EROSION AND INSTABILITY - 43 BEAUBANK ROAD, KELSTON

1. INTRODUCTION

At the instruction of Harshad Tendulkar, we have carried out a geotechnical investigation and an assessment against coastal instability and erosion at 43 Beaubank Road, Kelston. The scope of our investigation was to conduct a detailed site walkover inspection and to explore subsurface conditions using hand operated equipment. The information obtained has been used to assess the susceptibility of the site to coastal erosion and instability over the next 100 years.

This report presents our findings and conclusions and has been prepared in order to assess against the regional scale assessment of coastal instability and erosion produced by Auckland Council. This letter may accompany a Resource Consent application; however it must be accompanied by an updated Geotechnical Investigation Report (GIR), when or if further specifics are made available about any proposed development to the property.

We have not provided an assessment of stormwater disposal or any aspect of contamination that may or not apply to this site, as that was outside of our scope.

2. SITE DESCRIPTION

2.1 Site Walkover

Regionally, the property is located adjacent to the Whau River, which is a tidal, estuarial arm of the Waitemata Harbour. The property is located near the most upstream portion of the Whau River, approximately 4 kilometres south of the confluence of the Whau River and Waitemata Harbour. Along the edge of the Whau River, mangrove systems have developed.

The property is legally descried as Lot 67, DP 40638. In plan view, the property is generally rectangular in shape and has an approximate area of 819m^2. The property is currently occupied by a single level dwelling, which sits generally centrally across the site, there is a standalone garage structure to the southwest of the dwelling. The existing dwelling comprised lightweight timber frame construction with brick veneer cladding, founded on a perimeter foundation and internal senton piles, supporting a suspended timber floor. To the west of the dwelling, the property comprised a grass lawn, where some mature tree stumps were noted across the western property boundary. To the east of the dwelling is also a lawn area, with minor vegetation / hedging around the property's perimeter.

The property is near level and sits between Reduced Level (RL) 6m and 7m. Neighbouring properties to the north and south comprise residential properties of a similar nature. To the east of the property, there is a coastal esplanade reserve, which is near level and has an approximate width of 10m. To the east of the coastal esplanade, land slopes down toward the Whau River (an estuarial arm of the Waitemata Harbour) at an approximate grade of 1 vertical on 1.5 horizontal (1V:1.5H), approximately 34 degrees.

2.2 Coastal Walkover

During the time of our site walkover, the following was observed across the property and the adjacent coastal esplanade and slope:

- The property and the coastal esplanade were generally near level, and the coastal slope was at an approximate grade of 34 degrees.
- At the coastal edge of the coastal slope, there was a face standing near vertical. This face was observed to comprise soil material and was standing at a maximum height of 0.6m.
- Estuarine sediments were observed to have accumulated across the coastal platform and face standing at the edge of the coastal slope.

- Tidal water flow through the estuary was generally restricted to an incised channel (note Figure 1 below). It is noted that water flow was concentrated here in the 1961 imagery, indicating that no major channel avulsion processes (landward or seaward) have occurred since then.

Figure 1: Aerial imagery from the time of our site walkover, showing an incised channel through the estuary, where water flow appears to concentrate.

- No signs of global slope instability were noted.
- Shallow soil creep processes were noted across the coastal slope to a depth of approximately 1m. This was indicated by slight downslope bowing of tree trunks.
- A mature mangrove system was noted adjacent to the coastal embankment, lowering the energy of any incoming water.

3. BACKGROUND INFORMATION

3.1 Sources Consulted

The following third party information sources were consulted and referred to in this report:

- Published Regional Geology
- Auckland Council GEOMAPS Website
- Historic Imagery Review
- New Zealand Geotechnical Database (NZGD)
- KGA In-House Records

A summary of our understanding of sighted third party information is presented below. We note that the below summary of information is limited to that considered relevant to the geotechnical assessment of the site, and is intended to present facts and opinions as outlined in the third party sources and does not constitute interpretation or endorsement by KGA.

3.2 Published Regional Geology

The geology of the site and surrounding area is detailed on the GNS Science New Zealand Geology Web Map (Scale 1:250,000). This shows the site to be underlain by pumiceous deposits of the Puketoka Formation (Figure 2). These are described as being light grey and orange brown pumiceous mud, sand and gravel with inclusions of black muddy peat and lignite. The material was deposited in predominantly fluvial and lacustrine settings and is therefore likely to be highly variable in its composition.

The Puketoka Formation material is, in turn, underlain at depth by mudstone and graded sandstone of the East Coast Bays Formation.

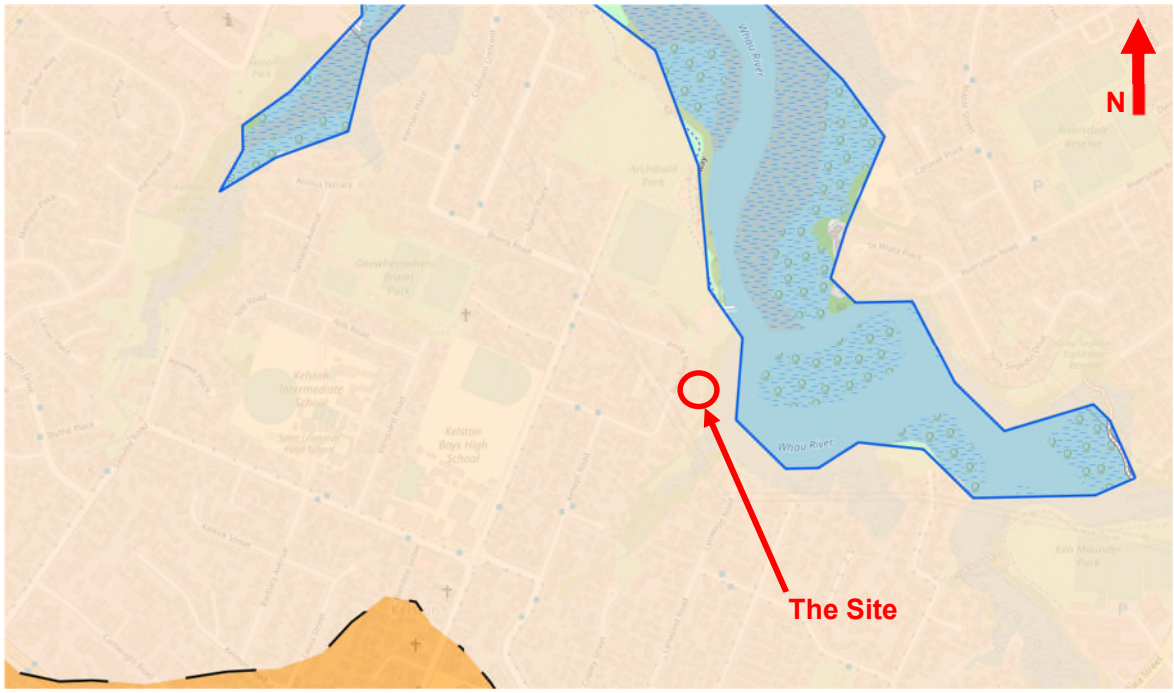

Figure 2: GNS Webmap showing the site and surrounding area to be underlain by Puketoka Formation materials. Note the orange in the south, indicating that Waitemata Group residual soils are nearby.

3.3 Auckland Council GEOMAPS Website

- One overland flow path is shown to run from south to north, across the western portion of the property.
- One public service is shown to underlie the property, this is a wastewater service extending from 45A Beaubank Road in the north. The service comprises PVC material and is 100mm in diameter. Its invert depth is shown to be 1.2m below ground level.
- Running from north to south along the coastal esplanade reserve there is a transmission wastewater service. The service comprises concrete and has a diameter of 1350mm. Its invert depth is shown to be between 2.2m and 1.7m below ground level (Shown on Watercare GIS viewer).
- Under the Liquefaction – "Level A Basic Assessment", the site is categorised as "Liquefaction Damage is Unlikely". Under the Liquefaction – "Level B Calibrated Assessment", the site is categorised as "Liquefaction Damage is Undetermined".
- The GEOMAPS view details that the eastern 3m of the property may be susceptible to coastal instability and erosion, following the RCP8.5 climate emissions scenario through to the year 2130.

3.4 Historic Imagery Review

We have reviewed publicly available historical imagery from the Auckland Council GEOMAPS and Retrolens websites, which details the following about the site:

1940 imagery: The property is shown to comprise a vegetated area, adjacent to farmland.

1959 imagery: Beaubank Road had been formed and a dwelling at the neighbouring property at 41 Beaubank Road (across the southern property boundary) had been constructed. The standalone garage had also been constructed, indicating that the dwelling was constructed shortly afterward.

1961 imagery: This imagery confirms that the construction of the dwelling is underway, with the perimeter foundation layout being visible in the aerial image, this is shown in Figure 3 below. In the 1966 imagery, the dwelling has been constructed. It is also shown in 1961 imagery that there are some minor ancilliary structures to the east of the standalone shed.

Figure 3: 1961 Aerial Imagery, showing that the currently existing dwelling is under construction. Note the exposed perimeter foundation visible in the image. Note the channelised flow of water adjacent to the western bank of the estuary / Whau River.

2017 Imagery: The property is shown to be in a similar layout to the 1966 imagery, with the exception of two mature trees along the western property boundary and that the ancillary structures to the east of the shed have been removed. The 2017 aerial imagery is illustrated on our attached Site Plan.

3.5 New Zealand Geotechnical Database (NZGD)

We have reviewed the information available on the NZGD. No relevant geotechnical investigation data has been uploaded within the vicinity of the site.

3.6 KGA In-House Records

We have reviewed our in-house geotechnical database. No relevant geotechnical investigation data is shown within the vicinity of the site.

4. FIELD EXPLORATION

As part of our investigations a total of two hand auger boreholes (AH1 to AH2), with follow on Scala penetrometer tests were undertaken on 22 June 2022 with the investigations carried out by Soil Dyne Ltd. The borehole locations were selected to provide representative indications of the subsurface ground conditions across the eastern portion of the site (adjacent to the coastal embankment). The boreholes were advanced using a 50mm diameter hand auger with all boreholes designated to be extended to a target depth of 5m (or prior refusal, whichever shallower).

The subsurface conditions encountered during drilling were logged in general accordance with 'The guidelines for the classification and description of soil and rock for engineering purposes', December 2005 as outlined by the NZ Geotechnical Society.

A calibrated shear vane, used in accordance with the 'New Zealand Geotechnical Society Guideline for Hand Held Shear Vane Test, 2001' was generally used at maximum depth intervals of 0.5m in the drilled holes to measure soil strengths, both in situ and remoulded. The vane shear strengths shown on the attached logs have been corrected in terms of BS 1337.

Scala penetrometer testing was undertaken through the base of each hand auger borehole, to give a general indication of soil resistance to a maximum depth of 7m or until effective refusal of the probe (six consecutive blows of ten or greater, or a single blow count of twenty or greater per 50mm penetration of the probe), whichever the shallower.

It should be noted that the boreholes were positioned away from areas of hardstanding and existing identified services, and that further observation of the ground conditions will be required at the time of construction to verify the extent of materials encountered.

Copies of the hand auger borehole logs and Scala penetrometer results are attached.

During the time of the drilling, a detailed site walkover was undertaken by an experienced KGA Geologist, in order to assess any noteworthy geomorphic features across the property and adjacent coastal slope.

5. SUBSURFACE CONDITIONS

5.1 Subsurface Conditions

It should be noted that, whilst our investigations can provide an indication of the soil properties across the site, subsurface conditions may vary between borehole and probe positions in a way that only becomes apparent at the time of construction. For the purposes of this report, subsoil conditions on the site have been interpolated between the boreholes (as shown on the attached Geological Cross Section) and it must be accepted that soil conditions can and do vary between borehole positions.

Subsurface ground conditions encountered in the ground investigations are summarised below. For a full detailed description of the subsoils encountered on site, reference should be made to the attached boreholes and geological section.

5.2 Subsurface Materials Encountered

Topsoil

A surface veneer of topsoil was encountered in both hand auger boreholes, to a maximum depth of 0.2m.

Recent Alluvium

Recent alluvium was identified underlying the topsoil in hand auger borehole AH2. This material was described as a clayey silt, and was very stiff (undrained shear strength, s_u*>100kPa*). This was encountered to a maximum depth of 0.5m below ground level.

Puketoka Formation soils

Alluvial soils of the Puketoka Formation were recovered in both hand auger boreholes (To the final drilled depth of 5m in AH1 and to 4.7m in AH2). The materials recovered were inorganic and generally comprised clays, silts and fine sands. Materials were generally very stiff, with all measured undrained shear strengths being in excess of 100kPa. Although shear vane readings indicated the soil was very stiff, a loose, wet, sandy silt, was identified in hand auger borehole AH2 from 3.6m to 4.7m depth.

Waitemata Group residual soils

In hand auger borehole AH2, residual soils of the Waitemata Group were identified to the final drilled depth of 5m. These soils were described as dark grey and very stiff, with an undrained shear strength of greater than 100kPa.

Waitemata Group Dense Material (Inferred)

Scala penetrometer testing through the base of the hand auger boreholes was undertaken to a final depth of 6.45m below ground level, where effective refusal (six consecutive increments with greater than 10 blows per 50mm penetration) was met in each borehole. As Waitemata Group materials were not identified in borehole AH1, this has been inferred to be at a depth of approximately 5.5m in this location, through Scala penetrometer testing.

A simplified geological model for the site is provided and illustrated on the Geological Cross Section attached as Sheet KGA 3.

5.3 Groundwater Conditions

Groundwater levels (at the time of drilling) were measured at depths of between 3.4m (AH1) and 2.5m (AH2). Standing groundwater (recorded on 8 July 2022) was encountered within borehole AH1 at a depth of 0.5m and within borehole AH2 at a depth of 0.3m, it should be noted that this was following rainfall and the boreholes had been left open.

We point out that groundwater levels do fluctuate and it must be appreciated that higher groundwater levels may be encountered following periods of prolonged or heavy rainfall.

6. ASSESSMENT AGAINST COASTAL INSTABILITY AND EROSION

The Auckland Council "Areas Susceptible to Coastal Instability and Erosion" (ASCIE) viewer shows that up to 19m of cliff toe regression related to coastal processes could be expected through to the year 2130 (following climate scenario RCP 8.5), and an envelope of coastal instability is behind this. The web viewer indicates that an area of between 20m to 25m from the coast may be susceptible to coastal instability and erosion (inclusive of anticipated 19m toe erosion). It should be noted that this is a regional scale assessment and does not take into consideration the site-specific conditions and conditions specific to the adjacent coastal embankment. Our site-specific assessment is detailed below.

The subject property is considered coastal adjacent to the western property boundary toward the Whau River. Historical aerial imagery from the Auckland Council Geomaps website has been analysed, and worst-case coastal regression over a 58-year period (1959 – 2017) appears to be in the order of 1m, due to vegetation and the quality of the imagery, an uncertainty of $\pm$0.5m has been assigned. This has been scaled to a long-term historical erosion rate of 1.72$\pm$0.5m per 100 years.

Accelerated coastal erosion due to climate change may apply to the site, in the context of raised sea level and increased frequency of storm events generating coastal phenomena such as storm surges. Our approach acknowledges the Tonkin + Taylor and Auckland Council technical report "Regional Assessment of Areas Susceptible to Coastal Instability and Erosion", and the Auckland Council Guidance Document "Coastal Hazard Assessment in the Auckland Region, August 2021"

As discussed in Section 5.1, no signs of global instability across the subject site were identified during the site walkover. However, evidence of shallow soil creep to a depth of approximately 1m was noted across the coastal slope

The calculations for the ASCIE are presented within the Attachments, with the ASCIE extending approximately 16.7m inland from the existing cliff toe, as shown on our Site Plan (Drawing KGA 1) and Geological Cross Section (Drawing KGA 2). This is on the basis of our calculated upper bound of 2.3m of toe regression and adopted stable soil angle of 26^{o}, following slope erosion.

Due to this we do not anticipate that the future coastal slope will extend into the property, and therefore any future development will not be subject to localised soil creep or soil-slumping type failures within a 100-year period.

7. FURTHER WORKS REQUIRED

At the time of writing this report, specific details of any development that is to be built on the site are unknown. Therefore, prior to submission for Resource Consent, we recommend further geotechnical input to confirm that any proposed works are feasible from a geotechnical perspective. Further geotechnical investigation and assessment may be required depending on the proposed development plans.

8. LIMITATIONS

The conclusions made in this letter are based upon the results of hand auger boreholes spaced about the site as appeared appropriate at the time the field exploration was carried out. We also point out that the holes were extended as deep as reasonably possible with hand operated equipment but they did not extend beyond soil materials. We are therefore not able to report on the potential of any deep-seated bedding plane defect or other adverse lithological feature in the underlying parent rock.

This report was prepared in the context defined in Section 1 above and must not be relied upon by any other party other than our Client, for whom it was prepared, and the relevant Territorial Authority. It has been compiled with respect to the brief given to us, and must not be relied upon in any other context, recreated for any other purpose, or used by any person who is not our Client without first obtaining our written permission.

The recommendations given in this report are provided as an overall strategy to minimise risks from geotechnical hazards. It should be noted that they are unlikely to remain effective if they are adopted in a piecemeal manner.

Yours faithfully,
p.p. KGA Geotechnical Group Limited

Prepared by:

Cameron Hunter
BSc (Geology), PMEG
Engineering Geologist

Reviewed by:

Neil Alsop
MGeoSci (Hons), MEngNZ
Engineering Geologist

Authorised By:

Abilio Nogueira
BE (Eng. Geol.), CMEngNZ, CPEng
Director

Yan Chan
BE, ME, CMEngNZ
Director

Attachments:

- KGA Approach to Areas Susceptible to Coastal Instability and Erosion
- KGA Site Plan
- KGA Hand Auger Borehole Logs
- KGA Geological Cross Section

KGA APPROACH TO COASTAL INSTABILITY AND EROSION

1.0 INTRODUCTION

The method of calculation of coastal erosion and instability for the subject property is shown attached. This follows principals set out in the 2020 Tonkin and Taylor Report *"Regional Assessment of Areas Susceptible to Coastal Instability and Erosion",* the Auckland Council Guidance Document *"Coastal Hazard Assessment in the Auckland Region, August 2021"* along with supplementary site-specific geotechnical data from investigation and desk study which has been carried out by KGA Geotechnical Group Limited.

This assessment only applies to the eastern boundary of the property at 43 Beaubank Road, Kelston.

Coastal Cliff / Embankment toe regression

Coastal Cliff / Embankment toe regression modelling/calculation will follow *Equation 5.3* set out in Tonkin and Taylor Report:

$$R = LT_H \left(\frac{S_F}{S_H}\right)^m$$

(Equation 5.3)

Where:

R = Rate of Regression

LT_H = Historical rate of regression

s_F = Future anticipated sea level rise

s_h = Historical rate of sea level rise

m = Consolidated shoreline response factor with respect to sea level rise

This report will explicitly state how each variable was selected.

Area Susceptible to Coastal Instability

For the purposes of this report, the areas susceptible have been assessed on a site specific scale, with respect to the 2021 Tonkin and Taylor Report *"Regional Assessment of Areas Susceptible to Coastal Instability and Erosion"* and the Auckland Council Guidance Document *"Coastal Hazard Assessment in the Auckland Region, August 2021.*

2.0 CLIFF / EMBANKMENT TOE REGRESSION MODELLING

2.1 Getting the LT_H value

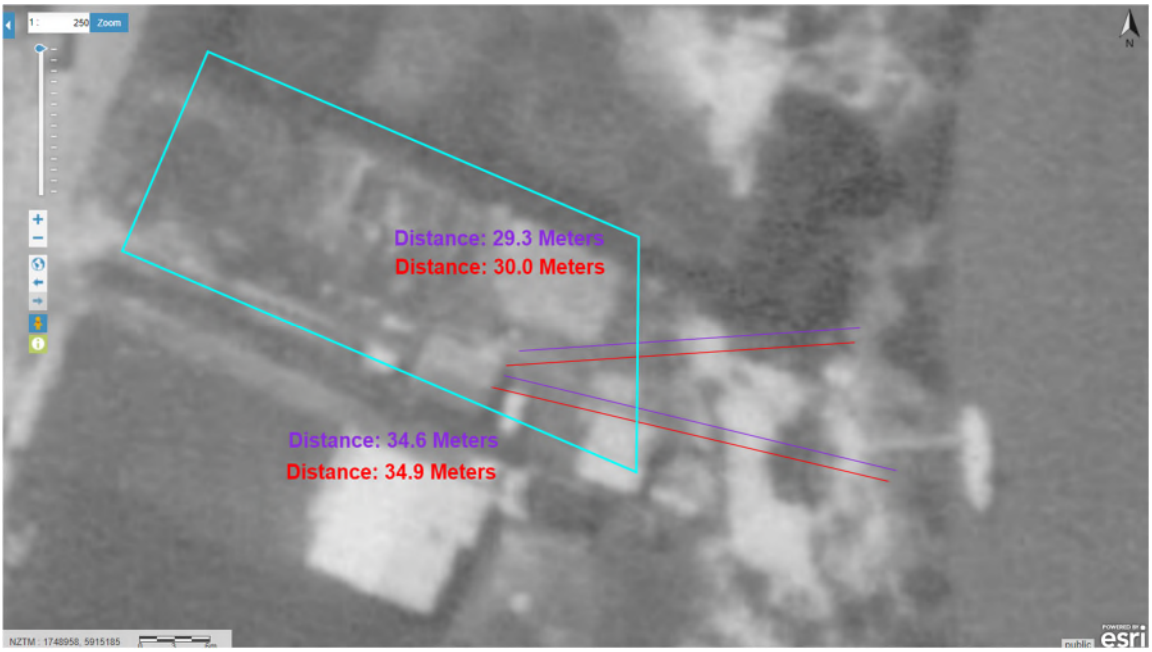

Figure 1: 1959 Aerial imagery of the subject property. The distance to the coastline was measured from the same reference points on the shed which is present in both 1959 and 2017 imagery. The distance to the coastline from the shed in 1959 is shown in red; purple lines are measurements of distance from the shed to the coastline in the 2017 aerial imagery. (Geomaps)

Figure 2: 2017 Aerial imagery of the subject property. The distance to the coastline was measured from the same reference points on the shed which is present in both 1959 and 2017 imagery. The distance to the coastline from the shed in 1959 is shown in red; purple lines are measurements of distance from the shed to the coastline in the 2017 aerial imagery. (Geomaps)

A long-term erosion rate has been attempted to be derived from measuring the distance from the shed which is present in imagery from in years 1959 and 2017 to the coast. Both measurements resulted in under 1m of difference in distance to the coastline, indicating that minimal erosion has occurred over this period. For conservatism, 1m of historical erosion has been adopted over this 58 year period.

The coast adjacent to the property is generally considered a low energy environment. Due to this, we anticipate that much of the regression has occurred due to erosion during storm events and minor slope instability, such as soil creep and surficial sloughing of the soils across the coastal embankment.

This historic long-term erosion rate may be scaled to a 100-year rate, see below:

$$LT_H = 1m\ (\pm 0.5m) \times 1.72 = 1.72m/100y \pm 0.5m$$

2.2 Historic and Anticipated rates of Sea Level Rise (s_H and s_F)

The historic rate of sea level rise (s_H) is taken from Hannah & Bell (2012) as 1.7mm/year.

The future rate of sea level rise has been adopted from the Tonkin and Taylor report *"Regional Assessment of Areas Susceptible to Coastal Instability and Erosion"* shown as Table 1 (Ref. Table 5.5 in T+T Report).

Table 1: Adopted SLR values as shaded in grey (m) (Tonkin + Taylor, 2020)

Timeframe	SLR scenario	Projected SLR relative to 1985-2005 baseline[1]	'Adjusted' SLR from present day baseline[2,3]	'Effective' SLR from present day baseline[2,4,5]
2050	RCP2.6	0.23	0.16	0.10
	RCP4.5	0.24	0.17	0.11
	RCP8.5	0.28	0.20	0.14
	RCP8.5H+	0.37	0.27	0.22
2080	RCP2.6	0.37	0.30	0.19
	RCP4.5	0.42	0.35	0.24
	RCP8.5	0.55	0.47	0.36
	RCP8.5H+	0.75	0.65	0.55
2130	RCP2.6	0.6	0.53	0.34
	RCP4.5	0.74	0.67	0.48
	RCP8.5	1.18	1.10	0.91
	RCP8.5H+	1.52	1.42	1.23

[1] Source: Projected SLR from MfE (2017) referencing IPCC (2013) Assessment Report 5

[2] Correction applied to adjust from 1986-2005 (taken to be 1995) to 2016 (baseline derived from 2016-2018 LiDAR DEM)

[3] Utilised for consolidated cliff and embankment shorelines

[4] Subtracts assumed historical rate of 1.7 mm/year (Hannah & Bell, 2012) to avoid double-counting erosion response

[5] Used for unconsolidated beach shorelines

For the purpose of this assessment, the RCP8.5 scenario for the period 2130 has been selected. The "'Adjusted' SLR from present day baseline" needs to be used, as this represents a consolidated cliff / embankment shoreline (i.e 1.1m of sea level rise from 2016 baseline through to 2130, based on climate emissions scenario RCP8.5, see red circle). To avoid double counting erosion response, the assumed historical rate of sea level rise needs to be subtracted. This is calculated as follows:

$$s_F = \left(\frac{1100mm}{114years}\right) - \frac{1.7mm}{year} = \frac{8.0mm}{year} (1\ d.p)$$

2.3 Adopting an appropriate m value

The Tonkin and Taylor report provides a map which suggests appropriate m values for specific areas of coast in the Auckland region. This map is shown below as Figure 3. (Ref. Figure 5.13 in T+T Report).

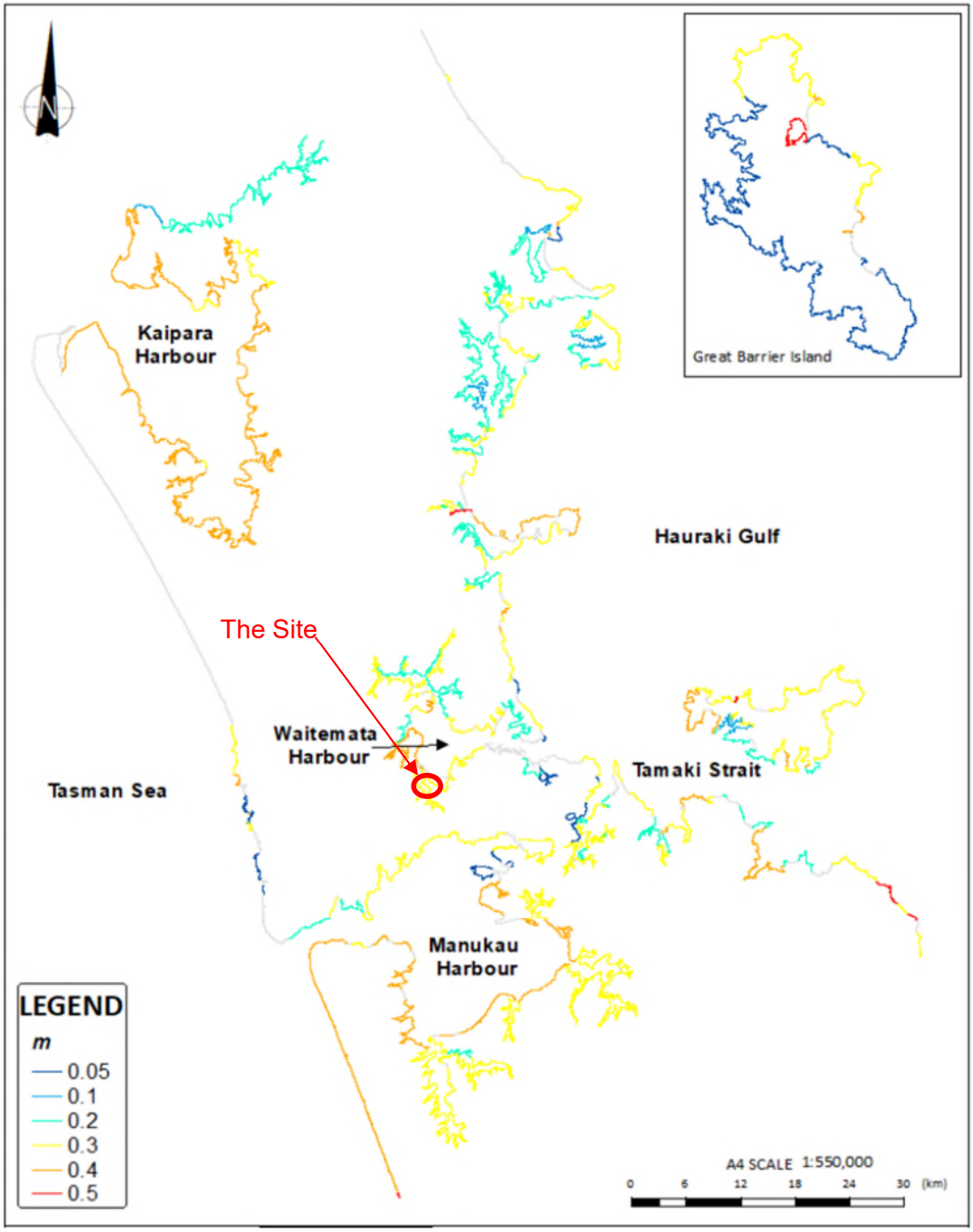

Figure 3: Adopted m Values for the Auckland Region and the general location of the subject property. Adopted from Tonkin + Taylor (2020).

Figure 3 suggests that an m value of 0.3 may be considered appropriate for the subject property. For this assessment, a m-value of 0.2 has been adopted. This is due to the properties edge generally being subject to a low energy estuarial arm of the Waitemata Harbour, and there is a significant vegetation across the coastal slope and a mangrove system present adjacent to the coastal slopes toe, which will assist in dissipating incoming water energy.

Cliff / Embankment toe regression may be represented using:

$$R = LT_H \left(\frac{S_F}{S_H}\right)^m$$

(Equation 5.3)

$$R = \left(\frac{1.72m}{100y}\right) \times \left(\frac{8\ mm/y}{1.7mm/\ y}\right)^{0.2} = 2.3m \pm 0.5m/100yr(1\ d.p)$$

(Equation 5.3)

3.0 AREAS SUSCEPTIBLE TO COASTAL EROSION AND INSTABILITY

The coastal embankment was measured to be at an angle of approximately 34-degrees and have a height of approximately 7m (Based on Auckland Council GIS Data). Surficial sloughing and soil creep of the ground has also been observed across the coastal slope. Soil creep processes may be considered active down to a depth of 1m across the coastal slope.

Table 3 below suggests that Alluvium may have a possible stable angle of 26°. Rationale behind the selection of the possible slope angle is explained below Table 3.

Table 3: Reinen-Hamill et al. (2006) slope angles for determining coastal areas susceptible to erosion (Reference Table 5.8, T+T Report)

GSI/Category	Slope angles (°)	
	Possible	Unlikely
Alluvium	26	18
Coastal Sediments	32	22
GSI: 20 ±10	32	22
GSI: 40 ±10	36	26
GSI: 60 ±10	49	36
GSI: 80 ±10	67	45

From this, the ASCIE may be calculated using the following:

$$ASCIE = R + \frac{h_S}{\tan \alpha_s}$$

The height of the coastal embankment (soil) (h_s) was measured to be approximately 7m, and the costal embankment was standing at an angle of approximately 34° at the time of our site walkover. From investigation, a stable angle of the soil (a_s) was adopted as 28°. For conservatism, the possible stable angle for Alluvium in Table 3, 26° has been adopted for this assessment. *R* is the previously calculated regression, 2.3m±0.5m over a 100-year timeframe.

Using the above, the ASCIE may be calculated as;

$$ASCIE = 2.3m \pm 0.5m + \frac{7m}{\tan 26°} = 16.7m/100yr \pm 0.5m$$

The extent of the ASCIE is illustrated on drawings KGA 1 and KGA 2.

N

LEGEND

- AH1 — HAND AUGER BOREHOLE (KGA JUNE 2022)
- SITE BOUNDARY
- NEIGHBOURING BOUNDARIES
- EXISTING PUBLIC STORMWATER PIPE & MANHOLE
- EXISTING PUBLIC WASTEWATER PIPE & MANHOLE
- EXISTING PUBLIC WATER MAIN PIPE
- EXISTING TOPOGRAPHIC CONTOURS, MAJOR INTERVAL = 1m
- SITE SPECIFIC ASCIE LINE (100-YEAR PERIOD BASED OFF CLIMATE EMISSIONS SCENARIO RCP8.5)
- AUCKLAND COUNCIL ASCIE LINE (THROUGH TO YEAR 2130, BASED OFF CLIMATE EMISSIONS SCENARIO RCP8.5)
- A — A' CROSS SECTION

NOTES

1. LOCATIONS OF FEATURES AND GROUND INVESTIGATION POINTS ARE APPROXIMATE ONLY.
2. AERIAL IMAGE SOURCED FROM AUCKLAND COUNCIL GEOMAPS WEBSITE.
3. CONTOURS SOURCED FROM AUCKLAND COUNCIL GEOMAPS WEBSITE.

REV	DATE	REVISION DESCRIPTION	BY	CHK	APP
A	17/06/2022	Report Issue	CH	NRA	AN

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CLIENT: HARSHAD TENDULKAR

PROJECT TITLE: ASCIE ASSESSMENT
43 BEAUBANK ROAD
KELSTON

DRAWING TITLE: SITE PLAN

DESIGNED	CH	DATE	17/06/2022	CHECKED	NRA	DATE	24/06/2022
DRAWN	CH	DATE	17/06/2022	APPROVED	AN	DATE	04/07/2022

STATUS: REPORT ISSUE

SCALE	SIZE
1:250	A3

COORDINATE SYSTEM	HEIGHT DATUM
NZTM	AKL 1946

PROJECT NUMBER	DRAWING NUMBER	REVISION
K220419-1	KGA 1	A

HAND AUGER LOG

Job No.:	**K220419**
Hole No.:	**AH1**
Date:	22/06/2022
Logged By:	SR
Sheet:	1 of 1

Client: KGA Geotechnical Group Ltd

Project: 43 Beaubank Road, Kelston

Location: See Site Plan

Coordinates: E 1748929.0, N 5915188.0 **Ground Level:** -

Depth (m)	Subsurface Conditions	Geological Unit	Vane Shear Strength (kPa) (refer notes for details)	Values	Scala Penetrometer (blows / 50mm) Depth (m)	Blows
0.0	Topsoil. [TOPSOIL]	TOP SOIL		231+ -	5.05	1
	Clayey SILT with minor fine to medium sand. Light grey and orange, very stiff to hard, moist, moderately plastic. [PUKETOKA FORMATION]	PUKETOKA FORMATION			5.10	1
0.5	SILT with some clay and minor fine to medium sand. Light grey and orange, very stiff to hard, moist, low to moderately plastic. [PUKETOKA FORMATION]				5.15	1
	CLAY with some silt. Light grey and orange, very stiff to hard, moist, highly plastic. [PUKETOKA FORMATION]				5.20	1
1.0	Silty CLAY with minor fine sand. Light grey, orange with brown staining, very stiff to hard, moist, highly plastic. [PUKETOKA FORMATION]				5.25	2
	Clayey SILT with some fine sand. Brownish grey with brown staining, very stiff, moist, moderately plastic. At 1.7m; With fine to medium Sandy SILT inclusion, minor plant fragments and brown. [PUKETOKA FORMATION]				5.30	2
1.5	Silty CLAY. Light grey and orange, very stiff, moist, moderate to highly plastic. [PUKETOKA FORMATION]				5.35	2
	Clayey SILT. Light grey and orange, very stiff, moist, moderately plastic. [PUKETOKA FORMATION]				5.40	2
2.0					5.45	2
				231+ -	5.50	3
2.5					5.55	3
					5.60	3
					5.65	4
				123 53	5.70	5
					5.75	3
3.0	SILT with some clay and some fine sand. Light grey and orange, very stiff, moist to wet, low plasticity. At 3m; Grey. [PUKETOKA FORMATION]				5.80	4
					5.85	4
					5.90	6
				127 75	5.95	7
					6.00	7
3.5	3.4m: With minor to some clay and wet.				6.05	8
					6.10	8
					6.15	9
				123 61	6.20	10
					6.25	10
4.0	3.8m: With some clay.				6.30	10
					6.35	11
					6.40	10
				123 50	6.45	11
4.5				145 64		
				132 61		
5.0	Silty CLAY with minor fine sand. Grey, very stiff, moist to wet, moderate to highly plastic. [PUKETOKA FORMATION]					
	Fine Sandy Clayey Silt. Grey, very stiff, wet, moderately plastic. [PUKETOKA FORMATION]			105 58		
				110 44		
	5m: End of Borehole					

Groundwater: ▽ 22/06/2022

Notes & Abbreviations

Soils logged in accordance with 'The guidelines for the classification and description of soil and rock for engineering purposes' December 2005, NZGS

Water

- ▼ Standing Water Level
- ▽ Water Level At Time Of Drilling

Shear Vane

Corrected as per NZGS Guidelines
Vane No.:GEO2026 is 1.65
UTP = Unable To Penetrate
+ = Peak Exceeded
- = No Result

Other Comments

Flat, Lawn. Hole data is for a set location only. NZTM 2000 +/-4m

SOIL DYNE LTD
AUCKLAND

M: 027 368 8832

E:
soil.dyne@yahoo.com

Soil Dyne Ltd

Produced with Core-GS

Printed: 27/06/2022 3:03:17 pm

HAND AUGER LOG

Job No.:	**K220419**
Hole No.:	**AH2**
Date:	22/06/2022
Logged By:	SR
Sheet:	1 of 1

Client: KGA Geotechnical Group Ltd

Project: 43 Beaubank Road, Kelston

Location: See Site Plan

Coordinates: E 1748936.0, N 5915196.0 **Ground Level:** -

Depth (m)	RL	Subsurface Conditions	Groundwater	Geological Unit	Graphic Log	Vane Shear Strength (kPa) (refer notes for details) 50 100 150 200	Values	Scala Penetrometer (blows / 50mm) Depth (m)	Blows
0.0		Topsoil. [TOPSOIL]		TOPSOIL				5.05	1
								5.10	2
		Clayey SILT. Brown mottled light grey and orange, very stiff, wet, moderately plastic. [RECENT ALLUVIUM ?]		NT ALLUVIUM				5.15	1
								5.20	2
0.5		Silty CLAY. Orange and light grey, very stiff, moist, highly plastic. [PUKETOKA FORMATION]					123	5.25	2
							31	5.30	3
								5.35	3
								5.40	4
1.0		CLAY with some silt. Orange and light grey, very stiff, moist, highly plastic. [PUKETOKA FORMATION]					183	5.45	4
							75	5.50	4
								5.55	4
								5.60	4
		Silty CLAY with a trace of fine sand. Light grey and orange with brown staining, very stiff, moist, highly plastic. [PUKETOKA FORMATION]						5.65	4
1.5							132	5.70	4
							64	5.75	4
								5.80	5
		Clayey SILT. Light grey and orange, very stiff, moist, moderately plastic. [PUKETOKA FORMATION]						5.85	6
								5.90	6
2.0							110	5.95	6
							69	6.00	7
								6.05	6
		SILT with some clay and a trace of fine sand. Light grey and orange, very stiff, moist, low plasticity. At 2.5m; With minor fine sand and wet. [PUKETOKA FORMATION]	▽ 22/06/2022	PUKETOKA FORMATION				6.10	7
								6.15	7
2.5							123	6.20	10
							47	6.25	10
								6.30	11
								6.35	11
		Clayey SILT with some fine sand. Light grey and orange, very stiff, wet, moderately plastic. [PUKETOKA FORMATION]						6.40	12
3.0							154	6.45	14
							58		
		SILT with some clay and some fine sand. Light grey and orange, very stiff, wet, low plasticity. [PUKETOKA FORMATION]							
3.5							167		
							47		
		Fine, loose Sandy SILT with minor clay. Light grey and orange, wet, low plasticity. [PUKETOKA FORMATION]							
		4m: Becomes grey.							
4.0							162		
							50		
4.5							145		
							53		
		Clayey SILT. Dark grey, very stiff, moist, moderate to highly plastic. [WAITEMATA GROUP SOILS]		MAITA GROUP					
5.0		5m: End of Borehole					127		
							47		

Notes & Abbreviations

Soils logged in accordance with 'The guidelines for the classification and description of soil and rock for engineering purposes' December 2005, NZGS

Water

▼ Standing Water Level

▽ Water Level At Time Of Drilling

Shear Vane

Corrected as per NZGS Guidelines
Vane No.:GEO2026 is 1.65
UTP = Unable To Penetrate
+ = Peak Exceeded
- = No Result

Other Comments

Flat, Lawn. Hole data is for a set location only. NZTM 2000 +/-4m

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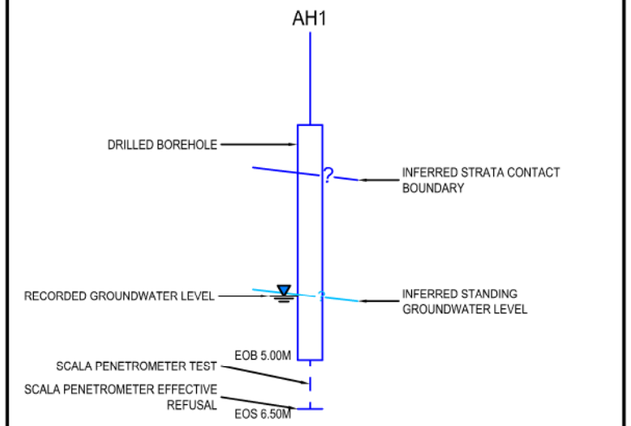

A

A'

PROPERTY BOUNDARY

43 BEAUBANK ROAD

RL (m)

10m
8m
6m
4m
2m
0m
-2m
-4m

WHAU RIVER

ASCIE=16.70m

AH2

AH1

26 deg

R=2.30m

SCALE 1:250

0 5 10 15 20 25 m

LEGEND

- ESTUARINE SEDIMENTS
- PUKETOKA FORMATION
- WAITEMATA GROUP SOILS
- INFERRED WAITEMATA GROUP ROCK

NOTES

1. LOCATIONS OF ALL FEATURES AND GROUND INVESTIGATION POINTS ARE APPROXIMATE ONLY.
2. THE GROUND PROFILE SHOWN HAS BEEN DERIVED USING LIDAR INFORMATION FROM LAND INFORMATION NEW ZEALAND (LINZ) TITLED AUCKLAND NORTH LIDAR 1m DEM (2016-2018)
3. FOR DETAILS OF INDIVIDUAL BOREHOLES REFERENCE SHOULD BE MADE TO THE SPECIFIC BOREHOLE LOG.
4. ANY GEOLOGICAL INTERPRETATION SHOWN ON THE DRAWING IS BASED SOLELY ON AVAILABLE BOREHOLE RECORDS.
5. THE ACTUAL GROUND CONDITIONS MAY VARY FROM THAT SHOWN ON THE INTERPRETED GEOLOGICAL SECTION/S.
6. REFER TO SITE PLAN FOR LOCATION OF GEOLOGICAL SECTION.

REV	DATE	REVISION DESCRIPTION	BY	CHK	APP
A	07/07/2022	Report Issue	CH	NRA	AN

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CLIENT: HARSHAD TENDULKAR

PROJECT TITLE: ASCIE ASSESSMENT
43 BEAUBANK ROAD
KELSTON

DRAWING TITLE: SECTION A-A'

DESIGNED	CH	DATE	07/07/2022	CHECKED	NRA	DATE	07/07/2022
DRAWN	CH	DATE	07/07/2022	APPROVED	AN	DATE	08/07/2022

STATUS: REPORT ISSUE

SCALE: 1:250 | SIZE: A3

COORDINATE SYSTEM: NZTM | HEIGHT DATUM: AKL 1946

PROJECT NUMBER: K220419-1 | DRAWING NUMBER: KGA 2 | REVISION: A

Therese Strickland

From: Unitary Plan
Sent: Monday, 26 September 2022 3:01 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Hueline Massey

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Hueline Massey

Organisation name: Warkworth Area Liason Group [WALG]

Agent's full name: Hueline Massey

Email address: hueline.massey@gmail.com

Contact phone number: 0211503385

Postal address:

Warkworth
Warkworth 0941

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:
Medium Density Residential Standards [MDRS]

Property address: The established/existing urban zone of Warkworth town.

Map or maps:

Other provisions:
Qualifying Matters

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 established areas of urban Warkworth are sited on mostly steep ground. The majority of the established areas are older developments with ageing infrastructure especially waste water. The currently "in progress" upgrade of the waste water infrastructure was designed for a life of 35 years to meet planned growth before the MDRS came into effect. This upgrade will not be available to the community for another 24 months. Private Plan Changes in Warkworth's Future Urban zoned area are also accelerating Warkworth's growth ahead of the sequencing initially planned.

Therefore this submission on Plan Change 78 seeks that Wastewater Infrastructure be added as a qualifying matter for Warkworth's Single House zone - to remove or reduce the building heights and densities enabled by MDRS for this area.

Warkworth does not have a sufficiently developed public transport system to support high density housing at this time. Nor is there any significant investment planned by Auckland Transport to implement such a system in the medium-term future. Due to this the private vehicle is an essential requirement for residents of this area. Higher density will increase road side parking on roads that were not built for intensive parking both sides of a street and still allow passage of larger vehicles. Nor do all our urban streets have footpaths on both sides enabling safe foot passage. Warkworth does not have a safe cycling network which means more cars to deliver people to their desired place. The hilly nature of the established parts of Warkworth preclude easy cycling routes unless specifically planned for within new developments.
Therefore we seek that Plan Change 78 includes Transport be added as a qualifying matter for Warkworth's Single House zone - to remove or reduce the building heights and densities enabled by MDRS for this area.

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

Details of amendments: We seek that Plan Change 78 add as qualifying matters sufficient Wastewater Infrastructure and Transport facilities. 675.1 675.2

Submission date: 26 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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Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 10:45 AM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Nicholas Cowan

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nicholas Cowan

Organisation name:

Agent's full name:

Email address: cowan.apollo@gmail.com

Contact phone number:

Postal address:
9 Oxford Tce
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 historical destination. I have recently renovated my house, as many others in the community have - and in doing so have upheld the heritage rules at great extra expense. But because we want to preserve this very special and beautiful historical area of the Auckland Community we whole heartedly comply. As such we have an extremely popular tourist destination, for international visitors but also the many families who make a day trip to the seaside. The revenue generated by this influx is essential for the business community in Devonport to survive, this has been evidenced over lockdown with the number of businesses who suffered and more than a few closed completely. The proposed changes especially in Oxford terrace will undermine and deter greatly from the historical

character which has been vehemently preserved by the Council and the local community. Specifically the area in Oxford TCE near Cheltenham beach where the proposal is to knock over 2 historical character houses for multi unit developments. As this is adjacent to a reserve it is extremely popular for families to visit in summer - the parking is very difficult as often we have issues with access being blocked to our property and berms, not to mention access for disabled persons being negligible. This is often a safety issue as well. Multi storey housing is going to have a huge impact parking availability – especially if there are no garages. I am also concerned about the infrastructure not being there to support such a development – we already have many issues with sewage leaching into the beach and stormwater blockages. We will also see additional cars on Lake Road adding to the congestion – which is a priority that the Council needs to address. The multi unit development proposed is not going to provide significant housing for those who really need it – but will provide a number high end beach view properties for the elite. The only people who will benefit are the developers. You expect house owners to uphold renovations to character overlay and ask them to spend thousands of dollars and millions in some case to uphold this (at no cost to Auckland Council) and then the council in an area that is not fit for reasons above you proposes to flagrantly disregards this in one foul swoop. This will be the legacy of those in power at the time and constituents will always vote accordingly, don't ruin our city's special character, its that simple

685.1
685.2

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

Submission date: 27 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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Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 10:45 AM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Bruce Grant

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Bruce Grant

Organisation name:

Agent's full name: Bruce Grant

Email address: bruce@jagconsultants.co.nz

Contact phone number: 0274948567

Postal address:
1 King Edward Parade
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 Spec 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:
Historic town centres throughout the world are highly valued. Auckland should not even be considering planning changes that threaten the Special Character Areas of our inner-city suburbs, especially Devonport. Devonport is a unique historic maritime suburb that is frequently visited by tourists, because of its significant historic buildings and landscapes. Intensification anywhere on the Devonport peninsular would irreversibly change Devonport's unique character. Intensification would require buildings of a scale and design that are incompatible with the existing historic character of the suburb.

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

Details of amendments: Retain the existing Special Character Overlay for Devonport in its entirety and make the Victoria Road shopping precinct an Historic Heritage Area

687.1
687.2
687.3

Submission date: 27 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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davidwren
planning . policy . research

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

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

To - Unitary Plan Submission Team
Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Submitter Details

Jeremy Adams

Address for service of the Submitter

David Wren
Planning Policy Research
PO Box 44 351
Point Chevalier
Auckland 1022
Email: david@davidwren.co.nz
Phone: 09-8150543

SCOPE OF SUBMISSION

This is a submission on PC 78 Intensification.

The specific provisions that my submission relates to are:

1. The zoning of the land at 14 and 16 Rame Road Greenhithe.

2. The imposition of the specific rules regarding the Significant Ecological Area as a qualifying matter.

SUBMISSION

1. The submitter is the owner and occupier of the site at 14 and 16 Rame Road Greenhithe. The property while comprising two titles has been used as a single site and are held as a single entity since the titles were first issued 101 years ago. They are also a single rating unit.

2. The physical vehicle access to No 14 (lot 2) being the title with a house on it, obtains this by way of a vehicle crossing at the northern corner of No. 16 (lot 1) and a long winding drive traversing lot 1 and making its way to the house on lot 2. This has been the case since 1928 when the house was constructed – some 94 years ago and there is no ROW for this drive.

3. The land is subject to the Significant Ecological Area (SEA) overlay and are both zoned Single House Zone in the AUP:OP.

4. PC78 proposes that 16 Rame Road be zoned Residential - Low Density Residential zone while 14 Rame Road be zoned Residential – Mixed Housing Urban Area.

5. It is submitted that both lots should be zoned the same, namely MHU Zone.

6. The activity classes relating to dwellings on a site subject to an SEA (A2A and A2B) are confusing and unworkable. These should be deleted.

7. The changes opposed are not soundly based on evidence or an appropriate costs benefit analysis as required by section 32 of the Act;

8. The changes that are opposed
   i) will not promote the sustainable management of natural and physical resources;
   ii) are inconsistent with the purpose and principles of the Act and the National Policy Statement – Urban Development (NPS-UD);
   iii) will give rise to adverse effects on the environment that cannot be avoided, remedied or mitigated;
   iv) are inappropriate and unjustified in terms of Section 32 of the Act.

THE REASONS FOR MY VIEWS ARE:

1. Zoning

The property at 14-16 Rame Road has operated a single entity since titles were issued over 100 years ago. The site should be subject to the same zoning in the AUP as it is held as a single site and will be managed into the future as a single site.

The Low Density Residential Zone is applied to a range of sites that have a variety of qualifying matters including coastal, ecological, natural hazard and character matters. There is nothing distinctly coastal about the site and while it is located in proximity to the coast there are adjacent properties located closer to the coast that are proposed to be zoned MDU (i.e. 11 and 13 Rahui Road). While the site is subject to the SEA overlay, so are other sites in the area including sites that are proposed to be zoned MHU (i.e. 11

Rahui Road and 14 Rame Road.

Further north, 28A Rame Road has been zoned MHU, yet this borders the esplanade reserve.

In my view the proposed zoning of 16 Rame Road is an anomaly and is inconsistent with the proposed zoning of other sites in this location.

2. Significant Ecological Area

The land (both lots) are shown as being subject to the SEA qualifying matter. This is turn appears has resulted in new objectives, polices and rules being inserted into the MHU Zone to control development on sites subject to an SEA.

A2A has the effects of making a single dwelling on site within an SEA a controlled activity. A2B is worded differently and has the effect of making 2 or more dwelling within an SEA a Discretionary activity.

The SEA overlay references rules within other parts of the Plan that manage the impact of development activity on sites subject to the overlay. Given this it is not necessary to include additional provisions within the MHU zone to manage the effects of development on SEAs. The SEA overlay can remain as a qualifying matter, but it is not necessary to add additional standards to manage development on such sites.

The proposed changes essentially double up the application of the overlay. That is not how the AUP works. The overlays are independent of the zone. The approach taken in the Plan Change is inconsistent with how the AUP has been developed. These provisions should be deleted.

3. Purpose of the Act

It is considered that the changes requested are the most appropriate means of achieving the purpose of the Act.

I SEEK THE FOLLOWING DECISION FROM AUCKLAND COUNCIL

1. Retain the Residential Mixed Housing Urban Zone on 14 Rame Road as notified. | 694.1

2. Change the proposed zoning of 16 Rame Road from Residential – Low Density Residential Zone to Residential Mixed Housing Urban Zone. | 694.2

3. Delete all the provisions form within the MHU Zone or any other zone | 694.3

concerning sites subject to the significant ecological area overlay including;

a. Objective H5.2.9
b. Policy H5.3.15
c. Table H5.4.1(A2A)
d. Table H5.4.1(A2B)
e. H5.6.10(2)
f. H5.7.1 Matters for Control
g. H5.7.2 Assessment Criteria

4. Any alternative changes to PC78, which would provide similar outcomes.

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

I 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

Telephone 815 0543

_____

David Wren - person authorised to sign on behalf of submitter.
Date: 23 September 2022

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 this submission that:

(a) adversely affects the environment; and

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

Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 9:15 AM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Debra Tunnicliffe

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Debra Tunnicliffe

Organisation name:

Agent's full name: Debra Tunnicliffe

Email address: d.tunnel@xtra.co.nz

Contact phone number:

Postal address:
27a Woodford Rd
Mt Eden
Auckland
Auckland 1024

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 and heritage destruction.

Property address: 27a Woodford Rd

Map or maps: Mt Eden

Other provisions:
Destroying the heritage areas of Auckland, with no thought to preserve Aucklands past. 704.1
Central Government's interference in Auckland Cities future - overuling the very Aucklanders that live in the City. 704.2

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 should be preserving Aucklands Heritage not destroying it and turning the city into an unliveable place. In country with only 5 million people, the drive to cram everyone into small little boxes (apartments) seems unwarranted and unnecessary at the expense of Auckland and New Zealand as a wholes, past.

It is a backwards step destroying the heritage, neighborhoods and communities with large over bearing apartment blocks that have noone to fill them.

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

Submission date: 27 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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davidwren
planning . policy . research

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

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

To - Unitary Plan Submission Team
Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

unitaryplan@aucklandcouncil.govt.nz

Submitter Details

Colin Weatherall

Address for service of the Submitter

David Wren
Planning Policy Research
PO Box 44 351
Point Chevalier
Auckland 1022
Email: david@davidwren.co.nz
Phone: 09-8150543

SCOPE OF SUBMISSION

This is a submission on PC 78 Intensification. The submitter owns properties subject to the Special Character Overlay.

The specific provisions that my submission relates to are:

1. The provisions of the D18 Special Character Overlay Residential and Business as amended by PC78.
2. The definitions chapter.

SUBMISSION

1. This submission generally supports the changes proposed to the D18 Special Character Areas Overlay – Residential and Business provisions.

2. The provisions for minor dwellings do not recognise that in some instances the existing character dwelling may become the minor dwelling and that it is

preferable to building a new house at the rear of the site rather than extending the existing dwelling.

3. Standards D18.6.1.7 Fences, walls and other structures is supported but should be amended to allow higher front fences adjacent to secondary frontages.

4. The changes to the landscaped area definition effectively increase the landscaped area requirement. The operative landscape definition in the AUP:OP should be retained for this and other zones and overlays not subject to the MDRS

THE REASONS FOR MY VIEWS ARE:

1. **Changes to Overlay**

   The changes proposed to the overlay including its replacement of the underlying zone provisions are generally supported, however it has in many ways stopped being an overlay and is now a separate zone. It may be appropriate to label as a zone.

   The previous concept of having to comply with two separate rule regimes was confusing and not sustainable so the proposed change to a stand alone concept is supported.

2. **Minor Dwellings**

   Rule D18.6.1A.2(3) specifies that minor dwellings must be located to the rear of the existing principal dwelling. This has some logic to it in that it is the existing buildings which largely make up the character of an area. However it fails to recognise the situation where there is a small (i.e. <65m2) house at the front of the site. In terms of character it would often be better to building a new principal dwelling at the rear and leave the existing dwelling without an extension.

   This has occurred under the existing rule and should be provided for under the proposed rules.

3. **Fencing**

   The changes to the fencing standards (Rule D18.6.1.7) are generally supported. However it is submitted that the changes in respect of corner sites require some refinement.

   I support the ability to have a 2m high fence fronting the street adjacent to the rear yards of corner sites for privacy and traditional streetscape concerns. However I consider that this should be extended to allow 2m high fences in front of the secondary frontages of dwellings also.

4. **Zone**

While I support the overall aim of the changes to the overlay subject to the changes I have proposed in this submission consider that the SCA overlay is more akin to a zone than an overlay and the issues the Council have been grappling with in its implementation stem from this.

Having looked at other overlays (i.e. Significant Ecological Area) its seems to me that overlays work best where they deal with a single issue (or at least a limited number of issues) that are not dealt with in the zone. So for example in the SEA overlay additional rules are included to deal with the protection of ecology and these are superimposed on top of the zone. In that case the underlying zone does not address the ecological issues which are instead dealt with by the overlay.

The SCA is different however as it essentially acts to replace the underlying zones, particularly in respect of the development control rules. In my view this has created confusion. I consider that the SCA would be better replaced by a specialised zone.

5. **Landscape.**

The definition of 'landscape' has been changed as a result of the MDRS. However the MDRS has a much lower landscape requirement which somewhat compensates for this. In respect of zones and overlays where the MDRS does not apply the change in the definition will result in an increased landscaping requirement because things such as decks will not be able to be included within the landscaped area. The operative definition should be retained at least for any development where the MDRS does not apply.

6. **Purpose of the Act**

It is considered that the changes requested below are the most appropriate means of achieving the purpose of the Act.

I SEEK THE FOLLOWING DECISION FROM AUCKLAND COUNCIL

1. Maintain the changes to the D18 Special Character Areas Overlay – Residential and Business as proposed except as set out below. 705.1

2. Amend standard D18.6.1A.2(3) to the following;

(3) Where the minor dwelling is a standalone building, it must be sited to the rear of the existing principal dwelling <u>except where the existing principal dwelling is to become the minor dwelling..</u>

3. Amend standard D18.6.1.7(2) to the following;

   (2) For houses on corner sites, D18.6.1.7(1)(a) applies to the street boundary of the front yard which is directly in front of the principal façade of the house and to that part of any other front yard boundary with the street which is directly in front of the <u>front yard of the principal facade</u> ~~secondary façade~~. D18.6.1.7(c) applies to the remainder of any other front yard boundary with the street ~~that is not directly in front of the secondary façade~~.

4. Reconfigure the Special Character Areas Overlay – Residential as a separate zone. 705.2

5. Retain the existing definition of "Landscaped Area". 705.3

6. Any alternative changes to PC78, which would provide similar outcomes.

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

I 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

Telephone 815 0543

_____

David Wren - person authorised to sign on behalf of submitter.
Date: 27 September 2022

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

If you <u>could</u> 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 this submission that:

(a) adversely affects the environment; and

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

Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 1:45 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jessica de Heij

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jessica de Heij

Organisation name:

Agent's full name:

Email address: jdeheij@gmail.com

Contact phone number:

Postal address:

Auckland 1023

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:
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

Property address: 9 madeira lane

Map or maps: Grafton

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:
Enabling more homes will improve affordability and help solve the housing crisis. Auckland currently has a housing

shortage, and constructing more houses will help fill the gap. Research by the Treasury found that restrictions on urban land supply make house prices more dependent on swings in interest rates. Existing changes to the Auckland Unitary Plan to make it more permissive have meaningfully increased housing supply and Auckland is the only city with stable and declining rents since 2016 as a result of those changes. However, Auckland is still one of the least affordable cities in the world, and more action needs to be taken urgently. 711.1

Allowing redevelopment will improve the quality of Auckland's housing stock. Do you live in a low quality 'character' house? You could discuss how allowing redevelopment would improve your health through better weatherproofing, soundproofing, etc. New homes are built to modern standards with better energy efficiency, thermal and acoustic comfort. While older homes, particularly those with special character protections, do not meet modern standards.

Enabling more development capacity will reduce the likelihood of gentrification. Restricting new homes in high-demand central suburbs pushes people out to the nearest suburb they can afford. This has flow-on effects right out to the outermost parts of Auckland, pushing up housing costs everywhere and creating equity issues. If you live in a suburb that is currently undergoing gentrification, this may be something you wish to discuss in your submission – you can talk about how it has affected your neighbourhood.

Constructing more housing centrally will reduce travel costs. Housing affordability must consider associated costs beyond rent or mortgage repayments. Transport costs are generally lower for those who live centrally, through having to travel shorter distances (regardless of the mode being used) to access jobs, education and daily needs.

Denser, compact development reduces transport infrastructure and public amenity costs. All growth requires infrastructure upgrades, but the costs are higher for greenfields (e.g. Drury where development contributions are now being proposed at $90,000 per home), or for dispersed/outer brownfields growth. Our central suburbs already have the best public transport, walking and cycling infrastructure. They also have access to public facilities and amenities like open space, quality of public parks and playgrounds in neighbourhoods. The main infrastructure investment required to enable intensification in isthmus suburbs is upgrades to the 'Three Waters' networks (stormwater, wastewater and water supply). Council and Government should just do these upgrades instead of blocking housing.

Denser, compact development is better for the climate and will reduce emissions. Aucklanders living in central suburbs have more transport choices (cycling, walking, and public transport) than those in distant car-dependent outer suburbs. They also travel shorter distances by car. As a result, they have much lower transport emissions.

Enabling intensification (especially in the isthmus) can build a more equitable future for Aucklanders. More housing in the isthmus, in particular, will grant more Aucklanders access and proximity to high quality jobs, services, and amenities available and in proximity to the isthmus (including the City Centre and airport employment hubs).

Enabling more housing choice in an area allows for ageing and living in place. Are you a young person thinking of having kids? You could talk in your submission about how you can't afford to raise a family in the current suburb you live in. Or maybe you're about to be an empty-nester, and you want more flexible planning rules so you have the option of downsizing into an apartment without having to change neighbourhoods.

Perimeter Block Housing
This section covers rules we believe should be changed within the Residential zones (Chapter H) to improve design outcomes and intensification, by enabling perimeter block housing.

When discussing design outcomes mention the standard number, what it must change to to enable perimeter block housing and reasons why. Feel free to use the tables below.

In the Mixed Housing Urban (three storey) Zone, we are proposing the following amendments to enable an up to three storey perimeter block built form to develop over time. Outlook of dwellings is over the street or into a private rear yard rather than sideways into neighbouring properties. 711.2

Standard number
Proposed/Existing
To enable perimeter blocks
Reasons why
H5.6.5. Height in relation to boundary
4m + 60°
for four or more dwellings per site within 21.5m of the site frontage is increased to 6m + 60 degrees

Encourage development to front the street and discourage outlook to be directed to neighbouring properties.
H5.6.8.1 Yards
Front: 1.5m
Side: 1m
Rear: 1m
Front: 0m
Side: 0m
Rear: 1m
Enables development to build out the front of the site and leave more space at the rear. This built form forces unit to front over the street or private rear yard

In the Terraced House and Apartment Building (THAB) Zone (5 storey)
(Outside of the walking catchments) we are proposing the following amendments to enable a perimeter block built form, where the outlook of dwellings is over the street or private rear yard rather than sideways into neighbouring properties.

711.3

Standard number
Proposed/Existing
To enable perimeter blocks
Reasons why
H6.6.6. Height in relation to boundary
For up to 3 dwellings: 4m + 60°
For 4 or more dwellings: 8m + 60°
14m + 60° within 21.5m of the front boundary of the site

8m + 60° beyond 21.5m of the front boundary of the site

The 8m + 60° plane is likely to see three storey walkup / terrace housing in a sausage formation continue to be the go to. 14m + 60° will better enable four and five storeys of building height
H6.6.9. Yards
Front: 1.5m
Side: 1m
Rear: 1m
Front: 0m
Side: 0m
Rear: 1m
Enables development to build out the front of the site and leave more space at the rear. This built form forces unit to front over the street or private rear yard

In the Terraced House and Apartment Building (THAB) Zone
(Within the walking catchments) (6 storey) we are proposing the following amendments to enable a perimeter block built form, where the outlook of dwellings is over the street or private rear yard rather than sideways into neighbouring properties.

Standard number
Proposed/Existing
To enable perimeter blocks
Reasons why (supporting arguments)
H6.6.6. Height in relation to boundary
For up to 3 dwellings: 4m + 60°
For 4 or more dwellings: 19m + 60° within 21.5m of the front boundary of the site

Support

The 19m + 60° will support development to be concentrated at the front of the site with dwellings facing over the street and rear. Enabling better designed homes and more per site.
H6.6.9. Yards
Front: 1.5m

Side: 1m
Rear: 1m
Front: 0m
Side: 0m
Rear: 1m
Enables development to build out the front of the site and leave more space at the rear. This built form forces unit to front over the street or private rear yard

Extra points on Standards

We also request that low intensity commercial activities (such as dairies and cafes up to 100m2 Gross Floor Area) within the THAB zone be permitted activities, as this will encourage more day to day amenities to be established within walking distance of higher density living. This will make these areas more attractive to live in and will discourage auto dependence. 711.4

Walkable Catchments
This section covers some reasons you can cite in favour of increasing walking catchments to enable more housing close to rapid transit and existing centres. 711.5

Auckland Council has suggested the following walking catchments as part of their response to the NPS-UD. We think these are too small and are proposing larger distances, (see the table below), to enable more homes close to existing centres and rapid transit.

In your submission, you could talk about how the definition of walkable catchments will affect you:
Where is your closest rapid transit stop and/or centre (Metropolitan, Town or Local)?
Mention how the Walking catchment could be expanded to enable more housing as per the NPS-UD in this area (cite the map section or rules it relates to).
Mention the recommended distances in the table below and that you think it should apply to other centres and stations in similar contexts.

Chapter G2 of the Plan Change proposes the size of walking catchments. Larger catchments will zone more land for developments of up to 6 storey, enabling more homes close to good transport with access to jobs, education, social opportunities and daily needs. In Auckland, many people are willing to walk further than 10 minutes to access jobs, services and opportunities that the metropolitan centres provide.

Household Travel Survey data shows that the median walking commute in Auckland takes around 22 minutes, compared with the median driving commute of 23 minutes. This data covers 2011-2014 and it is likely that driving commutes have lengthened since then, due to development in remote suburbs and greater congestion.

Greater walkable catchments for Newmarket and Sylvia Park of 1600m, than other metropolitan centres, better reflects the accessibility of these centres by cycling/micro-mobility and the isthmus bus network, giving a wide range of options for low-emissions travel.

While some people will not be able to or be unwilling to walk the distances mentioned, they will be able to catch a bus, cycle, scooter or use any number of other transport options. The areas around our centres and rapid transit stations tend to have the most transport choice.

See the next page for a table of our recommendations:

Centre Type / Location / Classification
Recommended Walking Distance to Upzone to
Rapid Transit Station (e.g. Train or Northern Busway Station)
All on the isthmus
1600m
Other Rapid Transit Stations
800m
City Centre

2400m
Metropolitan Centres
All on the isthmus (Newmarket, Sylvia Park)
1600m
All others outside Isthmus
800
Town Centres
All outside Isthmus that are ‘small + high accessibility’
400m
All in Isthmus
800m
All that are ‘large + high accessibility’
800m
Local centres
All Isthmus
400m
All that are ‘large + high accessibility’
400m
Neighbourhood centres
All
Not required

711.6

The definition of ‘rapid transit service’
This section covers some reasons you can cite in favour of expanding the definition of Rapid Transit Services.

The NPS-UD Policy 3 defines a rapid transit service as “any existing or planned frequent, quick, reliable and high-capacity public transport service that operates on a permanent route (road or rail) that is largely separated from other traffic”.

In this Plan Change, Auckland Council has identified the following Rapid Transit Services:
the three lines (Western, Southern, Eastern) of the heavy rail network between Swanson and Pukekohe, including the Central Rail Link (‘CRL’).
the Northern Busway (including the recent extension to Albany).
the Eastern Busway.
We think priority bus corridors should be considered Rapid Transit to enable more Walking Catchments and therefore more homes in accessible locations.

We suggest that the interpretation of what is a rapid transit service, as per NPS-UD Policy 3(d)), should include frequent bus services on the following key arterial corridors:

Great North Road (from Pt Chevalier to Ponsonby Road, served by the 18 Frequent Route and in future the 11 Frequent Route)
Sandringham Road (from Mt Albert Road to New North Road served by the 24 Frequent Route)
Dominion Road (from Denbigh Avenue to View Road, served by the 25 Frequent Route)
Mt Eden Road (from Mount Albert Road to Symonds Street, served by the 27 Frequent Route)
Manukau Road (from Onehunga to Broadway, served by the 30 Frequent Route)
Great South Road (from Ellerslie Main Highway to Broadway, served by the 70 Frequent Route)

Some reasons we believe these bus routes meet the definition of ‘rapid transit’:

Frequency: Bus services in these corridors are in the Auckland Transport Frequent Network and therefore have frequent service every 15 minutes, 7am-7pm, 7 days a week so you can ‘turn-up-and-go’ at most times of the day and week. This allows people to rely on public transport for many journeys. As intensification occurs, this supports further service improvements, to 10 minute headways all day or even better.

High Capacity: Frequent bus services on most of these corridors already operate double decker or high capacity single deck buses with seated capacity of 70-90+. We suggest that these should be considered “high capacity” and believe they have capacity to absorb the gradual increase in demand which will be created through increased density.

Quick and Reliable: These services operate in corridors with extensive priority bus lanes often with priority traffic signalling which means the transport services are quick and reliable when compared to private vehicle travel in the

same corridor.

Auckland Transport already has a programme underway to improve bus priority, alongside walking and cycling, on these key corridors to improve bus reliability. These corridors have all been signalled for additional improvements, and are well-located. They provide access to key employment areas, local amenities, services and education which means they are well-suited for intensification and enabling more homes so more people can benefit from this access.

Special Character Areas - Residential

Council is attempting to establish a Qualifying Matter under the National Policy Statement on Urban Development (NPS-UD) for Special Character Areas (SCAs). Broadly, we oppose this, as it will lead to fewer houses and worse outcomes. 711.7

If you want to talk about Special Character Areas in your submission, you could say that you want to remove them altogether, or you could support their removal in the walkable catchments specifically – either of these options will enable more housing. We've included some reasons you might want to incorporate into your own submission here.

You can have a look at the changes being proposed and the rationale for the Special Character Areas here:
North
Central Isthmus Part 1 (Grafton, Parnell, Newmarket, Remuera)
Central Isthmus Part 2 (Kingsland, Grey Lynn Ponsonby, Freemans Bay, St Mary's Bay, Herne Bay, Westmere)
Central Isthmus Part 3 (Central Isthmus suburbs Parnell, Mount Albert, Remuera East, Epsom,)
Central Isthmus Part 4 (Mount Eden, Epsom, Ellerslie, One Tree Hill, Muangakiekie)
East
South

You can also see where the SCAs are proposed to be using the map viewer. Include screenshots of the areas you'd like to see changes to in your submission.

The proposed special character areas severely compromise the ability to deliver more homes close to the City Centre which is the largest employment centre and a major educational, cultural and social hub of Tāmaki Makaurau.

We support heritage protections protecting genuine areas of historic heritage to our city. However, special character areas are not the same thing as heritage - most buildings in SCAs have had significant alterations and would not meet the threshold for heritage listing.

Special Character Areas are disproportionately located on the central isthmus, particularly inner suburbs which has wide ranging impacts on the growth of the city. Limited intensification is occurring and enabled in the isthmus, especially city fringe suburbs, driving up prices and forcing more development to occur in other areas.

Housing choice in the isthmus is constrained, in comparison to peripheral areas (e.g. Te Atatu) that are seeing significant development and intensification. Do you currently live in an inner suburb? Would you like additional types of housing in your area? You should talk about this in your submission.

Auckland City Centre
If you live here, mention this and talk about the benefits of city centre living. It is great for the panel to hear from locals who want density in their neighbourhood.

Council has put together a summary document of the changes in the City Centre. You can also read a detailed report about how each of the rule changes will affect intensification.

The NPS-UD states that Auckland Council must enable unlimited density within the City Centre: "in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification." 711.8

711.9

711.10

We support:
Removal of Floor Area Ratio Standards (removal of sections H8.6.10 through H8.6.20)
The Queen Street Valley control, regarding frontage of older buildings on Queen Street
Sunlight access to public open space controls including the Aotea Square control, for creating quality city centre and has limited impact on enablement of housing.

We do not support:
The general height control of 72.5m across the city centre (section H8.6.2)
This is contradictory to the intent of the NPS-UD [Policy 3A] which states "in city centre zones, building heights and

density of urban form to realise as much development capacity as possible, to maximise benefits of intensification." This limits development capacity in the City Centre.

Inner Suburbs and Isthmus
If you live here, mention the suburb you live in. It is great for the panel to hear from locals who want density in their neighbourhood.

You'll have noticed that many of the Key points in the Overview, Walking Catchments, Rapid Transit Service definition and Special Character areas are important and relate to improvements we want to see in the Inner Suburbs and Isthmus.

Key points:
Limited intensification is occurring and enabled in the Isthmus, especially city fringe suburbs, driving up prices and forcing more development to occur in other areas.
Housing choice in the Isthmus is constrained, in comparison to peripheral areas (e.g. Te Atatu) that are seeing significant development and intensification.
To reduce housing costs, and transport emissions we need to enable more housing on the isthmus, in particular close to the city centre, and rapid transit routes.
Qualifying Matters
Infrastructure - combined sewer
Council needs to invest in improving infrastructure rather than limit development capacity.
Special Character
Comment on your street / community if it is a SCA area - is it reasonable (e.g. What is the quality of existing houses?)
Critique rationale for assessing SCAs
Suggest amending the underlying zoning in QM overlay areas

West and South
If you live here, mention the suburb you live in. It is great for the panel to hear from locals who want density in their neighbourhood.

Key points:
The West and South are already facing the greatest levels of intensification in Auckland.
While it is good that more homes are being built, we can get better design outcomes by encouraging development to the front of the site. This improves engagement with the street and protects the rear as private open space. This built form is known as perimeter block housing. It means that outlooks are less likely to be into the living rooms of neighbours.
We have included the changes in the standards required to achieve perimeter block housing in the section above – you can include these in your submission.
Enabling intensification in central suburbs will help relieve some of the pressures that come with intensification.

East Auckland
If you live here, mention the suburb you live in. It is great for the panel to hear from locals who want density in their area.

The points covered in the general section cover most of the gaps we see for the East Auckland. We encourage you to link your experience and knowledge if you live on the East Auckland to support upzoning. There is one additional change we are recommending for the East Auckland:

The key issue for East Auckland is upzoning along the Eastern Busway which is now under construction.
Auckland Council should follow the National Policy Statement on Urban Development and enable at least 6 storeys around the stations on the Eastern Busway, which are now in the preliminary stages of construction. This includes the following stations: 711.11
Pakuranga Station
Edgewater Station
Gossamer Station
Burswood Station
The Council is legally obligated to enable development capacity around these stations in the future, but given that preparation works have begun, it makes sense that the Independent Hearing Panel should look at how to incorporate these stations into the plan changes to allow homes to be built there as soon as possible.
Not enabling this is a missed opportunity to enable more homes in East Auckland. Allowing developers to apply for consent and start construction prior to completion of the busway in 2025, will allow more housing to be completed near the time of opening.

This corridor is already incredibly well served by the #70 bus which runs every 6 minutes at the peak and every 10 minutes all day. This connects to the rail network at Panmure and through to the major employment areas around Ellerslie and Newmarket, before reaching the city.

North Shore
If you live here, mention the suburb you live in. It is great for the panel to hear from locals who want density in their area.

The points covered in the general section cover most of the gaps we see for the North Shore. We encourage you to link your experience and knowledge if you live on the North Shore to support upzoning. There is one additional change we are recommending for the North Shore:

711.12

Change Constellation Station catchment from General Business Zone to Business Mixed Use to enable residential development in this area as a permitted activity.
Constellation Station is a major node in the public transport network. Future terminus of the upper harbour line. This area has a lot of existing services catering to people's needs, so intensification makes sense here.

You should also mention in the submission that you support the Northern Busway being included as rapid transit and discuss the benefits that intensification along it will bring.

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

Details of amendments: see answer above

Submission date: 27 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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Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 2:00 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - William Handey

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: William Handey

Organisation name:

Agent's full name:

Email address: handeys@xtra.co.nz

Contact phone number:

Postal address:
16B King Edward Parade
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:
The council should retain the special character overlay for all of the Devonport suburb due to its historic value to the Auckland region with its unique housing and shopping areas. Devonport is promoted as a tourist destination for New Zealand and overseas tourist, to experience a heritage marine suburb. The relaxed village atmosphere is what makes Devonport so special when compared with the CBD of Auckland. The New Zealand Navy his based in Devonport and with a strong marine connection built up over many years Devonport has strongly supported the Auckland City of sails identity. Devonport needs to be protected from this residential housing intensification otherwise the heritage value will be lost forever, and Devonport will become just another suburb of Auckland.

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

713.1

Details of amendments: The council should protect Devonport by retaining the Special Character Overlay for all of the Devonport suburb.

713.2

Submission date: 27 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

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Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 1:45 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Laurence Slee
Attachments: Intensification Submission revised 20200926.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Laurence Slee

Organisation name: Cockle Bay Residents and Ratepayers Association Inc.

Agent's full name:

Email address: lauriesleenz@gmail.com

Contact phone number: 5346404

Postal address:
3 Estuary Views,
Shelly Park
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:
Requirement to include additional qualifying matters relating to medium to long term economic costs; more specific references to objectives and policies under the Coastal Protection policy; inclusion of stormwater as a qualifying matter; the need to be more specific o rules to be considered and calculations on things such as detention tanks for stormwater

Property address: Some of our concerns are city-wide; others more specific to Cockle Bay

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:
Whilst we support the specific provisions identified, we believe more safeguards are required

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

Details of amendments: Please see the attached document which sets out our thinking in more detail

Submission date: 27 September 2022

Supporting documents
Intensification Submission revised 20200926.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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THE INTENSIFICATION DEBATE CONTINUES – AND YOUR HELP IS NEEDED:

Summary

Cockle Bay Residents and Ratepayers:

1. Support the proposed changes to date in Plan Change 78.
2. Request the Independent Hearings Panel to introduce long term economic costs as a qualifying matter. A further Plan Change can introduce a time bound, location based, intensification plan that meets the objectives of the legislation, whilst also focussing infrastructure investments within predetermined priority areas. This will have the benefit of (i) enabling Auckland Council to channel developments to areas where there is sufficient infrastructure capacity; (ii) getting maximum value for money from infrastructure investments; (iii) achieving better planned maintenance to be targeted to areas of higher population density, rather than being dispersed across the city; (iv) enabling other providers, such as Ministries of Education and Health, and power and telecommunications companies, to plan their investments to reflect planned population growth.
3. Because of the growing incidences of heavy rainfall and flooding, 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. 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. Improve transparency and consistency by including detailed specifications on all consent requirements. (In cases where we have raised queries, we have been referred to individual planners for explanations.
6. Broaden the criteria that defines character areas, in order to preserve our heritage.

SUPPORTING INFORMATION

Medium to Long Run Economic Costs

We find it incredible that the two major political parties, both of whom claim to have the credentials to make wise decisions on economic management for the country, could have failed to have considered the medium to long term economic costs of a "one size fits all" approach to planning[1]. Putting aside the focus on development near city and other centres, which makes good sense, it assumes that all areas of a city are homogeneous, with similar characteristics across all areas. This includes assuming that there is uniform city-wide infrastructure capacity with the same "whole of life" expectation; uniform access to water supply; stormwater drainage; and wastewater treatment and networks; that all areas have equal access to schools, hospitals and medical facilities; that all areas are serviced by financially sustainable transport services, with no undue traffic congestion that requires special measures to alleviate delays, and that there are adequate communications networks, energy supply and social facilities. The legislation assumes that infrastructure has the capacity to cope with ad hoc growth and that there will be no difficulty providing increased capacity for growth across all areas of the city. The legislation fails to reflect that future random increases in infrastructure use will create random increases in demand for infrastructure capacity, and increased area-specific, volume-driven, planned maintenance, rehabilitation and replacement, with associated costs.

In contrast, sound investment management requires city-wide prioritization. Requirements for additional capacity must be manged on a structured area-by-area basis, built around a location-based development plan. This effects not just Council planning. Ministries responsible for provision of services such as schools and hospitals deserve some certainty about where and when growth will occur, rather than it being randomized across cities.

The legislation and plan change fails to consider priorities and local factors that should influence development within a city that in Auckland's case stretches from Wellsford to Pukekohe. The legislation goes on to assume that all fourteen major territorial centres in New Zealand are identical, and can be subjected to the same rules.

The qualifying matters specified in the legislation[2] provide only limited opportunities to introduce a development framework that reflects a need to channel development into areas where there is adequate infrastructure capacity to service future growth. The result will be very high medium to long term costs that could be avoided by more structured planning.

Our submission point 2 below endeavours to address this as far as possible within the legislative constraints.

Submission Point 1 – Support for changes to date

Plan Change 78 contains a number of plan changes giving effect to the legislative requirements. Because these may be challenged by other submitters there is a small risk that they could be removed or reduced in their scope. We believe the new provisions, including protection of views from Stockade Hill, need to be supported. The main point of our subsequent submission points is to secure further improvements, as indicated in subsequent submission points. 717.1

Submission Point 2 – Channelling growth to locations with capacity to absorb it.

In order to avoid the risk of avoidable costs in the medium to long term, we ask the Independent Hearings Panel to advocate a medium to long term approach that focusses development in areas where there is adequate spare infrastructure capacity to cater for population growth. This is to include non-Council infrastructure such as, schools and medical facilities and green space 717.2

[1] The legislation does specify that nationally significant infrastructure is a qualifying matter that can be used to declare an area unsuitable for intensification
[2] See Reference at conclusion of this Discussion Paper

Effectively this means including medium to long term economic and opportunity costs (or risks) as a qualifying matter. Consideration must be given to water supply and sewerage systems, including combined wastewater and stormwater; stormwater infrastructure capacity; the long term economic life of infrastructure and planned replacement programmes; road and transport network capacity; and social infrastructure available such as schools, medical facilities, energy supplies, telecommunications networks and green space.

A revised plan change can provide for area-specific timebound zoning changes that reflect planned capacity increase in infrastructure, thus achieving the objectives of the Enabling Act in a long term, cost effective manner.

In our submission to Council prior to the publication of Plan Change 78 we suggested that developers wishing to construct homes in areas where there was insufficient infrastructure capacity be required to pay a premium to offset the need to provide additional infrastructure on a timeline falling outside planned infrastructure development.

Submission Point 3 - Include stormwater infrastructure as a qualifying matter

The plan change rightly includes reference to combined wastewater and stormwater infrastructure as a qualifying matter. It makes no provision for areas such as Cockle Bay (and other parts of Auckland) where stormwater is not fully accommodated within fixed infrastructure. In these locations streams, flow paths and soak pits are important elements of the stormwater systems. Allowing intensification on sections currently serviced by soak pits reduces permeable areas and opportunities for natural absorption of stormwater. It increases the risk of increased flows in streams and overland flow paths, and flooding. As with the previous submission point, unplanned intensification introduces a high risk of avoidable medium to long term economic costs in terms of stream erosion and increased flooding. Indirect costs are likely to be incurred by property owners because of increased stream maintenance and insurance premiums – if in fact they are able to obtain insurance in locations with a record of flooding and erosion. This risk is already demonstrated in other parts of the country and globally. It can be avoided by excluding areas from intensification where stormwater infrastructure is inadequate and there is a track record of flooding.

717.3

Although the Cockle Bay catchment is identified as being subject to the Water and Wastewater constraints control, it appears that this is intended to be applied in an ad hoc manner, giving residents no assurance of consistent application of principles within the area. This raises an issue of equity. For instance, it is stated that applications for individual properties will be assessed against whether there is adequate capacity, including reticulated water and wastewater, and water for firefighting, and whether there is the ability to connect dwelling(s) to reticulated and wastewater networks. As an isolated case this makes sense. In a wider context it has the potential for introducing huge inconsistencies, and a risk of “first come, first served” developments. As an example, there was a question of wastewater and sewerage capacity for the original application for 71 apartments proposed for 30 – 40 Sandspit Road, Cockle Bay. If such an application was approved, even though the sewerage network was nearing capacity, then it moves the area closer to the point where subsequent development applications must be declined because maximum capacity had been reached, or there is a significant risk of future sewerage overflows effecting residents over a wider area. A wider spatially based prioritization-based methodology for determining growth areas based on infrastructure capacity overcomes development based on micro-level assessments.

The current revised development application for apartments at the same location, currently before the Environment Court, revealed flawed calculations by the developer for the stormwater retention / detention tanks. Adequate capacity tanks will mitigate some of the above risks, but not eliminate them completely. A definitive ruling is required on how the calculations are to be undertaken, and sampling of specific installations will be necessary to ensure compliance, with penalties for failures. There is also a question, not answered in our queries to Auckland Council, about following the required code of practice.

We request the Hearings Panel to recommend to Council: (i) that stormwater be included as a qualifying matter for all development sites; (ii) that no intensification be permitted adjacent to streams,

flow paths, flood plains and other locations with a risk of flooding in the future; (iii) the correct basis for calculating capacity of retention / detention tanks; (iv) a requirement to follow all required codes of practice, in particular in all areas defined as being subject to a stormwater constraint.

Submission Point 4 - Include areas subject to compliance with Coastal Policy Statement as a qualifying matter.

The Enabling legislation specifies that a qualifying matter is compliance with National Policy Statements and the New Zealand Coastal Policy Statement. The Coastal Policy does not appear in the legend or on the Plan Change 78 Information Sheets as a qualifying matter. The map show areas at risk of coastal erosion and coastal inundation, but gives no indication of which properties are subject to constraints to enable them to comply with the Coastal Policy. In the case of Cockle Bay, with a number of streams providing stormwater drainage, we would argue that policy compliance extends beyond properties adjacent to the beach, as the whole catchment drains down to the beach, and there is already quantified evidence of increased sedimentation – in contradiction to the Coastal Policy provisions. 717.4

Our submission to Council at the time that the Plan Change was being prepared indicated 3 objectives and 9 policies that have a particular relevance to Auckland coastal areas. In response to our query to Council about the scope of protections under Plan change 78 and legislated coastal policy, the response was that Council wishes "to avoid development in areas subject to coastal inundation and erosion, with a preferred approach of rezoning all affected properties and a new low residential zone". However, Council goes on to state that this cannot be addressed through Plan Change 78. It will be covered in a future Coastal hazard Plan Change (at an unspecified time). No other changes to incorporate Coastal policy objectives and policies are mentioned in response to our queries.

We submit that the statement of qualifying matters (Information Sheets 7 and 8, Parts 1 and 2) be expanded to include the Coastal Policy objectives and policies which must be complied with, and that properties effected be identified on the maps. We submit that properties must be identified based on the risk and effects related to the Coastal policy – for instance whether they effect, or are likely to effect, water quality and marine ecosystems through increased sedimentation or cumulative effects[3].

Submission Point 5 – In order to secure full transparency and consistency, the plan change be more prescriptive within the new planning rules on what requirements must be met. 717.5

In theory this submission should not be required. However, experience suggests otherwise. We give 4 examples:

Firstly, in a current case before the Environment court there are different interpretations on the application of climate change projections relating to rainfall projections and calculations, and applicability to new consent applications for multiple dwellings, compared to applications that are compliant with existing rules. After expert consultation, Council has already had to require revised calculation for stormwater retention and detention tanks once, but the revised calculations remain in dispute. The mere fact that experts can disagree on the interpretation means that the rules lack clarity. This needs to be formally resolved with a consistent interpretation.

Secondly, as indicated in the previous paragraph, there is scope for different interpretations of GDO1 (Stormwater Management Devices in the Auckland Region, Amendment 2, December 2017), a part of the AUP, and the Code of Practice. An updated Plan Change document can eliminate this debate by clarifying the rules for all parties. The mere fact that this is disputed before the Environment Court indicates significant scope for different interpretation. This ambiguity must be eliminated for the benefit of all stakeholders.

Thirdly we have raised queries with Council on interpretation of the new guidelines. The mere fact that we had to ask the questions indicates that the situation is not clear. Council staff responsible for

[3] These effects are one example. (Policy 4, Integration). This is only 1 of the relevant objectives and policies. Other objectives and policies must also be incorporated.

resolving the queries were not able to provide an answer, and referred us to the planner and engineers for our area[4]. This raises the scenario of not only a lack of transparency, but also inconsistency of interpretation, between different geographical areas of the city. This is further illustrated by the dispute related to the recent felling of trees, including trees stated to be protected or "significant", at the former UNITEC Arboretum, in order to make way for a new housing development[5].

Fourthly we note that although the Regional Policy Statement is referred to in Sections E1 of the revised AUP, the forgoing scope for omissions means that it is desirable that the policy statement requirements are fully integrated into the more specific policies, objectives and criteria for reviewing consent applications, and the relevant sections of the Building Code.

We request that the Independent Hearings Panel recommend that these safeguards of specifying all relevant criteria to be considered be incorporated into relevant sections of an updated a Plan Change.

Submission Point 6 – Special Character areas

This is more subjective. It is our belief that parts of the city do have distinct characteristics that give the area a unique character. These risk being destroyed under the revised plan change, which has been driven by the legislation. We ask the Independent Hearings Panel to urgently recommend to Council that the criteria used to assess which areas of the city deserve protection be interpreted more liberally in order to retain the overall appearance of larger areas of the city, and the associated heritage.

717.6

Reference: Resource Management Act (Enabling Housing and Other Matters) Enabling Act 2021

Section 77I Qualifying matters in applying medium density residential standards and policy 3 to relevant residential zones

A specified territorial authority may make the MDRS and the relevant building height or density requirements under policy 3 less enabling of development in relation to an area within a relevant residential zone only to the extent necessary to accommodate 1 or more of the following qualifying matters that are present:

(a) a matter of national importance that decision makers are required to recognise and provide for under section 6: 2021 No 59 Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 Part 1 s 9 9

4 *Our question to Council*: Please confirm or otherwise that irrespective of the presence or absence of other qualifying matters, stormwater quality and quantify management is required for all sites in accordance with the provisions of the relevant sections of the existing AUP, Council's Code of Practice and Council's design guidelines. Specifically, sections E1, E8, E10, E36, and E38 of the AUP, the use of GDO1(SWMD- Amendment 2) and the Stormwater Code of Practice are applicable.

Council responses to this and similar questions: "All development must be checked through the Councils building consent process and / or infrastructure-Development engineering section of the Council."

"The relevant codes for checking should be verified with the Council's Resource Consent team (for the relevant area) and Development Engineers."

"In terms of legal effect and how MDRS affects properties, you would need to discuss this matter with the Principal Specialist Planner in the Resource Consents Department for the Cockle Bay area. They have detailed advice about the application of QM's and its relationship with MDRS."

"However, as stated earlier, for specific sites and application of the MDRS standard and how the QM affects development, please check with the resource consents team responsible for the area."

5 Reported by the Tree Council 22 September 2022

(b) a matter required in order to give effect to a national policy statement (other than the NPS-UD) or the New Zealand Coastal Policy Statement 2010:

(c) a matter required to give effect to Te Ture Whaimana o Te Awa o Waikato—the Vision and Strategy for the Waikato River:

(d) a matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitakere Ranges Heritage Area Act 2008:

(e) a matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure:

(f) open space provided for public use, but only in relation to land that is open space:

(g) the need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order:

(h) a matter necessary to implement, or to ensure consistency with, iwi participation legislation:

(i) the requirement in the NPS-UD to provide sufficient business land suit- able for low density uses to meet expected demand:

(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.

Therese Strickland

From: Unitary Plan
Sent: Tuesday, 27 September 2022 2:30 PM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Yvonne Diack

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Yvonne Diack

Organisation name:

Agent's full name:

Email address: y.diack@gmail.com

Contact phone number:

Postal address:
18/177 Hurstmere Road
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:
Intensification/high rise development

Property address: Emerald Inn site - Promenade Terrace/Alison/Earnoch Ave

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 dominance of such a structure and the shading of not only our property but the reserve and beach area that is enjoyed by so many would be damaging to a coastal location that deserves to be protected.
There is no vision for this prime area, we do not want to see a Gold Coast in Takapuna. 720.1

Infrastructure is a major concern, the recent sewer upgrade involved only a reline which is certainly not going to cope and will become an environmental issue with spills and beach closures.
It would make more sense to concentrate on the areas close to bus stations /motorways (Barry's Point Road/Smales Farm) for intensification. Ocean front properties that will carry a huge price tag will do nothing for the affordable 720.2

housing that is so desperately needed in the current housing crisis.
In summary I am totally opposed to high rise intensification in the said location.

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

Submission date: 27 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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George Bramer

From: Michael Campbell <michael@campbellbrown.co.nz>
Sent: Tuesday, 27 September 2022 3:58 pm
To: Unitary Plan
Cc: Allen Lv; jian.yang@hndholding.co.nz; Forrest Suo
Subject: Submission on proposed Plan Change 78 of the Auckland Unitary Plan (AUP) (HND TS Limited)
Attachments: PC78 - The Strand Takapuna (HND TS Limited).pdf

Kia ora,

The **attached** submission refers.

I would appreciate it if you could please confirm receipt.

Kind regards | Ngā mihi nui

Michael Campbell | Director | BREP (Hons) | MNZPI
Campbell Brown Planning Limited
Level 2, 46 Brown Street, Ponsonby | PO Box 147001, Ponsonby, Auckland 1144
Cell 021 278 9018 | DDI - Ph 09 394 1696| Ph 09 378 4936 | michael@campbellbrown.co.nz | www.campbellbrown.co.nz

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SUBMISSION ON PLAN CHANGE 78 PROPOSED AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: HND TS Limited

This submission relates to Plan Change 78 to the Auckland Unitary Plan (AUP). This submission specifically relates to the land that is land bounded by The Strand, Hurstmere Road, and Channel View Road, and by Hurstmere Green to the North. This is identified in **Figure 1 below**.

Figure 1 – Land owned by the Submitter

This property falls within the Devonport-Takapuna local board.

The specific provisions addressed by this submission are as follows:

a) The submitter opposes the proposed heights for the identified area of land.

b) The above area of Takapuna is subject to the Takapuna 1 Precinct (I540) sub-precinct A of the Auckland Unitary Plan – Operative in Part ('AUP(OP)').

c) This feedback relates to potential implications of the NPSUD and the requirements of Policy 3(b) in relation to the existing I540 Takapuna 1 precinct, zoning and building heights.

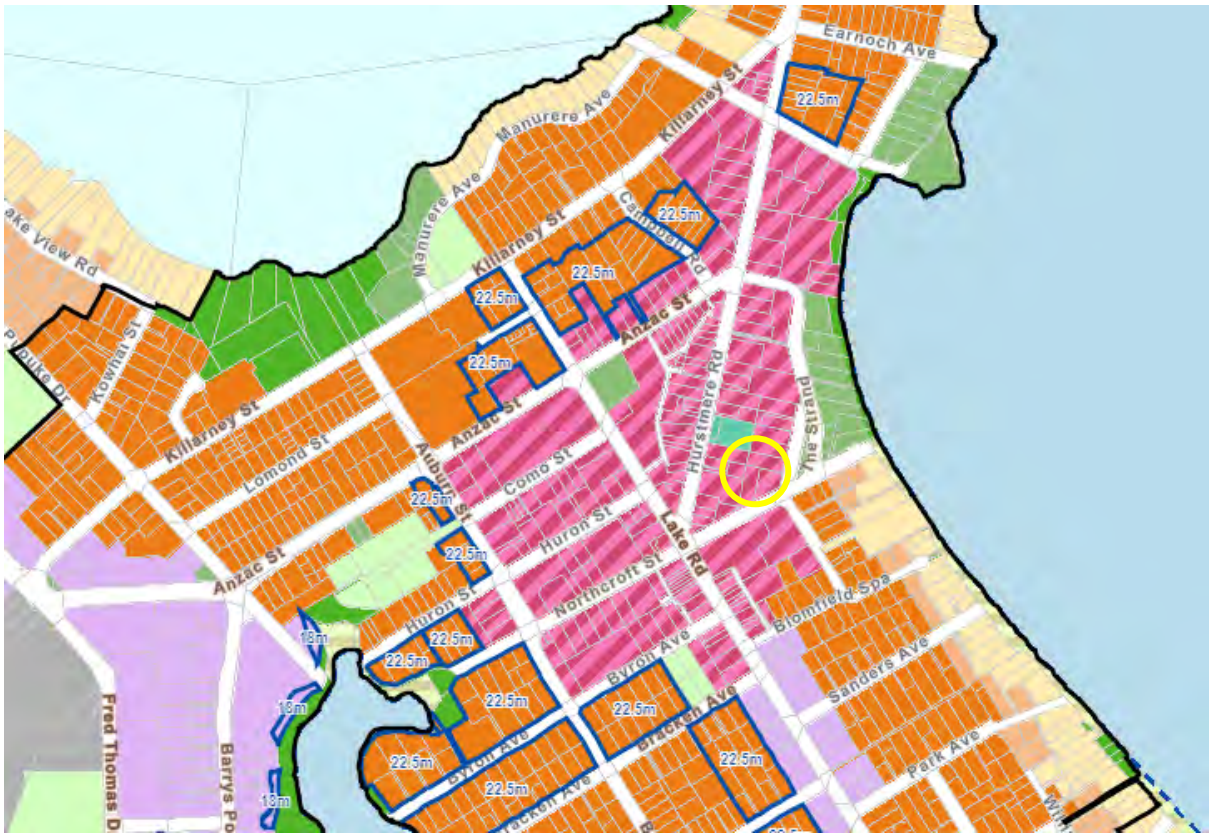

Figure 2 – NPSUD viewer (sites circled in yellow)

The submitter has the following submission in relation to zoning and building heights:

a) In accordance with Policy 3(b) of the NPS UD, the sites are within a Metropolitan Centre zone and should be provided with "building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys" (emphasis added).

b) The submitter notes that Policy 6(b) of the NPS:UD also states that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes "*may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types and are not, of themselves, an adverse effect.*"

c) The central location of the land lends itself to policies that seek to maximise building heights and density in an area that clearly has demand for additional housing. Being located within the Metropolitan Centre zone itself, the sites are located within a close walk of existing frequent (FTN) bus services to the Takapuna Centre (the Hurstmere bus stops adjacent to Shore City Galleria), as well as the Akoranga Station to the southwest which provides access to the Northern Busway RTN service. In addition, the RTN (while slightly beyond a 1,200m walkable catchment distance) is connected by extensive cycleways that make micro mobility transportation a viable choice. 'Micro mobility' and 'active' transport modes (i.e., scooters,

bikes etc) are expanding traditional 'walkable' distances and this is acknowledged by the Mfe guidance on walkable catchments. The guidance notes that:[1]

> …not all places are equal and different locations with different characteristics may often have different-sized walkable catchments […] a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.

d) The use of such alternative modes and their relationship to 'walkability' is also acknowledged within Auckland Transport's 'Urban Street and Road Design Guide' in which it is noted in relation to increased density of residential occupation:[2]

> Density (and a diversity of housing choices) gives people the opportunity to live in neighbourhoods that meet their lifestyle preferences and economic means. The goal should be to provide residents with the choice to live in amenity-rich neighbourhoods where they are a short walk *or* bike ride away from shopping, parks, schools and cafés, and take public transport or drive to work and regional destinations. Density allows for more options for more people. Prioritising investment in frequent, high-capacity public transport to support density is a mutually supportive strategy that can rapidly shift people from private cars to public transport and active modes [emphasis added].

e) As such, the site is well-located to benefit from the high levels of service-amenities within the existing Takapuna Centre and its general access to transportation options. Consideration of the appropriateness of heights within the existing Takapuna 1 Precinct provisions are therefore, in in the submitters view, appropriate in light of the NPSUD requirements.

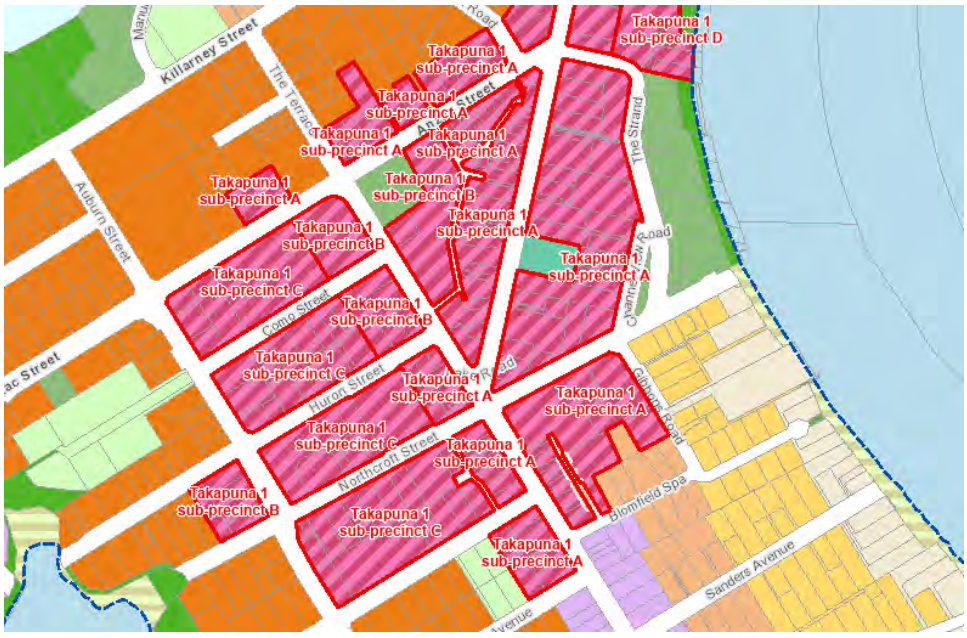

Figure 3 – AUP(OP) Takapuna I549 sub-precincts

[1] Ministry for the Environment, *Understanding and implementing intensification provisions for NPS-UD*, clause 5.5.3 Different locations will have different-sized walkable catchments.
https://environment.govt.nz/publications/understanding-and-implementing-intensification-provisions-for-the-national-policy-statement-on-urban-development/

[2] Auckland Transport 'Urban Street and Road Design Guide', page 51.

f) In terms of height, the I540 precinct provisions apply the following heights to sub-precincts identified in Figure 3 above:

I540.6.1. Building height

(1) Buildings must not exceed the height limits set out in Table I540.6.1.1 below.

Table I540.6.1.1 Building height

Sub-precinct	Maximum height
Sub-precinct A	24.5m
Sub-precinct B	36.5m
Sub-precinct C	Unlimited
Sub-precinct D	12.5m

Table 1: I540 Precinct Height areas

g) As it presently exists, sub-precinct C provides for unlimited building heights, with sub-precincts B, A and D providing a stepped reduction in heights to the Takapuna Beach reserve area and the coast.

h) The nature of the subject land, which is located within sub-precinct A and between Hurstmere Road, The Strand, and the reserve areas along Takapuna Beach, means there is an opportunity for greater bulk without significant detriment to surrounding sites. The subject sites are located to the south of the existing 'Hurstmere Green' reserve to the north and screened by the existing ASB building at 33-40 Hurstmere Road. Any potential shading as a result of added height in this area would be limited to existing road reserve to the west, and The Strand to the east. Notwithstanding, additional shading through increased height (in reference to Policy 6(d) of the NPSUD and purpose of the Business - Metropolitan Centre zone) is considered appropriate in an area that anticipates significant scale of development. Retention of staggered building heights to the coast (while allowing for some increases in height) will maintain the gradation in building heights from sub-precincts A – C.

i) It is noted that a bonus height of 1 additional level is provided for in addition to Table I1540.6.1 in association with the provision of through site links.

j) As such, the Takapuna 1 precinct is attractive to both residential and business activities. This is evidenced by extensive ground floor retail, commercial, business and food activities that all presently operate within the overall centre, and particularly along Hurstmere Road. Building heights need to provide for ceiling heights that enable a range of such activities. This would typically be a ceiling to ceiling height of 3.8 metres, with ceiling heights of 4.5 metres for the ground floor. Those would typically mean a total height of 26 metres for 6 storey buildings (including two metres for roof form) and 33 metres for 8 storey buildings.

k) The submitter considers that the existing 24.5m height allowance in sub-precinct A does not provide for a *minimum* of efficient 6 storey development on the sites in question, or the balance of sub-precinct A areas. This is not consistent with Policy 3(b) of the NPSUD. As outlined earlier, it is appropriate that strategic locations such as the Takapuna Metro Centre enable meaningful intensification commensurate with their accessibility to services, amenities and transportation options. The submitter also considers it appropriate that 8 storey development be enabled in sub-precinct A, along with a proportionate increase in height for sub-precinct B to 42.5m. The submitter considers notes that there is presently an unlimited height allowance for sub-precinct C.

The submitter's concerns would be addressed if Unitary Plan was amended in the following way:

a) That sub-precinct A be provided with a height overlay of up to 8 storeys (33 metres), with a proportionate increase in heights within sub-precinct B to 42.5m. 740.1 740.2

b) Any other changes that would address the concerns raised in this feedback.

The submitter would welcome contact from staff in the Unitary Plan team if any clarification or further information is required.

Michael Campbell
Campbell Brown Planning Limited
For and on behalf of HND TS Limited as its duly authorised agent.

Date: 27 September 2022

Address for service of submitter:

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

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

George Bramer

From: Michael Campbell <michael@campbellbrown.co.nz>
Sent: Tuesday, 27 September 2022 2:09 pm
To: Unitary Plan
Cc: Byron Abel
Subject: Submission on proposed Plan Change 78 of the Auckland Unitary Plan (AUP) (Qi Fan)
Attachments: PC78 Submission - 18 Ayr Street Parnell (Qi Fan).pdf

Kia ora,

The **attached** submission refers.

I would appreciate it if you could please confirm receipt.

Kind regards | Ngā mihi nui

Michael Campbell | Director | BREP (Hons) | MNZPI
Campbell Brown Planning Limited
Level 2, 46 Brown Street, Ponsonby | PO Box 147001, Ponsonby, Auckland 1144
Cell 021 278 9018 | DDI - Ph 09 394 1696| Ph 09 378 4936 | michael@campbellbrown.co.nz | www.campbellbrown.co.nz

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SUBMISSION ON PROPOSED PLAN CHANGE 78 OF THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: Qi Fan

This submission relates to the Plan Change 78 to the Auckland Unitary Plan (AUP). This submission relates to the following properties:

- The submission is concerned with the land that is located at 18 Ayr Street in Parnell, the surrounding sites and the wider application of the Significant Ecological Area and Flood Plain Qualifying Matters over residential zones.

These properties fall within the Waitematā Local Board area.

The specific Plan Change provisions that this submission relates to are:

a) Proposed Zoning – Under Plan Change 78, the site and surrounds are proposed to be zoned as a combination of Residential - Low Density Residential Zone, Residential - Mixed Housing Urban Zone, and Residential - Terrace Housing and Apartment Building Zone as generally indicated in **Figure 1.**

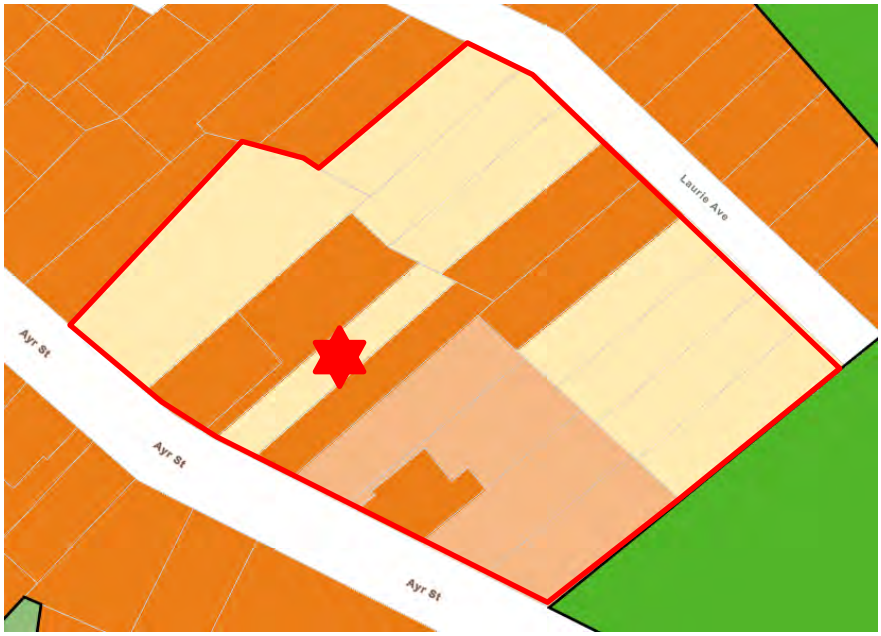

Figure 1 – Proposed Zoning Changes

b) This submission also raises wider concerns with respect to the proposed zoning approach with respect to Flood Plains and Significant Ecological Area's

The reasons for the submitter's concerns are:

1. The applicable zoning does not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act");

2. The zoning is not soundly based on evidence or an appropriate costs benefit analysis as required by section 32 of the Act;

3. The applicable zoning of Plan Change 78, as they relate to the Submitter's site and the surrounding land:

    i) will not promote the sustainable management of natural and physical resources;
    ii) are inconsistent with the purpose and principles of the Act and the National Policy Statement – Urban Development (NPS-UD);
    iii) will give rise to adverse effects on the environment that cannot be avoided, remedied or mitigated;
    iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The specific reasons for the submitters' concerns are as follows:

    a) Proposed Zoning - The site located at 18 Ayr Street, Parnell and is proposed to be zoned as Residential - Low Density Residential Zone as indicated in **Figure 1.**

    b) The surrounding areas are proposed to be rezoned as either Residential - Low Density Residential Zone, Residential - Mixed Housing Urban Zone or Residential – Terrace Housing (THAB) and Apartment Building Zone.

    c) The sites are noted as being located within a walkable catchment. The sites have excellent access to public transport, local services, amenities and open space.

    d) The site and the wider area is not noted as a Special Character Areas Overlay. The submitter supports the removal of the Special Character Areas Overlay.

    e) It is noted that the site is located within the Regionally Significant Volcanic Viewshaft, which is a Qualifying Matter. That viewshaft overlay provides an additional height restriction that would manage the scale of development regardless of the proposed zoning. It is noted that other THAB zones are located within the Volcanic Viewshaft, and this is not a determinant of the preferred zoning pattern.

    f) The site and the surrounds also feature a Significant Ecological Area (SEA) over parts of these sites. It is noted that the SEA overlay does not apply to the entire site. There is also a flood plain the runs through the lower parts of these sites. This are both identified as Qualifying Matters.

g) Consistent of with the current approach of the Auckland Unitary Plan, the submitter considers that rezoning should be based on land use principles and issues such as flooding or the presence of an SEA over part of the site should not determine the zoning, unless that is clear evidence of significant risk from natural hazards, or if the site is completely covered in an SEA.

h) In its interim guidance on flooding and hazards as part of the hearings for the Auckland Unitary Plan, the Auckland Unitary Plan Independent Hearings Panel noted that it was not convinced about the degree of restriction on use and development in existing built up areas under the natural hazard and flooding provisions. The Panel considered that more consideration should be given to enabling design-led solutions using controlled or restricted discretionary activity status, with appropriately limited matters of control or discretion, and clear and succinct assessment criteria that assist with giving effect to the objectives and policies for natural hazards and flooding.

i) It is noted that there existing examples of high density residential and business zones that are presently featured in the current Unitary Plan that have a SEA, flood plain or OLFP restriction. In some cases, increases in heights can provide greater flexibility in terms of managing the effects of natural hazards, such as the provision of higher freeboard levels.

j) It is further noted that the SEA is currently proposed to be located within other MHU and THAB zones.

Figure 2 – Proposed AUP Zoning with the existing SEA Overlay

h) It is acknowledged that Ewelme Cottage and grounds is located at 14 Ayr Street Parnell, which is a Historic Heritage. The existing heritage overlay would restrict redevelopment of that site regardless of the eventual zoning, noting that there are other examples of THAB zones with a heritage overlay (including sites a number of sites in Parnell and 74 Gillies Avenue) .

i) It is considered that the subject land fronting Ayr Street and Laurie Avenue should be rezoned as THAB zone. This is indicated in Figure 3 below:

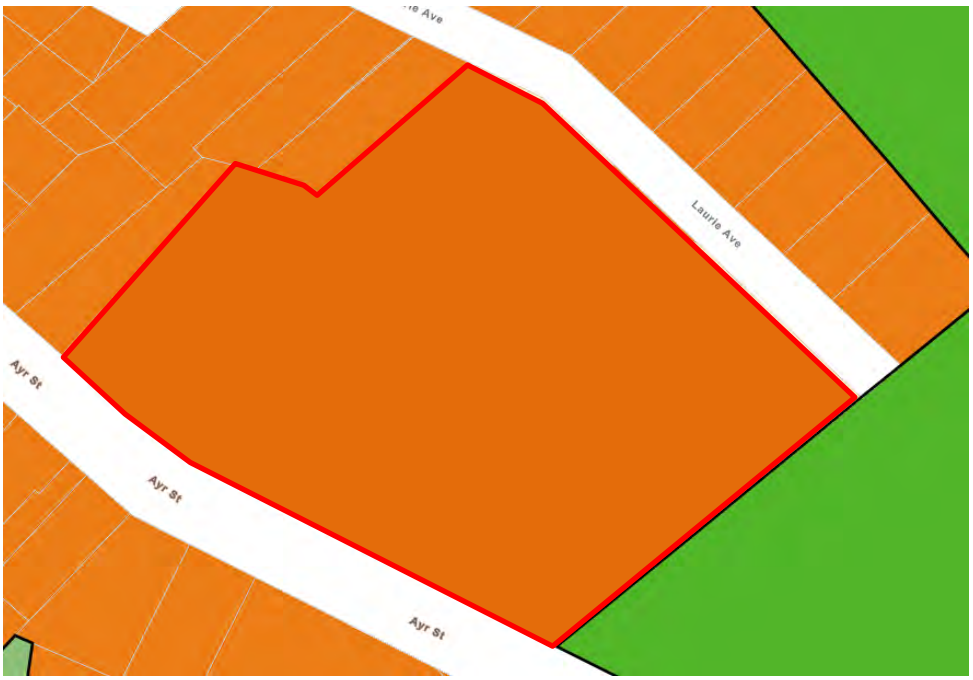

Figure 3 – Proposed Zoning Change

j) The submitter also notes that part of the SEA area on its site was actually comprised of weed species and part of this area was cleared based on the advice of Council officers. The submitter considers that this SEA should be revised to reflect the actual spatial extent as indicated in Figure 4:

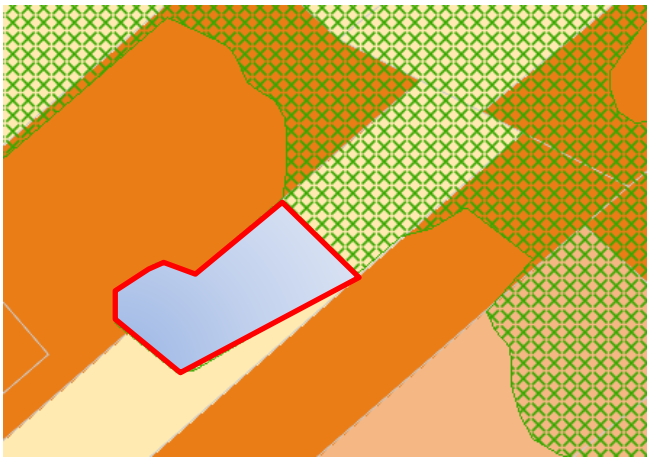

Figure 4 – Proposed Deletion of SEA area

The submitter's concerns would be addressed if Unitary Plan was amended in the following way:

a) That the area of land along Ayr and Laurie Street in Parnell is rezoned THAB zone as set out in **Figure 3** above. 741.1

b) That the SEA overlay in 18 Ayr Street is revised to reflect the actual spatial extent as indicated in **Figure 4** above. 741.2

c) That the Auckland Council reviews **all** flood plain and SEA areas located identified within Plan Change 78 , and any areas that have been downzoned to a Low Density Residential Zone due to the flood plain or SEA overlay, are rezoned to based on the most appropriate zone reflective of accepted land use principles. 741.3 741.4 741.5 741.6

d) Any other consequential changes that would give effect to the relief sought in this submission.

Michael Campbell
Campbell Brown Planning Limited
For and on behalf of Qi Fan as its duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

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

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

George Bramer

From: Kevin O'Keeffe <kjokeeffe@live.com>
Sent: Monday, 26 September 2022 1:11 pm
To: Unitary Plan
Subject: Submission,: 95,87,,87a , Palmerston rd. Birkenhead , Auckland 0626
Attachments: Submission oage 1.jpg; Submission page 2.jpg; Submission page 3.jpg; Submission page 4.jpg; Submission page 5.jpg; Submission page 6.jpg

Dear Sir or Madam.

Please find attached our submission (6 Sheets) attached.

Could you please confirm receipt and a submission No.

I will also send a hard copy.

Kind regards,

Kevin O'Keeffe

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
Te Kaunihera o Tāmaki Makaurau

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) KEVIN JEREMITH O'KEEFFE

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

Address for service of Submitter

95, PALMERSTON RD, BIRKENHEAD, AUCKLAND.

Telephone: 027 212 2516 Fax/Email: kjokeeffe@live.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): REMOVAL OF FLOOD PLAINS (1) ZONE

Or

Property Address: 95, 87, 57a PALMERSTON Rd. BIRKENHEAD

Or

Map: GEO HYDRO MAP BIRKENHEA PALMERSTON RD AREA.

Or

Other *(specify)*

Submission

My submission is: ***(Please indicate whether you support or oppose the specific provisions or wish to have them***

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 ASK, AUCKLAND COUNCIL TO REMOVE FLOOD PLAINS (1) ZONE FROM PROPERTIES 95, 87, 87A PALMERSTON Rd. AUCKLAND. 0626 DETAIL COVERING SHEETS 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. ☐

762.1

REMOVAL OF FLOOD PLAINS (1) ZONE FROM PROPERTIES 95, 87, 87A PALMERSTON Rd. BIRKENHEAD AUCKLAND RELOCATED TO PALMERSTON PAPER Rd. BOUNDARY.

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 ☐

Kevin J O'Keeffe
Signature of Submitter
(or person authorised to sign on behalf of submitter)

25.9.2022
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.

25.9.2022

Auckland Council.
Submission on notified proposal for policy
Statement or plan change or variation.

Plan change /Variation number : PC 78

Plan change /Variation name : Intensification.

Mr. Kevin O'Keeffe is making the submission on behalf of

Property owners :

Mr & Mrs O'Keeffe. 95, Palmerston rd, Birkenhead, Auckland.

Title record: NA 137a/150. Legal description: Lot3. DP 208831

Mr & Mrs Grace. 87, Palmerston rd, Birkenhead, Auckland.

Title record: NA 137a/148. Legal description : Lot 2. DP 208831

Mr. Iain Galloway. 87a, Palmerston rd, Birkenhead, Auckland.

Titlr record: NA. 137a/150 Legal description : Lot 1. DP 208831

Submission : To request Auckland council to remove, Flood Plain (1) Zoning, from the three properties listed and owned by :

Mr & Mrs O'Keeffe
Mr& Mrs Grace
Mr.Iain Galloway

Kevin J O'Keeffe

25 .9.2022

Auckland Council.

Submission on notified proposal for policyStatement or plan change or variation.

Plan change /Variation number : PC 78,
Plan change /Variation name : Intensification.

Submission:

The three property owners residing at, 95, 87, 87a Palmerston Rd,

Birkenhead, Auckland, are requesting, Auckland council to remove the

desinated flood Plains (1) zone from their properties and to be relocated

further down the natural valley watercourse, to where the watercourse is not stormwater piped past 95, boundary and onto Palmerston paper rd.

The three properties land sections are situated in a natural valley with asteep land contour, this allows excess water to flow through desinated man made concrete council stormwater pipes.

The owner Mr Iain Galloway at 87a, Palmerston rd, who purchased his home in 1995 has never witnessed any flooding near his property.

Mr & Mrs O'Keeffe, who purchased their home in 2001 have also not witnessed any flooding.

Mr & Mrs Grace who have lived in their home for 3 years have also not witnessed any flooding.

The Geo Hydro council map available appear to not of been recently updated to show the recent upgraded piping by council of the stormwater piping network, which directly relates to properies , 95,87,87a Palmerston rrd. The stormwater piping system is flowing extremely well and is totally controlled.

We feel fully justified making this submission as a flood Plains (1) zone being associated with our properties is a very stressful situation for home owners .The unsurtain future, in reference to insurance premiums and resale values, which could be adversly altered is very concerning to all individuals listed here.

We thank Auckland council for their time, in relation to our submission.

Kevin J O'Keeffe

Kevin J O'Keeffe

Birkenhead Flow Path

Birkenhead FLOW PATH
Rawene Rd
Mariposa Cres
Mollyhawk Pl
Palmerston Rd

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
Te Kaunihera o Tāmaki Makaurau

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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) KEVIN JEREMITH O'KEEFFE

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

Address for service of Submitter

95, PALMERSTON RD, BIRKENHEAD, AUCKLAND.

Telephone: 027 212 2516 Fax/Email: KJOKeeffe@live.com

Contact Person: (Name and designation, if applicable)

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Other *(specify)*

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Kevin J O'Keeffe

Kevin J O'Keeffe

25 .9.2022

Auckland Council.

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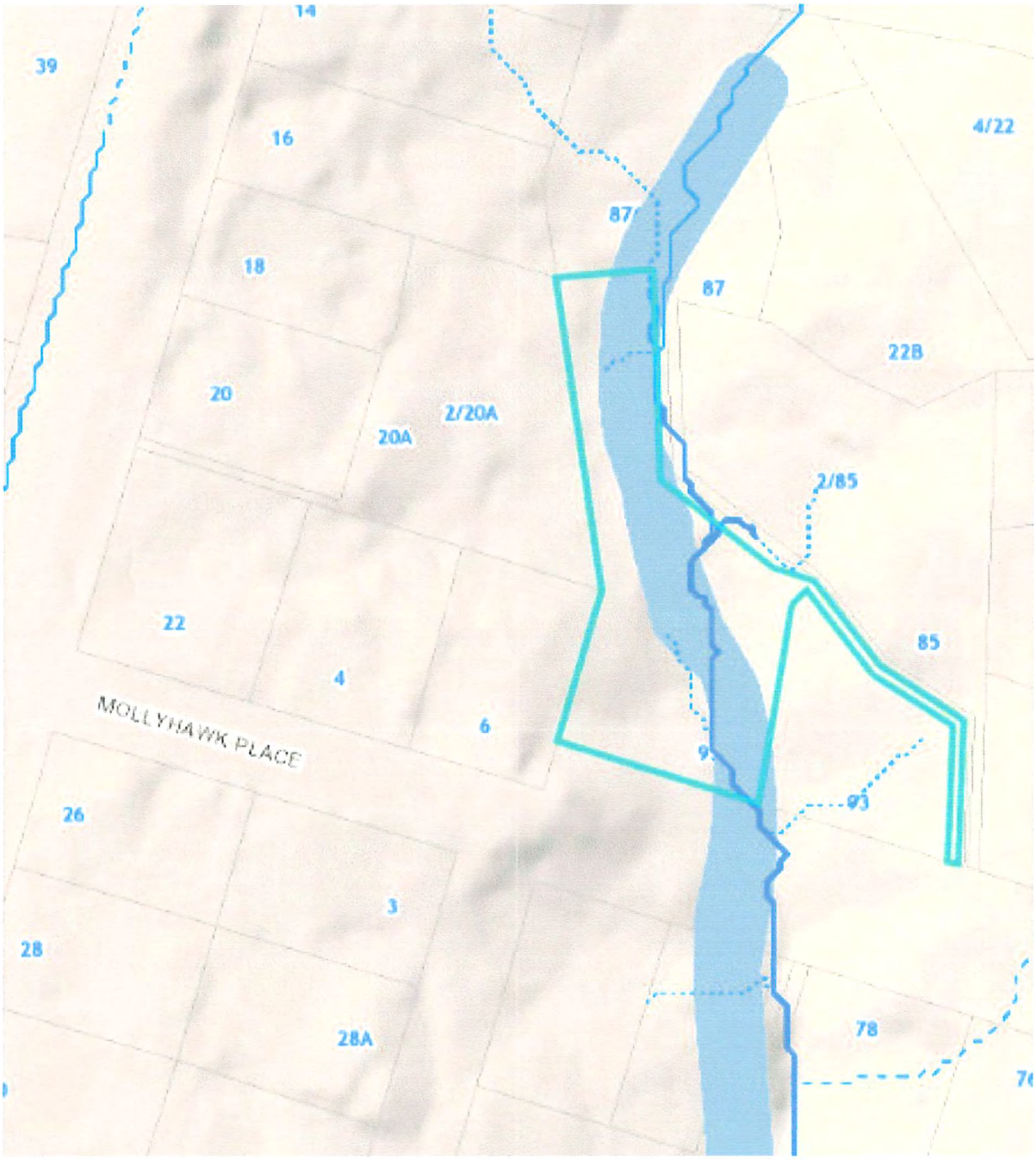
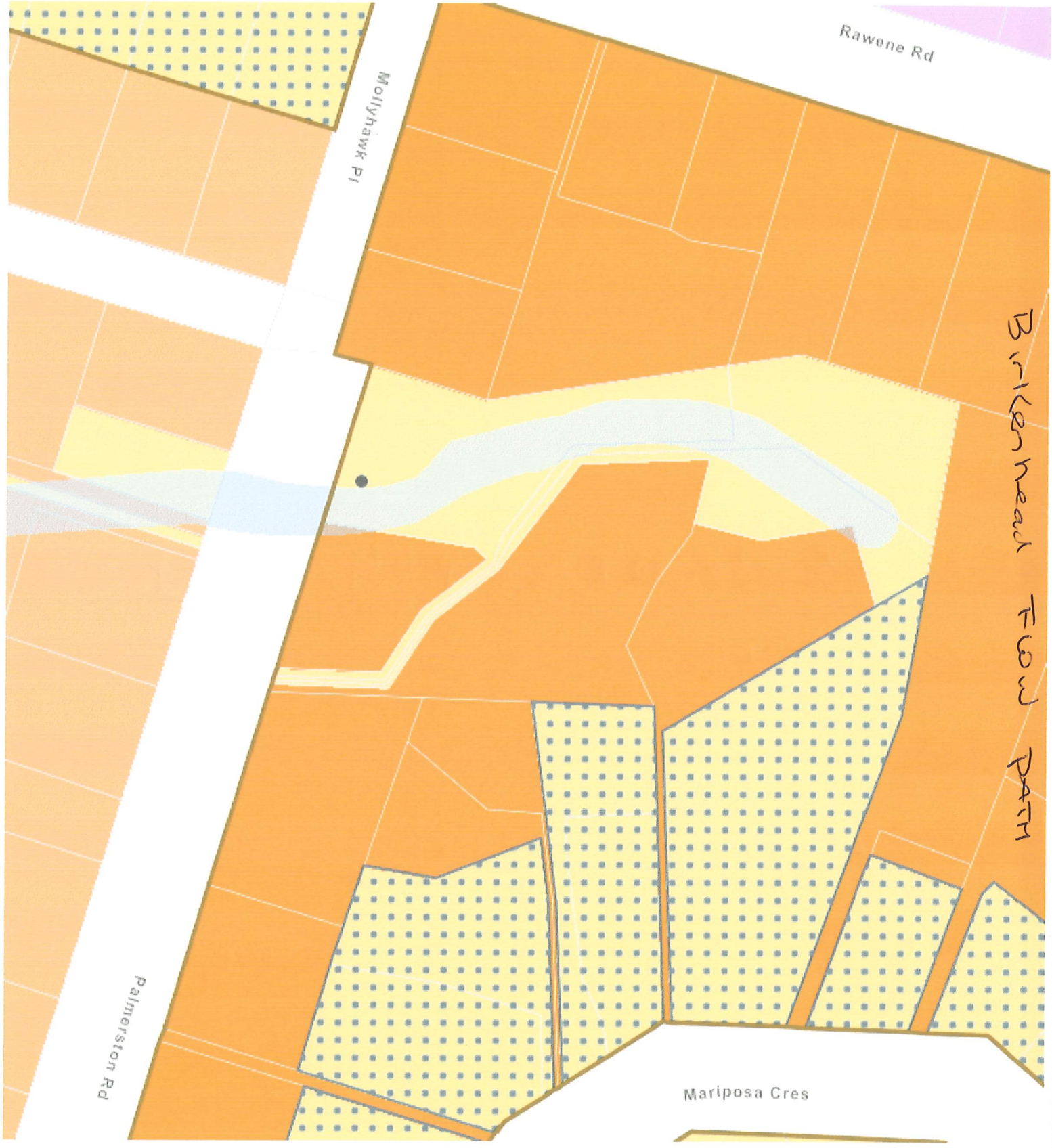
Kevin J O'Keeffe

Kevin J O'Keeffe

Birkenhead Flow Path.




Rawene Rd
Mollyhawk Pl
Palmerston Rd
Mariposa Cres
Brixton Head Flow Path

6

George Bramer

From: Barry Image Doors <barry@imagedoors.co.nz>
Sent: Sunday, 25 September 2022 12:25 pm
To: Unitary Plan
Subject: Submission plan change

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 765.1
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). 765.2
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). 765.3
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. 765.4
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. 765.5

Shane Wood
3/6 Ben Lomond Crest Pakuranga
Barry@imagedoors.co.nz

George Bramer

From: Chris Sherwood <shwd7659@gmail.com>
Sent: Tuesday, 27 September 2022 10:06 pm
To: Unitary Plan
Subject: PC 78 submission opposing unitary plan variation for Redwood Park Golf Club and course

Dear Sir /Madam I hereby submit my submission opposing unitary plan proposals PC 78 for Redwood Park Golf Course and Club located in Swanson, Auckland
Yours Faithfully
for
Michael Parker

submission by M.Parker re PC 78 for Redwood Par...

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
Te Kaunihera o Tāmaki Makaurau

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)

Address for service of Submitter

8 Te Kana Cres Henderson Auck

Telephone: 022 4985035 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) Terrace Housing Intensification PC 78

Or

Property Address Redwood Park Golf Club

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:

- I oppose the intensification without changes to roading 774.1
- the site should be preserved due to its long 774.2
- history as a recreational area
- In a flood zone

(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 ☑

M J Parker

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

27.9.2022

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.

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.

Harry Barnes

From: sel-1@xtra.co.nz
Sent: Sunday, 25 September 2022 1:24 PM
To: Unitary Plan
Subject: Fw: Submission for Plan Change 78
Attachments: REYDON PLACE RESIDENTS SOCIETY INCORPORATED.pdf

This submission is in response to the now published Plan Change 78.
This submission follows on from the submission [as in the above attachment] sent thereabout 9th May 2022, the difference being my response to the Plan Changes as published 20 th August 2022.

Therefore my submission is as follows:

I support the proposed plan change with respect to city and metropolitan areas where there is already established transport hubs, adequate infrastructure to support increased population growth. However the proposed city wide approach across the whole city is not the best strategy for a correct and sustainable development of the city. It is my view that this broad brush approach does not accommodate the various infrastructure situations, and if applied in this manner will rescind current planning decisions as per the AUP.

I believe that the Independent Hearings Panel must introduce, or at lease recognise, the long term economic costs and that were applicable these should be introduced as qualifying matters. This would have the immediate effect of allowing Council to channel developments into areas where there is sufficient current infrastructure, getting a good return in this investment, and achieving planned and cost effective maintenance for areas of higher population density. 780.3
I this way, a planned approach should allow non- Council entities such as the Ministry of Education, power and telecommunication companies to plan their capital requirements to reflect planned population growth.

As mentioned in my first submission, we have grave concerns regarding storm water, and this is supported by the submission prepared by Mr Yuva Adhikary. He has been working with our group during this time

We note that whilst we now have the plan change that correctly includes to combined wastewater and storm water as a qualifying matter [one size fits all again] it makes no provision for areas such as Howick / Cockle Bay where storm water is not fully accommodated within the current infrastructure. Many parts of this region have stream / flood plains and property soak holes as the key part of the storm water system. Currently , at the time of heavy rain, mild to heavy flooding does occur. Intensification, will by virtue of the reduction of permeable land, increased storm water collection, just add to this regions current fragile status. It is interesting to note that in these times we are now hearing statements about 10 year and 100 year floods and atmospheric rivers, recently evidenced by the recent floods in Nelson and the West Coast, resulting in severe damage to private properties and local environment. Is it also interesting to note that GNS are suggesting that care should be taken regarding new building development and that all flood prone regions should be identified.

It is my view that the Hearing Panel recommend to Council that [a] Storm water be included as a qualifying matter to all development sites [b] that no intensification or large development be permitted adjacent to stream [and certainly not to allow the storm water to run off into adjacent streams], [c] set up the correct and agreed methods of calculating capacity [now, future and in the event of say a 100 year storm] and the provision for retention / detention tanks. In other words establish a proper and agreed code of practice. 780.5 780.6 780.7 780.8

Compliance with Coastal Policy- This was covered in my first submission, as it was deemed to be a qualifying matter. However we see no evidence of this under Pan Change 78 information sheets, but does show via a map areas of risk of coastal erosion and inundation. Again with reference to Cockle Bay, we have a number of steams that run from the ridgeline of Sandspit Rd into Cockle Bay Beach and as residents of this region we are well aware of the steam capacity, bank scouring and property damage that occurs during heavy rainfall and there is quantified evidence of increased sedimentation.
I therefore submit that the Coastal policy is a qualifying matter, and that properties and areas must be clearly identified, or at least be recognised as a region having a fragile environment. 780.9

Considering the now notified Plan Changes, my conclusion as per my original submission has not changed. However, during the time that we have had to work through these changes I have been involved in the process of evaluation and then posing questions to Council. Alongside the Cockle Bay Residents and Ratepayers Association, we have raised queries on interpretation of the new guidelines, and we have found that Council staff responsible for this have not been able to provide answers, moreover refer us to the planner for our area [?] and I must say this shows a somewhat lack of knowledge to the Plan.
This somewhat concerning to what is and extremely important Plan Change for all of the Auckland region.

If required I am prepared to follow up with a verbal submission to the Independent Hearings Panel.

Stuart Pratt

Chairperson RPRSI
25/9/22

Sent from Windows Mail

From: sel-1@xtra.co.nz
Sent: Monday, 12 September 2022 10:18 a.m.
To: sel-1@xtra.co.nz

Sent from Windows Mail

SUBMISSION TO AUCKLAND COUNCIL RE GOVERNMENT'S NEW HOSING RULES PRESUANT TO ENABLING HOUSING SUPPLY AND OTHER MATTERS AMENDMENT ACT 2021 from REYDON PLACE RESIDENTS SOCIETY INCORPORATED [RPRSI]

My name is Stewart Selwyn Pratt and I am the chairperson of RPRSI. My home is 5 Reydon Place Cockle Bay Auckland, and I have lived here for 26 years.

This incorporated society has its genesis August 2017, when the residents of Reydon Place and Sandspit Road Cockle Bay were officially informed that Box property Ltd [the Developer] had applied to the Council for consent for the development of 71 apartments at 30 and 40 Sandspit Rd plus 2 and 4 Reydon Place [application H BUN 60324132]. This was a limited notification to 26 local households only.

This proposal was opposed by the residents, and alongside support from the Cockle Bay Residents and Ratepayers Association [CBRRA] we presented our submissions before the Auckland Council Hearing Commissioners on 1 & 2 July 2019. Feedback was supplied to this hearing by the Howick Local Board.

The Commissioner's refused this application, with the key issues being that this application was not consistent with the policies and objectives of Auckland Unitary Plan [AUP] for a single house zone, and as such was a non- complying activity. Other issues such as the environment, waste water, sewerage, the proximity of the stream / wetlands, loss of amenity and increased traffic were also key elements in this decision. The application, according to the Commissioner's did not comply with definition of an Integrated Residential development [IRD]

The developer then lodged an appeal to the Environment Court, and then publicly notified their intention to file a new application for 54 apartments [application BUN60356953, LUC60356954, DIS 60356955].

Due to this appeal RPRSI registered as 274 party, and has successfully secured Environment Legal Assistance.

As a 274 party, RPRSI has submitted it's objections [on the basis of ' non- expert witness'] to the Environment Court.

The impost of Covid -19 has disrupted Court hearings, and now the Court has adjourned the latest hearing indefinitely until there is clarity with respect to the provisions of the new Act. This is a direct response to Developer's contention that " permitted activity entitlements will soon match or exceed the optimum that the Environment Court could grant under the present application"

The Court has directed the Developer to file a report by 29 July 2022 as to its current status.

This brief history is evidence that both RPRSI and CBRRA, with ongoing support from the Howick Ratepayers Assoc, have thereabouts five years of work, submissions and suchlike, in the many matters and issues pertaining to building developments. Accepting that this group are non- expert witnesses, it should be noted that during these times, we have amassed a huge amount of knowledge, and certainly have a good understanding of the AUP, similar regulatory requirements, and now have serious concerns regarding the provisions of this new Act.

We now turn attention to the Enabling Housing Supply and other Matters Amendment Act 2021, 'have your say'.

The Enabling Housing Act limits the scope for any objections to the required inclusion of new Medium Density Residential Standards that permit the construction of 3 off 3 story apartments on what were previously single house zones.

Any grounds for objection are termed 'qualifying matters', and are limited.

Our submission takes issue with this approach and wishes to point out a number of important issues which, given the wording and form of this Act, have been disregarded.

In response, therefor we have considered issues firstly with Auckland City, and secondly Cockle Bay.

ACKLAND CITY

1. Proposed intensification centred around city and metropolitan areas where there is an already established transport hubs, providing there is adequate infrastructure to support the increase in population, and possible future growth is supported. 780.1
2. Future intensification should continue to be targeted to locations already identified for intensification in the current Auckland Unitary Plan [AUP]. A city wide approach across the whole city is not the best strategy for the correct and long term development of the City. This will result in ad-hoc developments that will risk additional demands on current infrastructure, were investments are not currently planned because they are not priority development areas. 780.2
3. The introduction of this broad based 'one size fits all' legislation is not a good reason to rescind current and well considered planning decisions as per the AUP
4. Permitting random intensification development in single house zones, will make future rehabilitation and / or renewal of infrastructure more difficult and expensive.
5. Because the new Medium Density Residential Standards mandated by legislation are already intrusive, and likely to reduce amenity values, then the required plan change must remove all discretion to accept minor variations from the specified standards. Existing viewshafts, for example, from Stockade Hill and down to Howick Village, must be preserved in and revised zoning or accompanying plan changes. 780.4 780.10
6. We believe that this somewhat open and ' unfettered ' plan change will introduce risk to the environment and we all know that certain areas and suburbs currently have issues with stormwater and wastewater control.
7. This plan change, as it stands, does not recognise the current need for an increasing requirement for infrastructure improvements, the environment, and seems to be only interested in increasing housing numbers without any real consideration of either current or future requirements

COCKLE BAY

As already mentioned, RPRSI has for the last four and a half years been involved in opposition to the Sandspit Rd Development in Cockle Bay

The new plan denotes that only applicable **Qualifying Matters** that can be identified as applying protection or managed so as not to compromise an effected area. All the requirements and objectives of effects pursuant to the AUP, and what we submitted to the Independent Commissioner and Environmental Court are now disregarded and no longer applicable.

Therefore, our key concerns include:

1. **Inadequate infrastructure**
   Stormwater, wastewater, and water supply infrastructure within this catchment area, roughly defined as the ridgeline from Sandspit Rd and Litton Rd, is very old and given our experience with Council, is of questionable capacity. We understand that some of the pipework is also very old and with the original build date is most probably a mixture a of concrete and asbestos compounded concrete
   We now understand that this new Act with its proposed intensification objectives will not only increase additional volumes, but also decrease permeable areas.
   Within this area a proportion of stormwater movement is accommodated by small streams draining into Cockle Bay beach, and with this goes stream erosion and increased silt deposition into this beach. Of recent times there have been many situations, after heavy rainfall, there has been infiltration of sewerage into the stormwater system

   This whole region especially towards the beach, is prone to flooding. [NB recent flooding in 2018]. Many properties have stormwater piped into soak holes which in turn rely on natural and gradual infiltration into the groundwater, and that most properties have sufficient permeable area to accommodate this process. We note that the AUP Standards [Section E8.6] that development must not result in, or increase flooding of other properties in rainfall events up to the 10 year average recurrent interval, or inundation of buildings up to the ten year ARI.
   We believe that given future intensification, this new Act and its total lack of standards will increase the risk of flooding. This scenario probably plays out in other City locations also.

2. **The Environment**

   This region sits in what we believe is a very fragile environment. We also believe that when this whole region underwent development many years ago, the planners at that time recognised and understood the environment, the soil composition, topography, and overall geomorphology, set about preserving the beautiful area that is Cockle Bay. None of this was completed by accident; nor was the establishment of the single house zoning.

   Currently we have Cockle Bay closed to intertidal shellfish harvesting [effective May 2021] and whilst the common belief is that overharvesting is the root cause for the decline in shellfish population and size, there is also concern about siltation and runoff effect cockle growth and mortality rates. This situation is not just limited to Cockle Bay [Ref: Intertidal shellfish monitoring in the North Island region 2019-20 NZ Fisheries]

The aforementioned notes are based upon our experience of living in the region [in my **case** 26 years], and what we know about this region.
However, because of our involvement with the Sandspit Rd development, we as a group of concerned citizens has been involved in the many facets of the environment and other such regulatory situations, that we have sought assistance from expert witnesses.

Therefore, with respect to the Environment we now put forward the discussion paper prepared for RPRSI and the CBRRA by Mr Yuva Adhikary. This report accompanies this submission, and we do not intend to repeat his findings, but support same.

3. Compliance with New Zealand Coastal Policy Statement. [NZCPS]

We understand that under this new Act, qualifying matters include giving effect to the national policy statements [s 771b] and the Hauraki Gulf Marine Act 2020 [s 771d].

The fact that all of the Cockle Bay catchment drains directly to Cockle Bay beach and finally into the sea, we believe that the New Zealand Coastal Policy Statement 2010 has strong relevance, and must be considered as part of the plan change. We know that the NZCPS gives management of the coastal environment to local authorities, and sets out a number of specific requirements
These include 7 objectives and 29 policies. In broad terms these recognise that inland activities can impact on the coastal environment.

The NZCPS requires that the resource consent must be applied with regard to NZCPS.

The Enabling Housing Act dismisses the need for resource consent [the one size fits all approach] then is essential that the NZCPS requirements are incorporated as plan changes. We quote the following, that we believe are relevant, not only to Cockle Bay but many other Auckland regions with close proximity to beaches and streams.

Objectives 2, 5,and 6

Policy statements 3,4,6,7, 22,23,25,27,and 28.

Our review and understanding of these policies and objectives, connect to issues such as climate change, preservation of natural character, continuation of social, economic and cultural wellbeing and health and safety, the management of natural and physical resources, sedimentation monitoring and chemical contamination.

Accordingly we submit that plan changes need to incorporate NCZPS requirements in the most applicable and stringent manner.

Conclusion

It is well known that this new Act was hastily written and rushed through parliament into law.

It is our contention that this new Act does not address important issues [both current and future] and if fully applied in its current form, will not solve the so called ' housing crisis' but could / will be a major contributor to the reduction of citizens wellbeing and loss of amenity values. This statement applies not only for Auckland but the four other cities that going to be covered by this Act.

The AUP, in its present form has been so diluted and modified that it will have little applicability, and our fear is that we could see Auckland, in particular, become a developers mecca, with little heed paid to current rules, laws and conditions.

At this time we can all see the result throughout Auckland of the first raft of the 'intensification' process with small and tacky buildings, designed to maximise profit rather than providing quality housing. In certain areas the comment is " slums in the making".

Alongside this, the fact that there are serious infrastructure issues that all need to be addressed, and if this act is going to be applied to its fullest extent throughout Auckland, then we believe there are some serious problems ahead. It is interesting to note that the finance minister tells us that there are insufficient funds for infrastructure work, so here again we have a situation that can only add to the current problems.

Intensification, yes, in the regions that have existing transport hubs, modern infrastructure, and will not add to or cause environmental issues.

The modern phrase currently in vogue is 'unintended consequences', but we believe a more applicable term is 'outcomes matter ' and we just hope that good thought and measured thinking is applied to the what we believe need to be considered, and become important parts of plan changes.

Stewart Selwyn Pratt

Chairperson

Reydon Place Residents Association Incorporated

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).

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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
Te Kaunihera o Tāmaki Makaurau

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) Williamena Sim

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

N/A

Address for service of Submitter

7A Stredwick Drive Torbay, Auckland 0630

Telephone: 021 532 855 Fax/Email: Williamena.Sim@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, Auckland
Or Map	
Or **Other** *(specify)*	Requesting 254 Glenvar Rd be zoned Low residential density zoning not MHU

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)

2 September 2022
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.

The reason for my view is:
I am writing in support of the owners of units 1,2 .3. 5, 6,7, and 8/254 Glenvar Road in requesting that the zoning of 254 Glenvar Road (in which these owners live in) be changed back to 'residential low density'. This was initially proposed in the first round of submissions for PC 78. Council appears to have ignored the majority of the submitters (particularly the parties who are actually living on the property) who requested it remain a 'residential low density' (**LRD**) zone. 788.1
There has not been any proper explanation for the use of the 30% threshold to apply in regard to the LRD zone. The criteria should not be arbitrary and I request that Council take a consistent approach to the zoning of all the properties that form a part of or adjoin the SEA, LRD zone, in order to protect the SEA. The SEA not only forms a part of the property at 254 Glenvar Rd, but affects adjoining properties at 238, 240, 248 and 250 Glenvar Road and 19, 25 and 27 Stredwick Drive Torbay.
The SEA was part of one of the original historical farms in Torbay and is an integral part of 254 Glenvar Road and the neighborhood itself. It houses many native plants and houses and feeds the native birds living in the SEA, which include wood pigeons, tuis, fantails and moreporks. The SEA is significant as is also provides amenity to all those that live/surround the SEA and this property. This enclave is part of the leafy characteristics of this part of Torbay. Any intensification beyond 2 storey dwellings would reduce significantly the amenity to all that live at 254 Glenvar Rd and the adjoining properties and also put at risk the SEA.
I have lived at 7A Stredwick Drive for over 40 years and have

chosen to return to the neighborhood because of the large open space characteristics of the neighborhood and because of the amenity provided by the SEA (and the birds who live/feed there) on 254 Glenvar Road.

The land at 9/254 Glenvar is also very steep and the water run-off and with too much intensification on the remaining land is likely to result in flooding of housing below. Council would be aware that the soil is clay and there has been history of slippages in the area. On a heavy rainfall, the amount of water that already comes off the site would only increase in volume putting risk existing homes below the property and existing infrastructure that already barely copes.

Allowing intensification of 3 storeys would also have the dominance effects of diminishing light to those properties who adjoin 254 Glenvar Road, resulting in colder and damper homes. One does not usually 'rob Peter to pay Paul.' Any intensification beyond two storeys on the boundary adjoining 7A Stredwick Drive would mean that my home would not have any morning sun. By fixing one issue you would be causing another. There are better and alternative options available, that would support higher intensification of housing. The cross lease properties at 254 Glenvar Road are all single levelled, except for one two storey dwelling. Higher intensification in the same development would be out of keeping and increase the strain on the 'inadequate infrastructure' supporting that development.

It has not gone unnoticed that the other properties that adjoin the SEA have retained the 'low residential density' zoning. Given the importance of the SEA and for transparency and consistency, 254 Glenvar should therefore be classified in the same zoning as those adjoining properties. For this reason alone, I request that Council grant relief, by reinstating the proposed zoning at 254 Glenvar Road to 'low residential

density' zoning. **PC 78 Sub #788**

Whilst I strongly believe that Council should not ignore the majority of submissions from the owners who live on the property, where these submissions are not accepted by Council, and if the zoning is to be kept MHU there should be additional setbacks and controls on development to preserve the SEA, the remaining trees on the SEA and the amenity of those living at 254 Glenvar and surrounding properties. 788.2

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
Te Kaunihera o Tāmaki Makaurau

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 Kenneth DIPROSE

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

Address for service of Submitter

49 Ferry Parade, Herald Island, Auckland 0618

Telephone: +64 274 934 670 Fax/Email: jjdiprose@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)	All 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:

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 transport related and stormwater related qualifying matters to all Herald Island properties and amend all Herald Island properties zoned Mixed Housing Urban zone to Low Density Residential zone. 790.1 790.2 790.3

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)

23rd September 2022
Date

Notes to person making submission:

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(a) adversely affects the environment; and

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Submission on Auckland Council Plan Change 78 by John Diprose, 16-09-2022

The specific provisions that my submission relates to are all the Herald Island properties that are rezoned Residential - Mixed Housing Urban Zone (see PC 78 map below).

I oppose the rezoning of any Herald Island properties as Residential Mixed Housing Urban Zone.

I wish Plan Change 78 to be amended so that all properties on Herald Island are zoned Residential – Low Density Residential Zone.

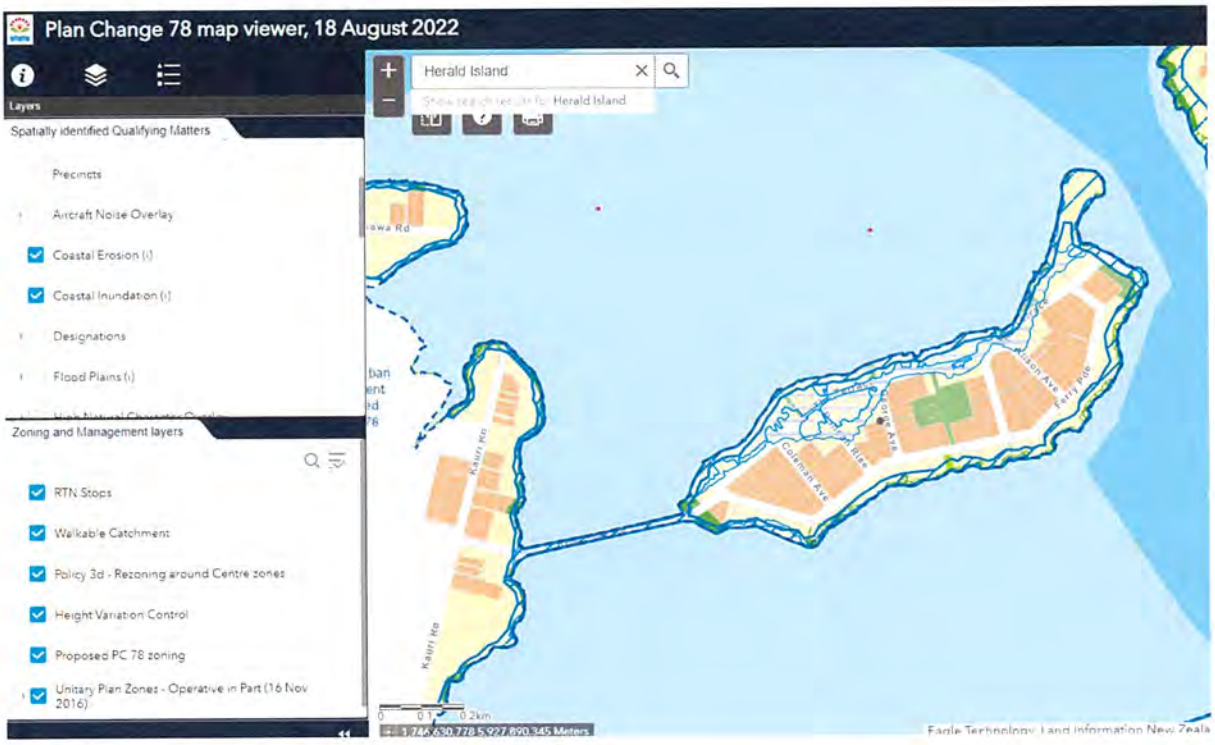

Figure 1 - Plan Change 78 map Herald Island - MHU Zone inner island

Overview:

Herald Island is an island in the upper reaches of the Waitemata Harbour. It is an island totally surrounded by water except for the one access way in and out, the 1950's causeway, which on council's PC78 map is shown as being subject to coastal inundation and erosion. It is just as much an island as Waiheke, Great Barrier or Kawau. It is around 40 ha (100 acres) and has about 265 properties and a population of 700 to 800 people. **It should be treated as a unique coastal environment just as these other islands are and remain low density in development**.

Until relatively recently, Herald Island was a **rural residential zone with low density and low site coverage** reflecting the isolated island location and lack of infrastructure. Under the 2017 Unitary Plan, this changed, and it was made a **single house zone** with a 35% building coverage, a minimum section size of 800 sq m (600 sq m elsewhere in Auckland) and one major dwelling allowable with a minor dwelling added. Now, with no additional

infrastructure; no upgraded transport links; no upgraded services; Plan Change 78 forces an intensification totally unsupported by need or demand.

One of the features of being an island, surrounded by water, is that there is a **Tsunami Warning System** in place, installed by Waitakere City Council just over ten years ago. There are two warning sirens, one at each end of the island, together with frequent signs on lamp posts giving residents instructions of where to go in the event of a Tsunami. I would hazard a guess that not many other suburbs in Auckland would have a Tsunami Warning System for the whole suburb. **Herald Island is not just another urban area that merges with the next suburb. It has fixed immovable boundaries determined by the sea!**

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Another feature of being an island is that the population is around **702 residents** according to the last census. This is **well below the 5000** spoken about in other small coastal communities around Auckland which are unaffected by Plan Change 78 because of their small size and the negative effects that doubling or tripling the population would have on their way of life. Neighbouring communities such as Riverhead, Kumeu, Huapai and Muriwai all are staying as low-density areas. **Herald Island should remain as low density too.**

Herald Island does not meet the Plan Change 78 criteria for the following reasons: including stormwater and transport related qualifying matters.

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There is **no public transport system** provided to Herald Island after the cancellation of the bus service a couple of years ago. The main way to get anywhere is by car because we are some distance from shops or work. An infrequent bus is available if one is prepared to walk for 20 to 30 minutes to Whenuapai (Kauri Rd.) This bus goes to Westgate and to go to most other places you will have to catch 2 – 3 buses. Trip times to the North Shore or work at Henderson would be 1.5 to 2 hours plus – good if you have 4 hours a day to spend on the bus plus an hour's walk to and from your house. There is no easy way to get to the ferries at the marina even though they are close as the crow flies – there is no bus service there. Early or late shift workers have no viable means of public transport.

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It should be pointed out that the only way on or off the island is over the **low-lying causeway that could be subject to coastal inundation or erosion (according to council documents)** and may need substantial remedial work from the Council to deal with climate change in the future. This could become a pressing issue if intensification comes into force and there is a sea level rise as constantly spoken about by the council and planners.

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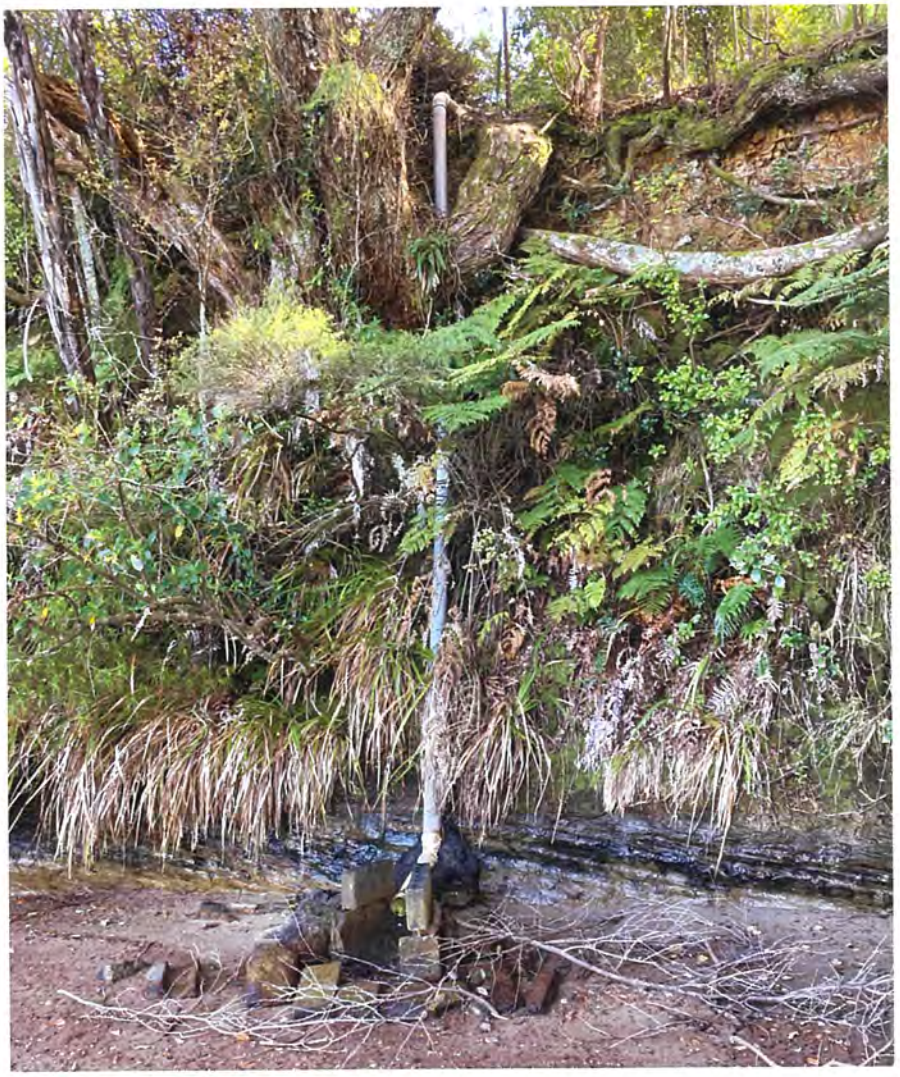

Figure 7 - Stormwater direct outlet to beach from Council Buildings above

Figure 8 – Domestic stormwater outlet on left going to open roadside drain

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The Government has said as recently as last week (Megan Woods on TV1) that Plan Change 78 will help solve the housing crisis and provide affordable housing. This is a total fallacy that will not stand any scrutiny for Herald Island properties.

I have some expert knowledge in this field, as I have worked in real estate in the Upper Harbour area for over 30 years; been the owner of a real estate office there; and personally sold hundreds of houses including over 50 on Herald Island. I am a Licensed Agent.

The true figures would go something like this. Flat 800 sq m properties with basic three-bedroom homes are currently selling for between $1 million to $1.5 million. Almost all sites have been built on, so in order to redevelop and intensify, the existing houses would have to be removed. At say a $1.2 million initial purchase price, with development and subdivision costs, infrastructure levies etc; to subdivide into 3, the section component of each would be at least $500 – $600,000. Add the cost of building a new house @ $500-$600,000 (100 sq m @ $5000/ sq m.) This would bring the cost of each house or unit to $1 million - $1.2 million for a basic property. They may cost even more if a profit is built in for the developer. **This is not low-cost housing and will not contribute to solving the housing crisis – people with low deposits or no money cannot borrow up to a million dollars and service the debt!**

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Herald Island is part of the **North West Wildlink** between Tiritiri Matangi and the Waitakere Ranges – helping provide a link for birds between the east and west coasts of Auckland. Over the past thirty years at Herald Island there has been very active community environmental work going on to enhance the Upper Harbour environment which I have been personally involved with. Extensive community work has provided planting of thousands of locally sourced native plants at regular events throughout the year. There has also been a comprehensive pest trapping programme in place for some years as well as regular bird counts across the Island. As a result, the island's vegetation coverage including large trees has increased and the native bird population is thriving. For example, Herald Island has a vibrant wading bird population including Pied Stilts, Oystercatchers, Godwits, Herons - even Royal Spoonbills are in residence seasonally. It is a breeding ground for Kingfishers and of recent times the endangered Banded Rail has taken up residence. Native birds such as Tui, Kereru, Morepork, Grey Warbler, and Waxeyes are abundant across the island.

Intensification of a large part the Island could mean that a third of the vegetation and mature trees are cut down to enable houses to be built. This will be devastating to the wildlife and the tree cover and totally at odds with the environmental goals of the community and previous council and government plans.

Conclusion

Most residents move to Herald Island because it is a rural-residential area, an island, with low density development, surrounded by the sea. This has been reflected in previous zonings and even the current Unitary Plan. Plan change 78 totally changes this to intensive development in a location that is not suitable for such a change. Residents should have some faith that if they buy in a low density area such as Herald Island with large trees and native vegetation as well as a Pohutukawa lined coast, then the council will endeavour to keep it that way for the future. This is a small island community that wishes to preserve its unique way of life. For these reasons **I wish to see Plan Change 78 amended so that all properties on Herald Island are zoned Residential-Low Density Residential Zone.**

John Diprose

Herald Island

Ginny Taare

From: Jan Diprose <jjdiprose@xtra.co.nz>
Sent: Thursday, 29 September 2022 2:20 pm
To: Unitary Plan
Subject: FW: PC78 Submission - John Diprose, Herald Island
Attachments: John Diprose Submission Plan Change 78 Sep 2022.pdf

Dear Planning Technician,

I sent this PC78 submission on the 23rd September, and have had an automatic reply but no submission number.

So, just checking that you have received this.

Thanks
Kind regards
John Diprose 0274 934 670
49 Ferry Parade Herald Island
Auckland 0618

From: Jan Diprose <jjdiprose@xtra.co.nz>
Date: Friday, 23 September 2022 at 16:28
To: Unitary Plan <unitaryplan@aucklandcouncil.govt.nz>
Subject: PC78 Submission - John Diprose, Herald Island

Dear Planning Technician,

Attached is Form 5 and a submission (in one PDF) on Plan Change 78 for the intensification of Herald Island.

Kind Regards,

John Diprose 0274 934 670
49 Ferry Parade Herald Island
Auckland 0618

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
Te Kaunihera o Tāmaki Makaurau

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 Kenneth DIPROSE

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

Address for service of Submitter
49 Ferry Parade, Herald Island, Auckland 0618

Telephone: +64 274 934 670 Fax/Email: jjdiprose@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)	All 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:

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 transport related and stormwater related qualifying matters to all Herald Island properties and amend all Herald Island properties zoned Mixed Housing Urban zone to Low Density Residential zone.

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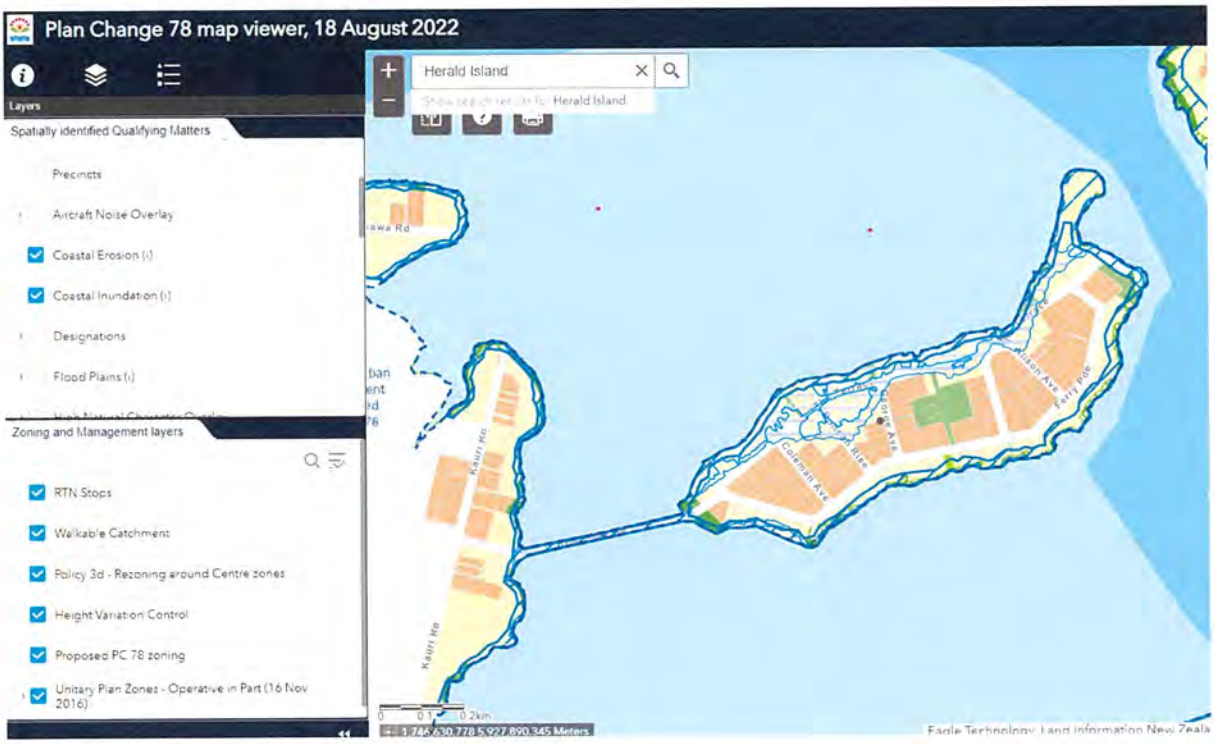

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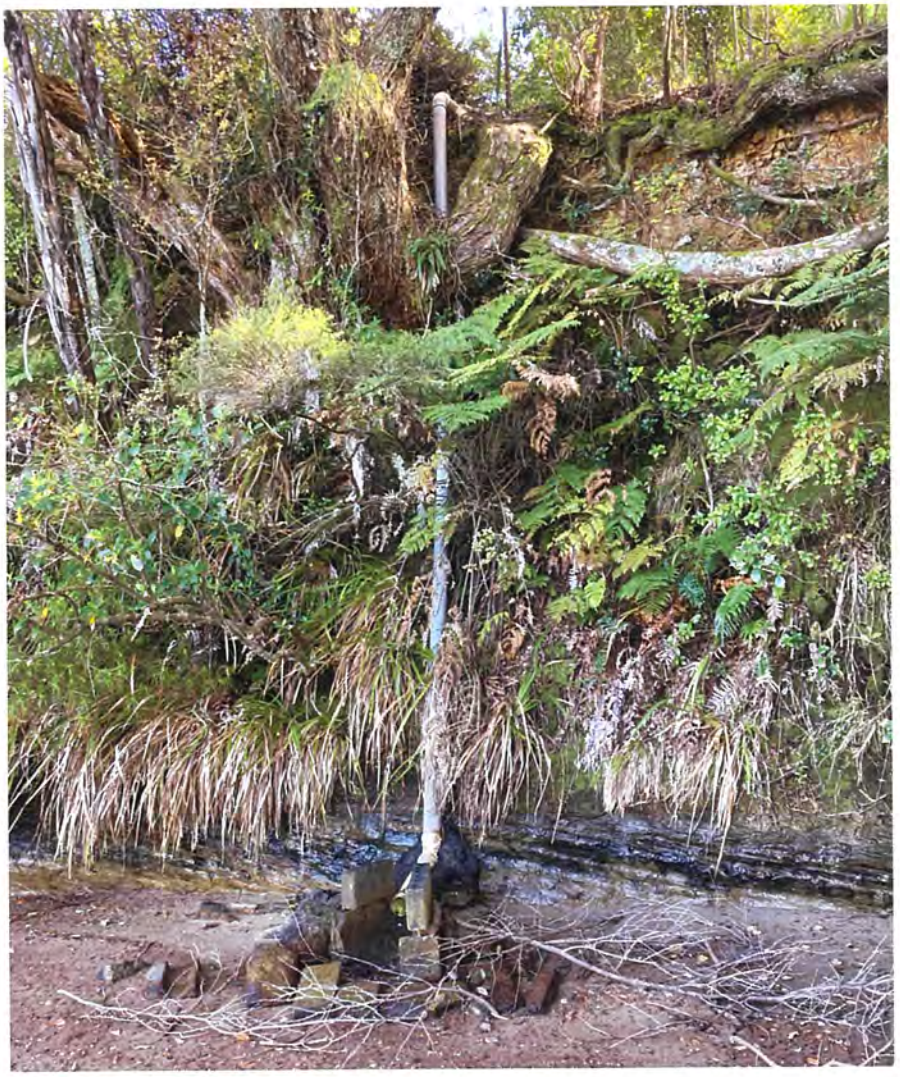

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John Diprose

Herald Island

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

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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 Carolyn Ranford

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

N/A

Address for service of Submitter

34 Oxford Terrace, Devonport, Auckland 0624

Telephone: 226143002 Fax/Email: carolyn.a.ranford@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	
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 unique historic marine suburb with character heritage homes. It is a major destination for domestic and international visitors. It is important to preserve this for future generations. Intensive development will greatly impact the suburb's heritage value and destroy the low-scale coherence of Devonport's character. Mixed housing urban Zone will be visually dominant, conflict Special Character Overlay, and have a negative environmental impact on water quality and vegetation.

(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.	☐

Keep the Special Character Overlay over all of Devonport.	796.1, 796.2
Remove the mixed housing urban Zone of three storey/3 block on a site in Devonport .	796.3
Keep the Victoria Road shopping areas an Historic Heritage area.	796.4
Preserve the cohesive streetscape for the frequent domestic and international visitors to enjoy.	796.5

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	☒

Carolyn Ranford
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.

Form 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN, CHANGE OR VARIATION

Clause 6 of Schedule 1, Resource Management Act 1991

To Auckland City Council

Name of submitter: Golden Bay Cement, a division of Fletcher Concrete & Infrastructure Ltd (*GBC*)

1 This is a submission on:

a. Plan Change 78: Intensification to the Auckland Unitary Plan (PC78); and

b. Plan Change 79: Plan Change 79 – Amendments to transport and parking provisions (PC79)

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

3 The specific provisions of PC78 and PC79 that GBC's submission relates to and the reasons for GBC's submission are set out in **Appendix A** and **Appendix B** below.

4 GBC's submission on PC78 is that:

a. Opposes the residential intensification within the Business – City Centre Zone where it is adjacent to existing lawfully established industrial activities, such as GBC's Eastport Service Centre; and

b. Seeks to be directly engaged on the future Coastal Hazards Plan Change; and

5 GBC's submission on PC79 is that:

a. Opposes the proposed accessible parking requirement for industrial activities.

6 The general and specific reasons for GBC's relief sought is outlined in **Appendix A**.

7 GBC seeks the following decision from the local authority:

a. Grant the relief as set out in **Appendix B**;

b. Grant any other similar and /or consequential relief that would deal with GBC's concerns set out in this submission.

8 GBC wishes to be heard in support of the submission.

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

Signed for and on behalf of **Golden Bay Cement, a division of Fletcher Concrete & Infrastructure Ltd** by its Resource Management Consultants and authorised agents Resource Management Group Ltd

_____

Jacqui Hewson
Senior Resource Planner
27 September 2022

Address for service of submitter:
Golden Bay Cement, a division of Fletcher Concrete & Infrastructure Ltd
c/- Jacqui Hewson
Resource Management Group
PO Box 25 175
Wellington 6140
Email address: Jacqui.hewson@rmgroup.co.nz

Appendix A

INTRODUCTION

1 GBC welcomes the opportunity to submit on Auckland City Council's Proposed Plan Change 78: Intensification (PC78).

2 The submission is broadly organised as follows:

- **Summary of GBC's submission;**
- **Statement of Interest and Background;**
- **General submission;**
- **Specific submission in relation to the regulatory context**
- **Summary of relief sought**
- **Conclusion**
- **Detailed relief sought (contained in Appendix B and Appendix C)**

SUMMARY

PC78 - Submission in Opposition to Residential Intensification

3 GBC generally supports the Council's ability to enable more development in the city, neighbourhood, local and town centres.

4 However, GBC's key concern is avoiding the intensification of reverse-sensitive land uses where they are adjoining or in close proximity to lawfully established industrial activities; in particular their Eastport Service Centre site, to ensure the outcome of enabling more residential development does not adversely impact the continued operation of GBC's operation.

5 GBC considers that the matter of reverse sensitivity could be implemented by one, all or a combination of the following:

a. The inclusion of an additional 'Qualifying Matter', in relation to reverse sensitivity for residential development in the Business – City Centre Zone to manage the interface between residential and industrial activities.

b. Amend the objectives and policies within the Business – City Centre Zone addressing reverse sensitivity

PC78 - Neutral submission on the future Coastal Hazards Plan Change

6 GBC generally supports the Council's initiative for a future Coastal Hazards Plan Change, particularly for greenfield residential developments.

7 However, as GBC site is located within the Coastal Inundation overlay, and therefore the future coastal hazards plan change will apply to the site, which may have implications for how the site can be developed in the future. GBC seeks to be directly consulted on any future development of provisions for this Plan Change.

PC79 - Submission in Opposition to the Proposed Accessible Parking Requirements for All other industrial activities

8 GBC generally support Auckland Council's proposed plan change to remove car parking minimums throughout the Auckland Unitary Plan, with the exception of accessible parking to align with the NPS UD requirements.

9 However, GBC opposes the proposed Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Car Parking Spaces, which is a two-step process requiring 'parking demand' to be calculated first, and then the accessible parking requirement subsequently calculated from the 'parking demand'. GBC considers this calculation to be overly onerous and is not aligned with the intent of the NPS UD, which seeks the market to lead the provision of parking.

10 GBC considers the single step calculation for accessible parking standards of Christchurch City Council for the 'minimum number of mobility parking' based on the number of parking spaces provided delivers greater flexibility and better delivers the outcomes sought by the NPS UD.

STATEMENT OF INTEREST AND BACKGROUND

11 GBC is New Zealand's longest standing cement manufacturer. GBC is committed to sustainable products and product transparency which is central to their strategy, vision and values. This includes how they operate, with their New Zealand made cement being independently assessed to demonstrate a 20% lower carbon emissions per tonne of cement than imported competitor products.

12 GBC has multiple locations throughout New Zealand, with its Service Centre site being located at Eastport, adjacent to the Port of Auckland. Cement is delivered to the Eastport site by sea and is then discharged at Bledisloe wharf, stored on-site before being subsequently distributed to customers by road transport.

13 GBC's site and the surrounding area is located within the Business – City Centre Zone, the Port Precinct, the Coastal Hazards Overlay and the Auckland War Memorial Viewshaft Overlay. It is also located within a 'walkable catchment' area (refer **Figure 1** below).

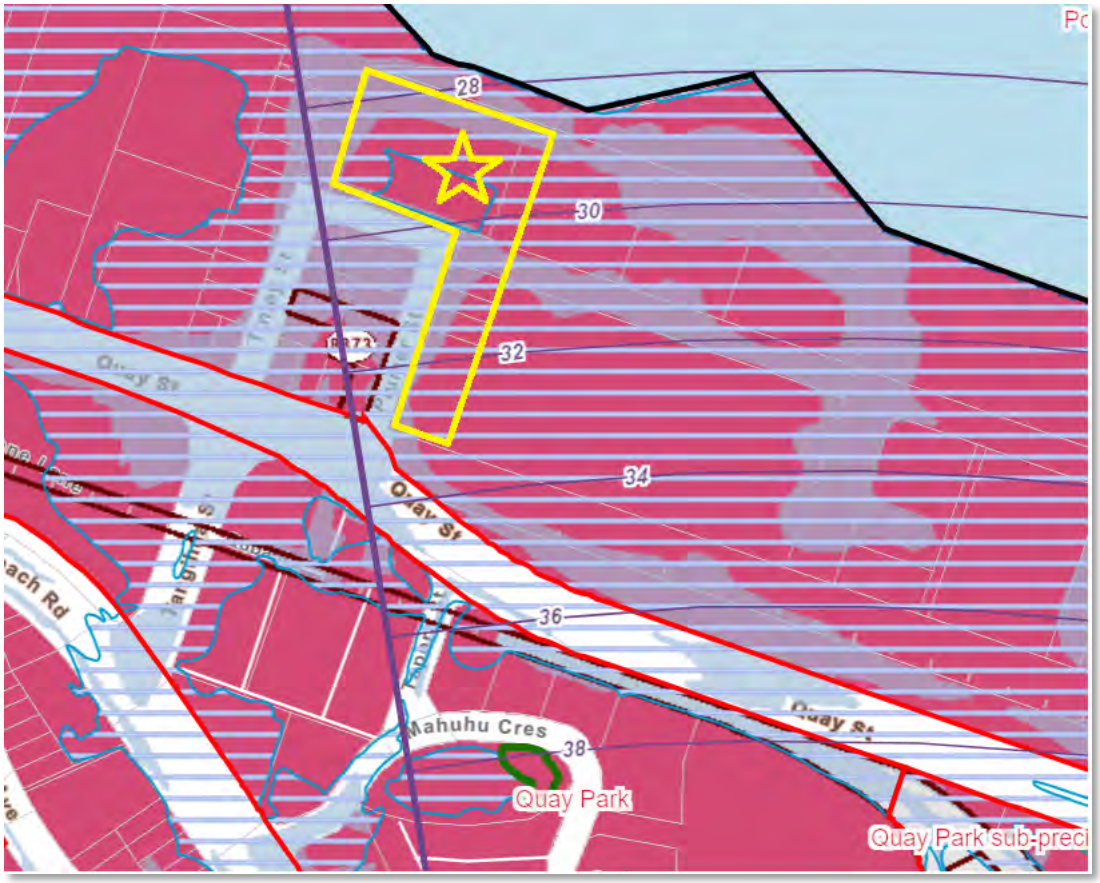


Figure 1: Proposed Plan Change 78 planning map showing GBC's site outlined in yellow with a star. (Source: Operative Planning Map and Plan Change 78 Map Viewer, dated 18 August 2022, annotated by RMG)

GENERAL SUBMISSION

Key aims of the submission

14 Given the housing crisis in New Zealand, the continued supply of building materials is of utmost relevance and importance to GBC. As New Zealand's longest standing cement manufacturer, the continued supply of cement products to the residential building industry is a crucial component of ensuring residential intensification can be delivered.

15 The principal aim of this submission is therefore to ensure the continued operation of the GBC Auckland site and the subsequent continued supply of cement products to support residential intensification by establishing the most appropriate provisions to achieve that goal and assist the Council in implementing relevant direction from higher order statutory instruments – particularly the National Policy Statement on Urban Development 2020.

16 GBC also seeks amendments to the notified provisions in PC78 and PC79 to better implement the requirements of Schedule 3A of the Resource Management Act 1991 (**RMA**)[1] and National Policy Statement on Urban Development 2020. These are detailed in **Appendix B**.

SPECIFIC SUBMISSION IN RELATION TO THE REGULATORY CONTEXT

National Policy Statement on Urban Development

17 The National Policy Statement on Urban Development (NPS UD) directs that local authority decisions on urban development are to be integrated with infrastructure planning decisions,[2] and that planning decisions contribute to well-functioning urban environments.[3]

18 A well-functioning urban environment is one in which:

"*enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future*"[4]

18 GBC's operation provides cement products for the building industry to ensure that people and communities can construct residential dwellings now and, in the future, and therefore their continued operation contributes to a well-functioning urban environment and subsequently assists in implementing Objective 1 of the NPS UD.

19 With regard to PC79, the NPS UD car parking policies have the effect of removing minimum car parking rates from the district plans of tier 1, 2 and 3 territorial authorities but also sets out that its does impact territorial authorities on setting minimum rates of accessible car parks.

20 GBC considers that the NPS UD initiative to remove the minimum parking standards and let be driven by market demand is a sound approach.

21 However, GBC does not consider that the proposed minimum parking requirements for accessible parking set out in PC79 aligns with the NPS UD. The proposed calculation for

[1] Schedule 3A of the RMA, inserted on 21 December 2021, to implement the Enable Housing Supply and Other Matters Amendment Act 2021.
[2] Objective 6 NPS UD
[3] Policy 1 NPS UD
[4] Objective 1 NPS UD

accessible parking is a two-step process, firstly to determine the 'parking demand' for industrial activities and secondly, applying a pro-rata calculation to determine the accessible parking spaces, based on the step-one 'parking demand' calculation. GBC does not consider that the first step to calculate 'parking demand' is necessary or aligned with the intension of NPS UD to let parking standards be market driven. It does not align with other Tier 1 Council's accessible parking standards, such as Christchurch City Council 'mobility parking spaces required'[5] which is a single step calculation, based on a ratio/pro-rata based ***on the parking provided***.

Resource Management (Enabling Housing Supply and Other Matters Amendment Act 2021)

19 The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (*Enabling Housing Act*) was introduced to speed up implementation of the NPS UD, whereby Councils were required to incorporate Medium Density Residential Standards (*MDRS*) into every relevant residential zone by 20 August 2022 provided that the MDRS should be less enabling of development where a qualifying matter applies.[6]

20 While NPS UD Policy 4 allows district plans applying to tier 1 urban environments to modify the relevant building height or density requirements to the extent necessary to accommodate a qualifying matter.

21 Qualifying matters include, relevantly:

> *(i) the requirement to provide sufficient business land suitable for low density uses to meet expected demand under this National Policy Statement; and*
>
> *(j) any other matter that makes higher density, as provided for by the MDRS or policy 3, inappropriate in an area, but only if section 77L is satisfied.*[7]

22 As the demand for housing to be built increases, so does the demand for building products, such as those which are produced by GBC. Therefore, sufficient business land need not only to be provided but also protected to meet expected demand, as set out in *(i)* above.

23 The Enabling Act specifically provides for qualifying matters and recognises that there will be circumstances where the development potential of MDRS cannot and ought not to be realised to its fullest extent. This is true for the areas where the Business – City Centre Zone adjoins or in close proximity to an existing lawfully established industrial activity, where reverse sensitivity effects could arise. This would include several sites to the west of GBC's Eastport Service Centre that have not already undergone residential development and where reverse sensitivity should be utilised as qualifying matter. (Refer to **Appendix C** for site locations where qualifying matter should apply).

24 In support of an additional Qualifying Matter for reverse sensitivity matters, GBC consider that further Objective and Policy direction is also needed to ensure that residential development within the Business – Mixed Use Zone is strengthened to mitigates against potential reverse sensitivity effects.

25 In accordance with the Policy 4 of NPSUD, coastal hazards are 'qualifying matters'. The Council have identified coastal erosion and inundation as information layers and are not

[5] Christchurch City Council Plan, table 7.5.1.1 – Minimum number of mobility parking spaces required

[6] Resource Management Act 1991 (*RMA*) 77G(1), s 80F(1)(a).

[7] Resource Management Act 1991 (*RMA*) 77I(g) and (h),

formally part of Plan Change 78. The GBC site is located within the Coastal Inundation (refer blue hatched area in **Figure 1** above), which the Council has signalled will be subject to future Coastal Hazards Plan Change. The Ministry for the Environment (MfE) published interim guidance on the use of new sea level rise predictions[8]. The guidance recommends that changes in land use and redevelopment (intensification) should consider 1.7 metre sea level rise (plus or minus the relevant vertical land movement for the local area).

26 GBC considers that any future Coastal Hazards Plan Change should highlight the importance that differing zones and their intended uses should be managed appropriately in relation to coastal hazards. For example, an industrial site or building in the coastal inundation area has vastly different adverse effects on people and property than a residential zone or dwelling within the same area and should be managed commensurately. Therefore, GBC seek to be consulted directed on any future Coastal Hazards Plan Change that may directly impact the way their current operation, or future development opportunities may be impacted by this plan change.

SUMMARY OF RELIEF SOUGHT

27 In summary, GBC seeks to enable residential intensification in areas and /or in a manner that will not lead to reverse sensitivity by implementing one, all or a combination of the following:

a. **In terms of Plan Change 78, GBC seeks:**

i. **Implementation of** an additional 'Qualifying Matter', in relation to reverse sensitivity for residential activities that adjoin industrial activities within the Business – City Centre Zone as detailed in **Appendix B and C;** and — 801.1

ii. **Amend** policy within the Business – City Centre zone addressing reverse sensitivity as detailed in **Appendix B;** or — 801.2

iii. **Adoption of** any alternative or consequential changes necessary to give effect to the relief sought in this submission.

iv. **Direct engagement** with GBC on the future development of the Coastal Hazards Plan Change and associated provisions. — 801.3

b. **In terms of Plan Change 79, GBC seeks:**

i. **Delete** Appendix 23 – Parking Demand Guidelines to Calculate the Number of Required Accessible Car Parking Spaces as detailed in **Appendix A and B.** — 801.4

ii. **Amend** E27.6.3.2(A) Accessible Parking as detailed in **Appendix A and B**.

CONCLUSION

29. For reasons set out in this submission, GBC considers amendments to Proposed PC78 and PC79 are required to ensure that the continued supply of building material needed to support the residential intensification in Auckland and New Zealand and deliver the intent

[8] https://environment.govt.nz/publications/interim-guidance-on-the-use-of-new-sea-level-riseprojections/

of Schedule 3A of the Resource Management Act 1991. **Appendix B and C** outlines GBC requested relief in full.

30. In reality, the level of development prevented by either applying a Qualifying Matter and additional Objectives and Policies is minimal when compared to the reverse sensitivity effects it will prevent.

APPENDIX B

Proposed Plan Change 78: Intensification and Proposed Plan Change 79: – Detailed Relief
Submitter Name: Golden Bay Cement, a division of Fletcher Concrete & Infrastructure Ltd

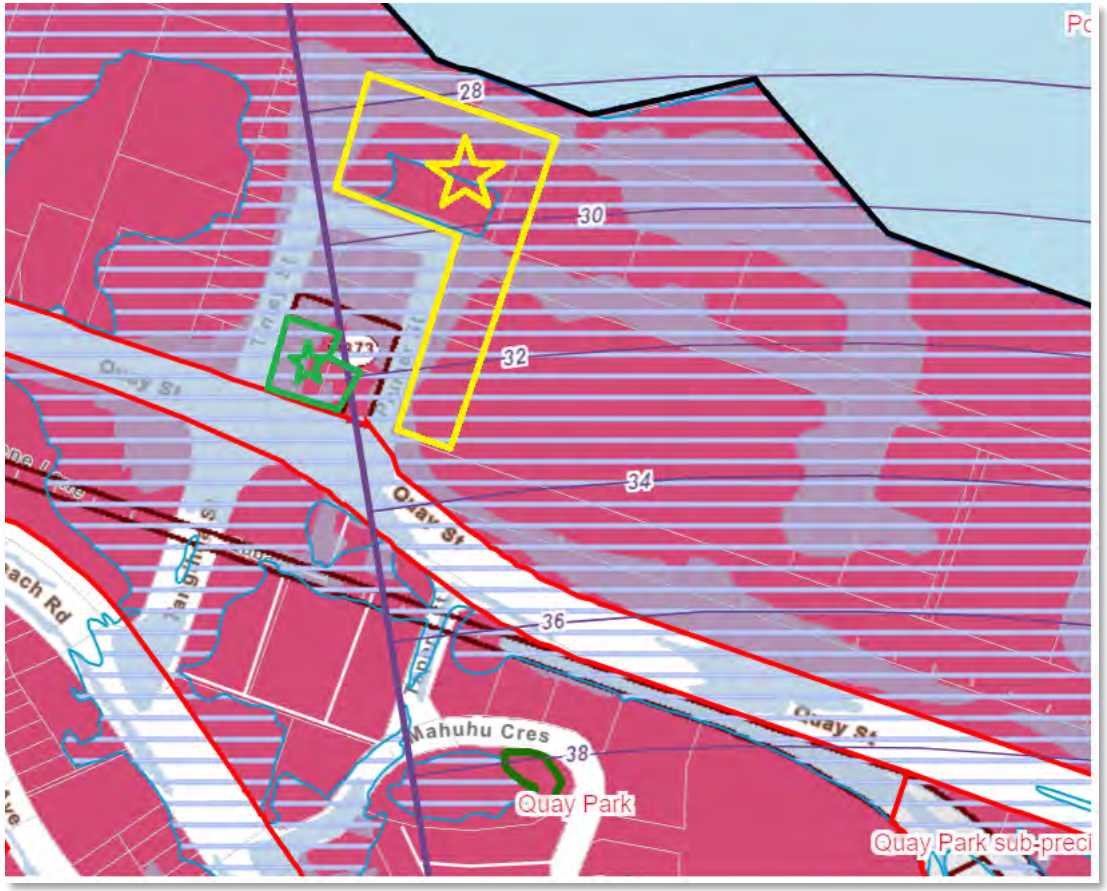
Plan Change Chapter / Sub-part	Specific provision / matter	Position	Reason for submission	Decisions requested / relief sought
PC78 – Implement an additional Qualifying Matter	Specific Auckland Qualifying Matters	Oppose	As set out in the general summary of GBC's submission, introducing an additional reverse sensitivity qualifying matter will ensure that reverse sensitivity matters are taken into account, giving the Council the ability to reduce the level of development intensity and provide for adequate 'buffering' and a 'transitioning' interface between residential and industrial activities within the Business – City Centre Zone.	**Insert: New Qualifying Matter** That the Council carry out site specific assessments of areas where the MRDS rules apply to Business Zones which adjoin or are close proximity to existing lawfully established industrial activities to ascertain the level of appropriate intensification to ensure that reverse sensitivity matters will not arise as a result and applies these as a new qualifying matter or overlay. The qualifying matter should apply to the area set out in **Appendix C**; however, on completion of Council's further assessment, applying a reverse sensitivity qualifying matter to other areas may also be appropriate.
PC78 – Business – Mixed Use Zone	**Policy H8.3 (25)**	Oppose	This policy does not provide adequate protection for existing industrial uses, which do not fall under the definition of 'marine and port activities' but need to be located within the Port Precinct.	**Amend:** Policy H8.3 (25) Limit activities that would have reverse sensitivity effects on established and future marine and port activities, **or existing lawfully established industrial activities within the Port Precinct**.

Plan Change Chapter / Sub-part	Specific provision / matter	Position	Reason for submission	Decisions requested / relief sought
PC78 – Future Coastal Hazards Plan Change	**Area identified on the Planning Maps identified as subject to Coastal Inundation**	Neutral	As GBC's Eastport Service Centre site is located within the Coastal Inundation overlay, the Future Coastal Hazards Plan Change will apply to the site, which may have implications for how the site can be developed in the future. GBC seeks to be directly consulted on any future development of provisions for this Plan Change.	**Direct engagement:** on the Future Coastal Hazards Plan Change.
PC79 – Chapter E27 Transport Amendments	Appendix 23 - Parking Demand Guidelines to Calculate the Number of Required Accessible Car Parking Spaces E27.6.3.2(A) Accessible Parking	Oppose	Considers the minimum rate of 1 per 50m² GFA, or 0.7 per FTE employee to determine firstly the parking demand for an activity, is not in line with the NPS UD which considers the parking demand should be market led. Therefore, having a two-step process to determine accessible parking space does not reflect the intension of NPS UD.	**Delete:** Appendix 23 Parking Demand Guidelines to Calculate the Number of Required Accessible Car Parking Spaces **Amend:** E27.6.3.2(A) Accessible Parking Table 1: Number of accessible parking spaces – Non-Residential land uses to read "Total number of ~~theoretical~~ parking spaces **provided**"

APPENDIX C

Proposed Plan Change 78: Intensification – Detailed Relief

Submitter Name: Golden Bay Cement, a division of Fletcher Concrete & Infrastructure Ltd



Map showing GBC site bound in yellow and the area in bound in green with a star where a reverse sensitivity qualifying matter should be applied to.
(Source: Auckland Council Planning Maps, annotated by RMG, dated 29 September 2022)

Form 5

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

To	Auckland Council
Name of submitter	*Maree van de Water*
Address for service of Submitter	*12 Miran Lane Red Beach 0932 Auckland*
Telephone	*021813919*
Email	*mvandys@gmail.com*

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

Plan Change Number	PC 78
Plan Change Name	Intensification

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: Not applicable

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.

The specific provisions of the proposal that my submission relates to are detailed in Appendix 1.

My submission is:

I **support** the specific provisions identified in Appendix 1

I **oppose** the specific provisions identified in Appendix 1

I wish to have the provisions identified in Appendix 1 **amended**

The reasons for my views are attached as Appendix 1

I seek the following decision by Council:

~~Accept the proposed plan change~~ ~~☐~~

Accept the proposed plan change with amendments as outlined in Appendix 1 ☐

~~Decline the proposed plan change~~ ~~☐~~

~~If the proposed plan change 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 ☐

27 September 2022

…… ……

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

Date

Appendix 1:

Plan Change 78

The specific provisions of the proposal that this submission relates to:

1.0

We consider that unless the relief sought in this submission is granted PPC78 and in particular the specific provisions challenged:

1. Will not promote the sustainable management of resources;
2. Will be inconsistent with the resource management principles expressed in Part 2 of the Resource Management Act 1991 ("RMA");
3. Will variously be inappropriate, unnecessary and contrary to sound resource management practice;
4. Will not warrant confirmation in terms of section 32;
5. Will be contrary to relevant provisions in the National Policy Statements and National Environmental Standards; and
6. Will enable the generation of significant adverse effects on the environment that warrant being addressed through PPC78 provisions.

2.0 General Submission

2.1 Introduction of a Qualifying Matter (QM)- Matija Place, Red Beach

802.1

We seek the introduction of a Transportation related Qualifying Matter at Matija Place, Red Beach. This road is a cul-de-sac off a no exit road (Jelas Road), with no entry from Hibiscus Coast Highway. The road is narrow, with footpath on one side only, and two- way vehicle movements are often blocked by parked vehicles. Trucks, such as rubbish or recycling trucks, cannot be passed on the road which blocks traffic, and sometimes cannot move up the road due to parked vehicles and the narrowness of the road. There is often none (or very little) on- street parking. The contour of the road impedes visibility of oncoming vehicles on Matija Place.

A school is located at 100 Jelas Road, with its only vehicle access onto Jelas Road, opposite Matija Place. Access into and on Matija Place is often restricted by vehicles moving to and from the school, and parking associated with the school.

The area is not well serviced by public transport, being only buses (and these are not regular and could not be relied on as a car alternative).

Matija Place contains larger sites from historical subdivision. Under PC78 there is potential that these sites could be extensively subdivided, and a large number of dwellings constructed. The transportation infrastructure is insufficient to service this level of development. It is appropriate that development be limited to recognise this constraint, and that future resource consent applications be specifically required to take into account and address these infrastructure issues.

The introduction of a QM is consistent with higher leave planning documents, including because some of the high-level outcomes sought cannot be achieved given the transportation matters present. Relevant provisions include:

a) Section 5 RMA,
b) Section 7b) RMA, in that this represents an efficient use of physical land resources noting this constraint,
c) Section 7c) RMA, the maintenance and enhancement of amenity values,

d) Section 7f) RMA, in that this maintains the quality of the environment,
e) The National Policy Statement on Urban Development, including:
   i. Objective 2.1(1):
   New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

   A QM and related impacts on development is consistent with this objective.

   ii. Objective 2.1(3) (emphasis added) "…the area is <u>well-serviced</u> by existing or planned public transport"

   This cannot be achieved. A QM is appropriate.

   iii.
   iv. Objective 2.1(6) (emphasis added):
   Local authority decisions on urban development that affect urban environments are:
   integrated with <u>infrastructure planning</u> and <u>funding</u> decisions;
   and strategic over the <u>medium term and long term</u>; and…

   This cannot be achieved. A QM is appropriate.

   v. Policy 2.2(1)
   Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
   …..
   (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

   This cannot be achieved. A QM is appropriate.

   vi. Policy 2.2(4)

f) The Auckland Unitary Plan, including (but not limited to):
   i. Objectives and policies of B2.2, including where a compact urban form is sought, that makes better use of existing infrastructure and efficient provision of new infrastructure, integrates land use and transport and supports a range of transport modes.
   ii. Objectives and policies of B2.3, which seek a quality, built environment. This includes (but is not limited to) development which maximises infrastructure efficiency, that provides good access and enables a range of travel options, achieves a high level of amenity and safety for pedestrians and cyclists, and meets the functional, and operational needs of the intended use.
   iii. Objective B3.3.1 and policies B3.3.2, including (but not limited to) where these provisions seek effective, efficient and safe transport. This includes integration with land uses and ensuring transport infrastructure is planned, funded and staged.

   This cannot be achieved. A QM is appropriate.

2.2 Zoning

The proposed rezoning of the majority of Auckland urban areas to Mixed Housing Urban is unnecessary and excessive. Auckland Council has indicated that with all the proposed Qualifying Matters in place, the enabled capacity via PC78 would be more than three times the total demand for housing in 2051. This creates a situation where residents, who have largely had no opportunity for involvement in the rezoning process (due to changes being required by central government), will be adversely affected by development when there is no demand for the related housing. The AUP(OP) as it standards, which has been through a full statutory process where people were able to make submissions in relation to zoning, has more than sufficient capacity to meet the housing demands in Auckland. The AUP(OP) already meets relevant objectives and policies of the NPS- US and RPS regarding residential capacity.

Red Beach and Silverdale are established, medium density residential areas. The area is currently zoned Single House Zone in the Auckland Unitary Plan (OP) and has had a similar zoning since at least the late 1990's. Land has been purchased and developed on this basis. Dwellings have been sited and designed based on existing development standards, as currently detailed in the AUP(OP). The MDRS now seeks to change this and the zoning, without the ability of affected parties to be involved. People have made significant investment decisions and now have little, if any, ability to be involved in changes that will affect them and, in some cases, significantly.

While we understand Auckland Council is largely obligated to make these zoning and MDRS standard changes, we record that we do not support the changes proposed in Red Beach, Orewa, Silverdale and the Hibiscus Coast, and in particular in Matija Place, Red Beach. Site owners will be significantly adversely affected by this zoning change and have had no ability to be involved in the rezoning process. We would support the retention of the Single House Zone (SHZ) in these areas if this was possible under the PC78 process. We do not support any "increase" in zoning of sites in Matija Place, Red Beach as shown in the notified version of PC78 (such as to THAB zone for example). 802.2 802.3

If the retention of SHZ is not possible, we seek strong objectives, policies, rules and criteria to ensure that potential effects on adjacent residential sites are avoided, remedied or mitigated and the owners/ occupiers of adjoining sites can become involved in resource consent applications. The relief sought includes (but is not limited to) that which would achieve the following:

a) Resource consent applications can be declined when there is insufficient servicing capacity, or servicing options are proposed that are suboptimal. Plan language must reflect this, and be sufficiently strong, in legal terms, to enable decline. 802.4
b) That the density of development is appropriate for the site, including having regard to development on adjacent sites (including character and amenity effects experienced on adjacent sites) and infrastructure capacity. 802.5
c) All residential developments must be required to have close regard to the interface with existing residential development on adjoining sites, including (but not limited to): 802.6
    I. Building form that provides articulation including in roof and facades, to minimise the visual dominance of bult form when viewed from adjacent sites,
    II. The use of colours and variation of building materials to visually break up built form and reduce visual dominance when viewed from adjacent sites,

III. Minimising overlooking, including by the location and scale of buildings, placement of windows, size of windows, floor plans and other features such as screens, and minimising retaining (fill) on site boundaries where overlooking could occur into adjoining sites,
IV. Impacts on privacy on adjoining sites, including by the location and scale of buildings, placement of windows, size of windows, floor plans and other features such as screens,
V. Ensuring sufficient sunlight access is retained into adjoining residential dwellings and outdoor living areas,
VI. Managing amenity effects and providing privacy through boundary landscaping (capable of growing to a suitable height to provide privacy and softening of built form, such as 5m) and fencing.

d) The landscaping on- site is maximised, to improve amenity both on site and on those adjoining, 802.7
e) Ensuring that applications, including those that do not provide a suitable interface with adjoining sites, can be notified and that affected parties can become involved in the resource consent process, 802.8
f) Adequate areas are identified for waste and recycling storage and on- site collection, 802.9
g) Waste and recycling areas are screened from adjoining sites and in larger development with communal waste storage areas, that waste is managed to control odour, 802.10
h) Adequate areas are provided on- site for delivery vehicles, parking and visitors to remove or minimise the need for on- street parking, 802.11
i) Providing for on- going management of communal areas (including access, parking and landscaped areas) and services on sites, such as a body corporate or similar. The ongoing management of these areas can easily be disregarded if a specific management regime is not put in place at the time of development. 802.12
j) Requiring upgrading of infrastructure, including roads and footpaths, where the existing services are inadequate and further loading is proposed by a development. 802.13

The relief sought above, is consistent with:

a) Section 5 RMA,
b) Section 7b) RMA, in that this represents an efficient use of physical land resources,
c) Section 7c) RMA in that this would result in the maintenance and enhancement of amenity values,
d) Section 7f) RMA, in that this maintains the quality of the environment,
e) The National Policy Statement on Urban Development, including:
    i. Objective 2.1(1),
    ii. Policy 2.2(6)
f) The Auckland Unitary Plan, including (but not limited to):
    i. Objective B2.2.1(1), including refence to quality compact urban form,
    ii. Objective B2.3.1(1) and policies B2.3.2(1), including by creating a quality built environment that responds to the site and its setting,
    iii. Objective B4.2.1(1),
    iv. Policy B2.4.2(4),
    v. Policy B2.4.2(6), including that development is adequately serviced,
    vi. Policy B2.4.2(8), including recognising and providing for existing and planned neighbourhood character,
    vii. Policy B2.4.2(9) and (10).

For completeness it is noted that higher residential intensification in this location is not consistent with some provisions such as B2.2.2(5).

3.0 Submission on Specific PC78 Provisions

Without limiting the generality of the relief sought above, the following submission is made on specific PC78 provisions.

3.1 Maps

Maps		
Matter	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Qualifying Matter	Qualifying Matter- Infrastructure Water and/ or Wastewater Constraints Control as shown on Matija Place (including at 77 and 86 Matija Place) is supported	We understand that infrastructure in Matija Place and the wider Red Beach, Silverdale and Hibiscus Coast areas, has not been designed or established to service the level of development that the MDRS or NPS- UD will enable. There is frequently news of overflows at beaches in local media, including of raw sewerage. Local roads also flood to varying degrees, including at the intersection of Jelas Road and Matija Place. There are clear issues with capacity of existing stormwater and wastewater services in these areas. It is appropriate that a QM be utilised, to place restrictions and controls on development in these areas. This is consistent with higher order planning provisions and outcomes sought by the RPS (including objectives and policies of B3.2), NPS- UD and Part 2 RMA.
Qualifying Matter	We seek the introduction of a Transportation related Qualifying Matter at Matija Place, Red Beach.	Please see reasons in 2.0 above.
Zoning- Matija Place	We seek the rezoning of Matija Place to Single House and if this is not possible Mixed Housing Suburban due to development constraints.	Please see reasons above relating to servicing and infrastructure, including transportation servicing.

802.14

3.2 Auckland- Wide provisions (Chapter E)

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons	
E36	The inclusion of natural hazards as a Qualifying Matter is **supported**.	This is consistent with Part 2 RMA.	802.15
Objective E38.2(10)(d)	**Reword** to "Avoid subdivision that cannot be appropriately serviced by the water supply, wastewater and stormwater networks".	Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.	802.16
Objective E38.2(10)(e)	**Support**	We support the objective and the terminology, specifically use of "avoid" in relation to under sized lots in areas affected by a Transportation Qualifying Matter.	802.17
Objective E38.2(11)	**Support** reference to subdivision and density of development being controlled where a Qualifying Matter is present.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.18
Policy E38.3(13)	Seek **insertion** of reference to Qualifying Matter, to control density and site sizes. Insert the following, or words to like effect: (d) Taking into account a Qualifying Matter affecting the site, noting that this may result in larger sites or fewer sites (lower yield) than may otherwise be usually anticipated in that particular zone.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.19
Policy E38.3(31)	**Support**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. The use of "avoid" is supported.	802.20
Policy E38.3(32)	**Support**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.21

Policy E38.3(33)(c)	**Support reference to QM**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.22
Policy E38.3(34)	**Support** reference to QM	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.23
Policy E38.3(35)	**Support** reference to QM	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.24
	Activity Table		
Table E38.4.2(A29A)	**Support** subdivision affected by this QM being a Restricted Discretionary Activity.	A controlled activity, which cannot be declined, is not appropriate.	802.25
Table E38.4.2(A29B)	**Support** subdivision affected by this QM being a Restricted Discretionary Activity.	A controlled activity, which cannot be declined, is not appropriate. To be consistent with higher level documents including the NPS- UD, NPS- FW and RMA (Part 2) it is critical that development be serviced in an appropriate way, and that Council has the ability to decline an application if this is not the case.	802.26
	E38.5- Notification		
E38.5 Notification (2A)	**Oppose**. This development type should be subject to the standard test for notification.	Applications of this nature have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.	802.27
E38.5 Notification (2B)	**Oppose**. This development type should be subject to the standard test for notification.	Applications of this nature have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.	802.28
	E38.6- General Standards		
E38.6.3. Services	Seek that this Standard be **altered** to refer to appropriate services or words to that effect.	It is important that proposed servicing is appropriate, having regard to the location of the site, capacity of reticulated services and ongoing maintenance. PC78 should be clear that suboptimal servicing solutions are not appropriate and will not be accepted. The use of the word “provision” is not sufficient.	802.29

E38.8 Standards for subdivision in residential zones			
E38.8.2.8. Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and/or Wastewater Constraints Control.	**Support** in part, subject to the following **amendment**: "The technical report must demonstrate: a) That infrastructure and servicing can be achieved. b) <u>The method and capacity of water, wastewater and water servicing for the development;</u> c) <u>The durability and maintenance required for the proposed system/s;</u> d) <u>The appropriateness of the proposed servicing for the nature and scale of the development;</u> e) <u>The potential effects of the proposed servicing;</u> f) <u>Proposed long term management of the system/s."</u>	Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.	802.30
E38.8.2.9	**Support**	Please see section 2 above, where a similar QM in Matija Place, Redd Beach is sought.	802.31
E38.11 Assessment- Controlled Activities			
E38.11.1(2)	**Support**	Support reference to infrastructure	802.32
E38.11.2(2)	**Support**	Support reference to infrastructure	802.33
E38.12 Assessment- Restricted Discretionary Activities			
E38.12.1(10)	**Support**	Support assessment of stormwater matters being required.	802.34
E38.12.1(11)	**Support**	Support assessment required in these QM areas. Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.	802.35
E38.12.2(10)	**Support**	Support assessment of stormwater matters being required.	802.36

E38.12.2(11)	**Support**	Support assessment required in these QM areas. Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined

802.37

3.3- Zones (Residential)

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Objective H5.2(A1)	**Support**	802.38
Objective H5.2(B1)	**Reword** objective to the following or words to like effect: "…(b) The neighbourhoods planned urban built character, including 3- story buildings, unless the site is affected by a Qualifying Matter in which case the development density must take into account the related constraint."	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 802.39
Objective H5.2(1)	**Reword** objective to the following or words to like effect: Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport, unless it is affected by a Qualifying Matter in which case the development density must take into account the related constraint.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 802.40
Objective H5.2(3)	**Supported**, in particular where it refers to high quality amenity in relation to adjacent sites and the street.	Please see "General Submission" above. 802.41

Objective H5.2(5)	**Supported**	Inappropriate servicing can impact on water quality, and this requires control.	802.42
Objective H5.2(6)	**Supported**		802.43
Objective H5.2(7)	The following **rewording** is sought, or words to the same effect: "Development that cannot be appropriately serviced for water supply, wastewater or stormwater is **avoided**"	Wording in the Plan must be sufficiently strong to enable applications to be declined where the required outcome is not achieved, especially for fundamental matters such as servicing.	802.44
Objective H5.2(8)	**Supported**		802.45
Objective H5.2(10)	**Supported**	Please see "General Submission" above.	802.46
Policy 5.3(B1)	**Support** "..except in circumstances where a qualifying matter is relevant"	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	802.47
Policy H5.3(C1)	**Reword** to the following or words to like effect: ~~"Encourage~~ Require development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance."	Wording in the Plan must be sufficiently strong to ensure the required outcome is achieved.	802.48
Policy H5.3(E1)	**Reword** to the following or words to like effect: ~~Provide for developments not meeting permitted activity status, while encouraging high-quality developments~~ "Require developments to achieve a high-quality environment"	It is not necessary to have a policy that provides for activities which are not permitted, as the plan already provides for this. A "high quality development" should not be "encouraged"- this must be required, to be consistent with the RPS and the NPS- UD.	802.49
Policy H5.3(6A)	**Support in part**, in particular references to adjacent sites. **Introduce** the following or words to like effect: (j) Establishing landscaping (vegetation) to create quality on- site amenity and soften the interface between the site and adjoining residential sites.	The policy is generally supported for the reasons set out in section 2 above , with amendments as required to address the issues raised in section 2 above.	802.50
Policy H5.3(12)	**Support**	All development must be appropriately serviced.	802.51
Policy H5.3(13)	**Support**	All development must be appropriately serviced. Qualifying Matters affect what type and scale of development is	802.52

		appropriate on a site. This should be clearly reflected in objectives and policies.	
Policy H5.3(14)	**Support**	Please see section 2 above.	802.53
Policy H5.3(16)	**Support**	Please see section 2 above.	802.54
	Activity Table		
Table H5.4.1(A14B)	**Support** one dwelling on a site in the Water and/or Wastewater Constraints Control QM being a permitted activity.	Qualifying Matters affect what type and scale of development is appropriate on a site. It is appropriate that this be controlled as shown, with permitted development limited.	802.55
Table H5.4.1(A14B)	**Seek amendment** to table H5.4.1 to introduce "Standards to be complied with". This should include reference to Standards H5.6.3- H5.6.21 and the new Standard sought below.	The Plan must be clear about what Standards must be complied with to be a permitted activity.	802.56
Table H5.4.1(A14C)	**Support** two or more dwelling on a site in the Water and/or Wastewater Constraints Control QM being at least a restricted discretionary activity.	Qualifying Matters affect what type and scale of development is appropriate on a site. It is appropriate that this be controlled as shown, and consent required for more than one dwelling to enable site specific assessment.	802.57
Table H5.4.1	**Insert new A14D with the following,** or words to a similar effect (to reflect the Qualifying Matter sought on Matija Place): "Two or more dwellings per site in the Matija Place Transportation Qualifying Matter Control"- Restricted Discretionary Activity.	To reflect the Qualifying Matter sought, as detailed above in section 2.	802.58
	Notification		
H5.5(5) (Notification)	The preclusion of limited or full notification for a development of four or more dwellings, irrespective of meeting Standards, is **opposed**.	Applications of 4 or more dwellings have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.	802.59
H5.5(6) (Notification)	**Support**	These applications should be subject to the normal tests for notification.	802.60
	Standards		
H5.6.3A	**Seek introduction** of a specific Standard related to the Water and/or Wastewater Constraints Control to ensure that servicing is appropriate for the site, area and development proposed, and that there is sufficient capacity.	The Plan should be clear that servicing must be provided, and that this must be fit for purpose, able to be maintained in perpetuity and is suitable. Given the geographical extent of this QM it is likely that bespoke solutions will be suggested, that are not appropriate- the Plan must be strongly worded to make it clear	802.61

		these outcomes will not be consented.
H5.6.5(4). Height in relation to boundary	**Oppose** the proposed HIRB plane and the removal of consideration of boundaries adjoining lower zones.	The proposed HIRB plane will create adverse shading and overlooking and reduce sunlight access, in relation to adjoining residential sites. Given the existing AUP zoning, some of these adjoining sites contain new development based on existing zoning (1-2 levels, greater yard setbacks and lower HIRB controls)- in these cases the adjoining sites are unlikely to be redeveloped in the medium terms and a higher degree of adverse effects will be created in the . We understand however that this forms part of the MDRS provisions and Council may not have scope to amend these. 802.62
H5.6.5(4)(4). Height in relation to boundary	**Oppose**. HIRB should apply from the site boundary, not right of way/ access lot boundaries.	802.63
Table H5.6.8.1 Yards	**Oppose.** Given the increased level of density proposed, yards should be larger. The definition of "Yard" to be **amended** to reduce the length of eaves that can encroach into yard setbacks.	We understand however that this forms part of the MDRS provisions and Council may not have scope to amend these. 802.64 At present eves up to 750mm are excluded from the definition of yards. This could result in part of a building being only 250mm from a common boundary. This impacts on maintenance and amenity of adjoining sites. 802.65
H5.11(5)- Landscaped Area	The minimum landscaped area of 20% **is opposed.** The following is sought, or words to similar effect: "<u>The minimum landscaped area must be at least 35 percent of the net site area".</u>	The landscaping present on a site makes an important contribution to on- site amenity and amenity on adjoining sites. 802.66
H5.6.12- Outlook Space	Generally **supported**	The requirement to provide outlook space is supported, including that this space must be located within the development site. 802.67
H5.6.14(4)- Communal Outdoor Living Space	Supported with the following **amendment** (or words of similar effect): <u>(h) Is managed and maintained by a body corporate or similar legal entity.</u>	The requirement for a communal outdoor living space for larger residential developments is supported. Appropriate maintenance and management of these areas is also required. 802.68

H5.6.21 Residential waste management	Standard is generally **supported** with the following amendment requested: "H5.6.21(6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings, and this must include details of how odour will be controlled".	Where a site has limited road frontage, requiring waste collection on- site is supported. Sufficient space must be available on -site for a waste vehicle to park, collect the waste/ recycling, manoeuvre on-site and leave in a forward-facing direction. Waste and recycling storage areas can easily create odour, which impacts on amenity on site and on those adjoining, if not controlled.	802.69
H5.8- Assessment – restricted discretionary activities			
H5.8.1. Matters of discretion 5.8.1(2) For four or more dwellings per site: (a)(i)	**Oppose** deletion of the word "intensity"- seek that "intensity" not be deleted. Reword to (or words to like effect): (i)building intensity, scale and location, including	Building intensity, not only scale, has the potential to impact on the success of an overall development, its appropriateness in a specific location, and the adverse effects created on people, in particular adjoining site owners. It is appropriate that Council retain the ability to assess this important aspect of a proposal.	802.70
H5.8.1(2) (a)(i) (A)	**Support**	Support reference to "adjoining sites" for the reasons set out in section 2 above.	802.71
H5.8.1(2) (a)(i) (B)	Seek **amendment** as follows, or words to like effect: "the extent to which the height, roof form and design of buildings respond to the local streetscape, adjacent sites, …"	Please see section 2 above.	802.72
H5.8.1(2) (ai)	**Support**	Please see section 2 above.	802.73
H5.8.1(2) (c)	**Support**	Please see comments above regarding infrastructure and servicing.	802.74
H5.8.1(2) (d)	Seek **amendment** as follows, or words to like effect: "the effects of the development on the safe access for pedestrians and other transportation users on the adjacent road network"	Please see section 2 above. In some locations there is insufficient transportation infrastructure to service a development, and the traffic generated by a development may impact on other users off the site. Potential adverse effects in this regard should be assessed.	802.75
H5.8.1(6)	**Supported**	Please see comments above regarding infrastructure and servicing.	802.76
H5.8.2- Assessment Criteria			
H5.8.2(2)(ab)	**Amend** to include the following, or words to like effect:	Please see section 2 above.	802.77

	(ix) Placing lower buildings adjacent to residential dwellings on adjoining sites.		
H5.8.2(2)(ac)	**Support**		802.78
H5.8.2(2)(ae)	**Support**	Support the design outcomes achieved by buildings fronting public streets.	802.79
H5.8.2(2)(af)	**Support**	Support the design outcomes achieved by buildings fronting public streets.	802.80
H5.8.2	**Insert new** Assessment Criteria related to H.8.1(6) (More than one dwelling in Waste and Wastewater Constraints Control). Insert the following or words to same effect: I. The method and capacity of water, wastewater and water servicing for the development; II. The durability and maintenance required for the proposed system/s; III. The appropriateness of the proposed servicing for the nature and scale of the development; IV. The potential effects of the proposed servicing; V. Proposed long term management of the system/s.	PC78 notes the need for consent and provides Matters for Discretion. The inclusion of Assessment Criteria will provide further guidance on what is required.	802.81

3.4 Definitions

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons	
Definition of "Landscaped Area"	**Support**	The changes proposed mean the landscaped area focuses more on vegetation, and excludes more hard landscaping than previous. This is supported as it will positively affect amenity on- site and on adjacent sites, as the density of development increases. This is consistent with the urban design outcomes sought by objectives and policies of the zone, and the RPS.	802.82

4.0 Submission- Additional relief sought

In addition to the relief sought in sections 1, 2 and 3 above, we also seek:

(1) any additional changes which are required to the text and maps of the proposed plan to give effect to this submission.
(2) Any other consequential or alternative amendments arising from these changes.

Form 5

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

To	Auckland Council
Name of submitter	*Maree van de Water*
Address for service of Submitter	*12 Miran Lane Red Beach 0932 Auckland*
Telephone	*021813919*
Email	*mvandys@gmail.com*

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

Plan Change Number	PC 78
Plan Change Name	Intensification

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: Not applicable

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.

The specific provisions of the proposal that my submission relates to are detailed in Appendix 1.

My submission is:

I **support** the specific provisions identified in Appendix 1

I **oppose** the specific provisions identified in Appendix 1

I wish to have the provisions identified in Appendix 1 **amended**

The reasons for my views are attached as Appendix 1

I seek the following decision by Council:

~~Accept the proposed plan change~~ ~~☐~~

Accept the proposed plan change with amendments as outlined in Appendix 1 ☐

~~Decline the proposed plan change~~ ~~☐~~

~~If the proposed plan change 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 ☐

27 September 2022

…… ……

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

Date

Appendix 1:

Plan Change 78

The specific provisions of the proposal that this submission relates to:

1.0

We consider that unless the relief sought in this submission is granted PPC78 and in particular the specific provisions challenged:

1. Will not promote the sustainable management of resources;
2. Will be inconsistent with the resource management principles expressed in Part 2 of the Resource Management Act 1991 ("RMA");
3. Will variously be inappropriate, unnecessary and contrary to sound resource management practice;
4. Will not warrant confirmation in terms of section 32;
5. Will be contrary to relevant provisions in the National Policy Statements and National Environmental Standards; and
6. Will enable the generation of significant adverse effects on the environment that warrant being addressed through PPC78 provisions.

2.0 General Submission

2.1 Introduction of a Qualifying Matter (QM)- Matija Place, Red Beach

We seek the introduction of a Transportation related Qualifying Matter at Matija Place, Red Beach. This road is a cul-de-sac off a no exit road (Jelas Road), with no entry from Hibiscus Coast Highway. The road is narrow, with footpath on one side only, and two- way vehicle movements are often blocked by parked vehicles. Trucks, such as rubbish or recycling trucks, cannot be passed on the road which blocks traffic, and sometimes cannot move up the road due to parked vehicles and the narrowness of the road. There is often none (or very little) on- street parking. The contour of the road impedes visibility of oncoming vehicles on Matija Place.

A school is located at 100 Jelas Road, with its only vehicle access onto Jelas Road, opposite Matija Place. Access into and on Matija Place is often restricted by vehicles moving to and from the school, and parking associated with the school.

The area is not well serviced by public transport, being only buses (and these are not regular and could not be relied on as a car alternative).

Matija Place contains larger sites from historical subdivision. Under PC78 there is potential that these sites could be extensively subdivided, and a large number of dwellings constructed. The transportation infrastructure is insufficient to service this level of development. It is appropriate that development be limited to recognise this constraint, and that future resource consent applications be specifically required to take into account and address these infrastructure issues.

The introduction of a QM is consistent with higher leave planning documents, including because some of the high-level outcomes sought cannot be achieved given the transportation matters present. Relevant provisions include:

a) Section 5 RMA,
b) Section 7b) RMA, in that this represents an efficient use of physical land resources noting this constraint,
c) Section 7c) RMA, the maintenance and enhancement of amenity values,

d) Section 7f) RMA, in that this maintains the quality of the environment,
e) The National Policy Statement on Urban Development, including:
   i. Objective 2.1(1):
   New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

   A QM and related impacts on development is consistent with this objective.

   ii. Objective 2.1(3) (emphasis added) "…the area is <u>well-serviced</u> by existing or planned public transport"

   This cannot be achieved. A QM is appropriate.

   iii.
   iv. Objective 2.1(6) (emphasis added):
   Local authority decisions on urban development that affect urban environments are:
   integrated with <u>infrastructure planning</u> and <u>funding</u> decisions;
   and strategic over the <u>medium term and long term</u>; and…

   This cannot be achieved. A QM is appropriate.

   v. Policy 2.2(1)
   Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
   …..
   (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

   This cannot be achieved. A QM is appropriate.

   vi. Policy 2.2(4)

f) The Auckland Unitary Plan, including (but not limited to):
   i. Objectives and policies of B2.2, including where a compact urban form is sought, that makes better use of existing infrastructure and efficient provision of new infrastructure, integrates land use and transport and supports a range of transport modes.
   ii. Objectives and policies of B2.3, which seek a quality, built environment. This includes (but is not limited to) development which maximises infrastructure efficiency, that provides good access and enables a range of travel options, achieves a high level of amenity and safety for pedestrians and cyclists, and meets the functional, and operational needs of the intended use.
   iii. Objective B3.3.1 and policies B3.3.2, including (but not limited to) where these provisions seek effective, efficient and safe transport. This includes integration with land uses and ensuring transport infrastructure is planned, funded and staged.

   This cannot be achieved. A QM is appropriate.

2.2 Zoning

The proposed rezoning of the majority of Auckland urban areas to Mixed Housing Urban is unnecessary and excessive. Auckland Council has indicated that with all the proposed Qualifying Matters in place, the enabled capacity via PC78 would be more than three times the total demand for housing in 2051. This creates a situation where residents, who have largely had no opportunity for involvement in the rezoning process (due to changes being required by central government), will be adversely affected by development when there is no demand for the related housing. The AUP(OP) as it standards, which has been through a full statutory process where people were able to make submissions in relation to zoning, has more than sufficient capacity to meet the housing demands in Auckland. The AUP(OP) already meets relevant objectives and policies of the NPS- US and RPS regarding residential capacity.

Red Beach and Silverdale are established, medium density residential areas. The area is currently zoned Single House Zone in the Auckland Unitary Plan (OP) and has had a similar zoning since at least the late 1990's. Land has been purchased and developed on this basis. Dwellings have been sited and designed based on existing development standards, as currently detailed in the AUP(OP). The MDRS now seeks to change this and the zoning, without the ability of affected parties to be involved. People have made significant investment decisions and now have little, if any, ability to be involved in changes that will affect them and, in some cases, significantly.

While we understand Auckland Council is largely obligated to make these zoning and MDRS standard changes, we record that we do not support the changes proposed in Red Beach, Orewa, Silverdale and the Hibiscus Coast, and in particular in Matija Place, Red Beach. Site owners will be significantly adversely affected by this zoning change and have had no ability to be involved in the rezoning process. We would support the retention of the Single House Zone (SHZ) in these areas if this was possible under the PC78 process. We do not support any "increase" in zoning of sites in Matija Place, Red Beach as shown in the notified version of PC78 (such as to THAB zone for example).

If the retention of SHZ is not possible, we seek strong objectives, policies, rules and criteria to ensure that potential effects on adjacent residential sites are avoided, remedied or mitigated and the owners/ occupiers of adjoining sites can become involved in resource consent applications. The relief sought includes (but is not limited to) that which would achieve the following:

a) Resource consent applications can be declined when there is insufficient servicing capacity, or servicing options are proposed that are suboptimal. Plan language must reflect this, and be sufficiently strong, in legal terms, to enable decline.
b) That the density of development is appropriate for the site, including having regard to development on adjacent sites (including character and amenity effects experienced on adjacent sites) and infrastructure capacity.
c) All residential developments must be required to have close regard to the interface with existing residential development on adjoining sites, including (but not limited to):
    I. Building form that provides articulation including in roof and facades, to minimise the visual dominance of bult form when viewed from adjacent sites,
    II. The use of colours and variation of building materials to visually break up built form and reduce visual dominance when viewed from adjacent sites,

III. Minimising overlooking, including by the location and scale of buildings, placement of windows, size of windows, floor plans and other features such as screens, and minimising retaining (fill) on site boundaries where overlooking could occur into adjoining sites,
IV. Impacts on privacy on adjoining sites, including by the location and scale of buildings, placement of windows, size of windows, floor plans and other features such as screens,
V. Ensuring sufficient sunlight access is retained into adjoining residential dwellings and outdoor living areas,
VI. Managing amenity effects and providing privacy through boundary landscaping (capable of growing to a suitable height to provide privacy and softening of built form, such as 5m) and fencing.

d) The landscaping on- site is maximised, to improve amenity both on site and on those adjoining,
e) Ensuring that applications, including those that do not provide a suitable interface with adjoining sites, can be notified and that affected parties can become involved in the resource consent process,
f) Adequate areas are identified for waste and recycling storage and on- site collection,
g) Waste and recycling areas are screened from adjoining sites and in larger development with communal waste storage areas, that waste is managed to control odour,
h) Adequate areas are provided on- site for delivery vehicles, parking and visitors to remove or minimise the need for on- street parking,
i) Providing for on- going management of communal areas (including access, parking and landscaped areas) and services on sites, such as a body corporate or similar. The ongoing management of these areas can easily be disregarded if a specific management regime is not put in place at the time of development.
j) Requiring upgrading of infrastructure, including roads and footpaths, where the existing services are inadequate and further loading is proposed by a development.

The relief sought above, is consistent with:

a) Section 5 RMA,
b) Section 7b) RMA, in that this represents an efficient use of physical land resources,
c) Section 7c) RMA in that this would result in the maintenance and enhancement of amenity values,
d) Section 7f) RMA, in that this maintains the quality of the environment,
e) The National Policy Statement on Urban Development, including:
    i. Objective 2.1(1),
    ii. Policy 2.2(6)
f) The Auckland Unitary Plan, including (but not limited to):
    i. Objective B2.2.1(1), including refence to quality compact urban form,
    ii. Objective B2.3.1(1) and policies B2.3.2(1), including by creating a quality built environment that responds to the site and its setting,
    iii. Objective B4.2.1(1),
    iv. Policy B2.4.2(4),
    v. Policy B2.4.2(6), including that development is adequately serviced,
    vi. Policy B2.4.2(8), including recognising and providing for existing and planned neighbourhood character,
    vii. Policy B2.4.2(9) and (10).

For completeness it is noted that higher residential intensification in this location is not consistent with some provisions such as B2.2.2(5).

3.0 Submission on Specific PC78 Provisions

Without limiting the generality of the relief sought above, the following submission is made on specific PC78 provisions.

3.1 Maps

Maps		
Matter	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Qualifying Matter	Qualifying Matter- Infrastructure Water and/ or Wastewater Constraints Control as shown on Matija Place (including at 77 and 86 Matija Place) is supported	We understand that infrastructure in Matija Place and the wider Red Beach, Silverdale and Hibiscus Coast areas, has not been designed or established to service the level of development that the MDRS or NPS- UD will enable. There is frequently news of overflows at beaches in local media, including of raw sewerage. Local roads also flood to varying degrees, including at the intersection of Jelas Road and Matija Place. There are clear issues with capacity of existing stormwater and wastewater services in these areas. It is appropriate that a QM be utilised, to place restrictions and controls on development in these areas. This is consistent with higher order planning provisions and outcomes sought by the RPS (including objectives and policies of B3.2), NPS- UD and Part 2 RMA.
Qualifying Matter	We seek the introduction of a Transportation related Qualifying Matter at Matija Place, Red Beach.	Please see reasons in 2.0 above.
Zoning- Matija Place	We seek the rezoning of Matija Place to Single House and if this is not possible Mixed Housing Suburban due to development constraints.	Please see reasons above relating to servicing and infrastructure, including transportation servicing.

3.2 Auckland- Wide provisions (Chapter E)

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
E36	The inclusion of natural hazards as a Qualifying Matter is **supported**.	This is consistent with Part 2 RMA.
Objective E38.2(10)(d)	**Reword** to "Avoid subdivision that cannot be appropriately serviced by the water supply, wastewater and stormwater networks".	Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.
Objective E38.2(10)(e)	**Support**	We support the objective and the terminology, specifically use of "avoid" in relation to under sized lots in areas affected by a Transportation Qualifying Matter.
Objective E38.2(11)	**Support** reference to subdivision and density of development being controlled where a Qualifying Matter is present.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Policy E38.3(13)	Seek **insertion** of reference to Qualifying Matter, to control density and site sizes. Insert the following, or words to like effect: (d) Taking into account a Qualifying Matter affecting the site, noting that this may result in larger sites or fewer sites (lower yield) than may otherwise be usually anticipated in that particular zone.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Policy E38.3(31)	**Support**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. The use of "avoid" is supported.
Policy E38.3(32)	**Support**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.

Policy E38.3(33)(c)	**Support reference to QM**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Policy E38.3(34)	**Support** reference to QM	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Policy E38.3(35)	**Support** reference to QM	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Activity Table		
Table E38.4.2(A29A)	**Support** subdivision affected by this QM being a Restricted Discretionary Activity.	A controlled activity, which cannot be declined, is not appropriate.
Table E38.4.2(A29B)	**Support** subdivision affected by this QM being a Restricted Discretionary Activity.	A controlled activity, which cannot be declined, is not appropriate. To be consistent with higher level documents including the NPS- UD, NPS- FW and RMA (Part 2) it is critical that development be serviced in an appropriate way, and that Council has the ability to decline an application if this is not the case.
E38.5- Notification		
E38.5 Notification (2A)	**Oppose**. This development type should be subject to the standard test for notification.	Applications of this nature have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.
E38.5 Notification (2B)	**Oppose**. This development type should be subject to the standard test for notification.	Applications of this nature have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.
E38.6- General Standards		
E38.6.3. Services	Seek that this Standard be **altered** to refer to appropriate services or words to that effect.	It is important that proposed servicing is appropriate, having regard to the location of the site, capacity of reticulated services and ongoing maintenance. PC78 should be clear that suboptimal servicing solutions are not appropriate and will not be accepted. The use of the word “provision” is not sufficient.

E38.8 Standards for subdivision in residential zones		
E38.8.2.8. Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and/or Wastewater Constraints Control.	**Support** in part, subject to the following **amendment**: "The technical report must demonstrate: a) That infrastructure and servicing can be achieved. b) The method and capacity of water, wastewater and water servicing for the development; c) The durability and maintenance required for the proposed system/s; d) The appropriateness of the proposed servicing for the nature and scale of the development; e) The potential effects of the proposed servicing; f) Proposed long term management of the system/s."	Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.
E38.8.2.9	**Support**	Please see section 2 above, where a similar QM in Matija Place, Redd Beach is sought.
E38.11 Assessment- Controlled Activities		
E38.11.1(2)	**Support**	Support reference to infrastructure
E38.11.2(2)	**Support**	Support reference to infrastructure
E38.12 Assessment- Restricted Discretionary Activities		
E38.12.1(10)	**Support**	Support assessment of stormwater matters being required.
E38.12.1(11)	**Support**	Support assessment required in these QM areas. Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.
E38.12.2(10)	**Support**	Support assessment of stormwater matters being required.

E38.12.2(11)	Support	Support assessment required in these QM areas. Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined

3.3- Zones (Residential)

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Objective H5.2(A1)	Support	
Objective H5.2(B1)	Reword objective to the following or words to like effect: "…(b) The neighbourhoods planned urban built character, including 3- story buildings, unless the site is affected by a Qualifying Matter in which case the development density must take into account the related constraint."	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Objective H5.2(1)	Reword objective to the following or words to like effect: Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport, unless it is affected by a Qualifying Matter in which case the development density must take into account the related constraint.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Objective H5.2(3)	Supported, in particular where it refers to high quality amenity in relation to adjacent sites and the street.	Please see "General Submission" above.

Objective H5.2(5)	**Supported**	Inappropriate servicing can impact on water quality, and this requires control.
Objective H5.2(6)	**Supported**	
Objective H5.2(7)	The following **rewording** is sought, or words to the same effect: "Development that cannot be appropriately serviced for water supply, wastewater or stormwater is **avoided**"	Wording in the Plan must be sufficiently strong to enable applications to be declined where the required outcome is not achieved, especially for fundamental matters such as servicing.
Objective H5.2(8)	**Supported**	
Objective H5.2(10)	**Supported**	Please see "General Submission" above.
Policy 5.3(B1)	**Support** "..except in circumstances where a qualifying matter is relevant"	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.
Policy H5.3(C1)	**Reword** to the following or words to like effect: ~~"Encourage~~ Require development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance."	Wording in the Plan must be sufficiently strong to ensure the required outcome is achieved.
Policy H5.3(E1)	**Reword** to the following or words to like effect: ~~Provide for developments not meeting permitted activity status, while encouraging high-quality developments~~ "Require developments to achieve a high-quality environment"	It is not necessary to have a policy that provides for activities which are not permitted, as the plan already provides for this. A "high quality development" should not be "encouraged"- this must be required, to be consistent with the RPS and the NPS- UD.
Policy H5.3(6A)	**Support in part**, in particular references to adjacent sites. **Introduce** the following or words to like effect: (j) Establishing landscaping (vegetation) to create quality on- site amenity and soften the interface between the site and adjoining residential sites.	The policy is generally supported for the reasons set out in section 2 above , with amendments as required to address the issues raised in section 2 above.
Policy H5.3(12)	**Support**	All development must be appropriately serviced.
Policy H5.3(13)	**Support**	All development must be appropriately serviced. Qualifying Matters affect what type and scale of development is

		appropriate on a site. This should be clearly reflected in objectives and policies.
Policy H5.3(14)	**Support**	Please see section 2 above.
Policy H5.3(16)	**Support**	Please see section 2 above.
	Activity Table	
Table H5.4.1(A14B)	**Support** one dwelling on a site in the Water and/or Wastewater Constraints Control QM being a permitted activity.	Qualifying Matters affect what type and scale of development is appropriate on a site. It is appropriate that this be controlled as shown, with permitted development limited.
Table H5.4.1(A14B)	**Seek amendment** to table H5.4.1 to introduce "Standards to be complied with". This should include reference to Standards H5.6.3- H5.6.21 and the new Standard sought below.	The Plan must be clear about what Standards must be complied with to be a permitted activity.
Table H5.4.1(A14C)	**Support** two or more dwelling on a site in the Water and/or Wastewater Constraints Control QM being at least a restricted discretionary activity.	Qualifying Matters affect what type and scale of development is appropriate on a site. It is appropriate that this be controlled as shown, and consent required for more than one dwelling to enable site specific assessment.
Table H5.4.1	**Insert new A14D with the following,** or words to a similar effect (to reflect the Qualifying Matter sought on Matija Place): "Two or more dwellings per site in the Matija Place Transportation Qualifying Matter Control"- Restricted Discretionary Activity.	To reflect the Qualifying Matter sought, as detailed above in section 2.
	Notification	
H5.5(5) (Notification)	The preclusion of limited or full notification for a development of four or more dwellings, irrespective of meeting Standards, is **opposed**.	Applications of 4 or more dwellings have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.
H5.5(6) (Notification)	**Support**	These applications should be subject to the normal tests for notification.
	Standards	
H5.6.3A	**Seek introduction** of a specific Standard related to the Water and/or Wastewater Constraints Control to ensure that servicing is appropriate for the site, area and development proposed, and that there is sufficient capacity.	The Plan should be clear that servicing must be provided, and that this must be fit for purpose, able to be maintained in perpetuity and is suitable. Given the geographical extent of this QM it is likely that bespoke solutions will be suggested, that are not appropriate- the Plan must be strongly worded to make it clear

		these outcomes will not be consented.
H5.6.5(4). Height in relation to boundary	Oppose the proposed HIRB plane and the removal of consideration of boundaries adjoining lower zones.	The proposed HIRB plane will create adverse shading and overlooking and reduce sunlight access, in relation to adjoining residential sites. Given the existing AUP zoning, some of these adjoining sites contain new development based on existing zoning (1-2 levels, greater yard setbacks and lower HIRB controls)- in these cases the adjoining sites are unlikely to be redeveloped in the medium terms and a higher degree of adverse effects will be created in the . We understand however that this forms part of the MDRS provisions and Council may not have scope to amend these.
H5.6.5(4)(4). Height in relation to boundary	Oppose. HIRB should apply from the site boundary, not right of way/ access lot boundaries.	
Table H5.6.8.1 Yards	Oppose. Given the increased level of density proposed, yards should be larger. The definition of "Yard" to be amended to reduce the length of eaves that can encroach into yard setbacks.	We understand however that this forms part of the MDRS provisions and Council may not have scope to amend these. At present eves up to 750mm are excluded from the definition of yards. This could result in part of a building being only 250mm from a common boundary. This impacts on maintenance and amenity of adjoining sites.
H5.11(5)- Landscaped Area	The minimum landscaped area of 20% is opposed. The following is sought, or words to similar effect: "<u>The minimum landscaped area must be at least 35 percent of the net site area".</u>	The landscaping present on a site makes an important contribution to on- site amenity and amenity on adjoining sites.
H5.6.12- Outlook Space	Generally supported	The requirement to provide outlook space is supported, including that this space must be located within the development site.
H5.6.14(4)- Communal Outdoor Living Space	Supported with the following amendment (or words of similar effect): <u>(h) Is managed and maintained by a body corporate or similar legal entity.</u>	The requirement for a communal outdoor living space for larger residential developments is supported. Appropriate maintenance and management of these areas is also required.

H5.6.21 Residential waste management	Standard is generally **supported** with the following amendment requested: "H5.6.21(6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings, and this must include details of how odour will be controlled".	Where a site has limited road frontage, requiring waste collection on- site is supported. Sufficient space must be available on -site for a waste vehicle to park, collect the waste/ recycling, manoeuvre on-site and leave in a forward-facing direction. Waste and recycling storage areas can easily create odour, which impacts on amenity on site and on those adjoining, if not controlled.
H5.8- Assessment – restricted discretionary activities		
H5.8.1. Matters of discretion 5.8.1(2) For four or more dwellings per site: (a)(i)	**Oppose** deletion of the word "intensity"- seek that "intensity" not be deleted. Reword to (or words to like effect): (i)building intensity, scale and location, including	Building intensity, not only scale, has the potential to impact on the success of an overall development, its appropriateness in a specific location, and the adverse effects created on people, in particular adjoining site owners. It is appropriate that Council retain the ability to assess this important aspect of a proposal.
H5.8.1(2) (a)(i) (A)	**Support**	Support reference to "adjoining sites" for the reasons set out in section 2 above.
H5.8.1(2) (a)(i) (B)	Seek **amendment** as follows, or words to like effect: "the extent to which the height, roof form and design of buildings respond to the local streetscape, adjacent sites, …"	Please see section 2 above.
H5.8.1(2) (ai)	**Support**	Please see section 2 above.
H5.8.1(2) (c)	**Support**	Please see comments above regarding infrastructure and servicing.
H5.8.1(2) (d)	Seek **amendment** as follows, or words to like effect: "the effects of the development on the safe access for pedestrians and other transportation users on the adjacent road network"	Please see section 2 above. In some locations there is insufficient transportation infrastructure to service a development, and the traffic generated by a development may impact on other users off the site. Potential adverse effects in this regard should be assessed.
H5.8.1(6)	**Supported**	Please see comments above regarding infrastructure and servicing.
H5.8.2- Assessment Criteria		
H5.8.2(2)(ab)	**Amend** to include the following, or words to like effect:	Please see section 2 above.

	(ix) Placing lower buildings adjacent to residential dwellings on adjoining sites.	
H5.8.2(2)(ac)	Support	
H5.8.2(2)(ae)	Support	Support the design outcomes achieved by buildings fronting public streets.
H5.8.2(2)(af)	Support	Support the design outcomes achieved by buildings fronting public streets.
H5.8.2	Insert new Assessment Criteria related to H.8.1(6) (More than one dwelling in Waste and Wastewater Constraints Control). Insert the following or words to same effect: I. The method and capacity of water, wastewater and water servicing for the development; II. The durability and maintenance required for the proposed system/s; III. The appropriateness of the proposed servicing for the nature and scale of the development; IV. The potential effects of the proposed servicing; V. Proposed long term management of the system/s.	PC78 notes the need for consent and provides Matters for Discretion. The inclusion of Assessment Criteria will provide further guidance on what is required.

3.4 Definitions

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Definition of "Landscaped Area"	Support	The changes proposed mean the landscaped area focuses more on vegetation, and excludes more hard landscaping than previous. This is supported as it will positively affect amenity on- site and on adjacent sites, as the density of development increases. This is consistent with the urban design outcomes sought by objectives and policies of the zone, and the RPS.

4.0 Submission- Additional relief sought

In addition to the relief sought in sections 1, 2 and 3 above, we also seek:

(1) any additional changes which are required to the text and maps of the proposed plan to give effect to this submission.
(2) Any other consequential or alternative amendments arising from these changes.

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

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

AUCKLAND COUNCIL
27 SEP 2022
CBD - ALBERT ST

Auckland Council
Te Kaunihera o Tāmaki Makaurau

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) Susanne Margaret Brodie

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

Address for service of Submitter
11 EMPIRE Road, Devonport, 0624 Auckland

Telephone: 021 1620865 Fax/Email: brodie.family@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
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 an important historic area & popular tourist destination due to its unique character and architecture. Intensive development will greatly impact our heritage character & destroy the low-scale coherance of Devonport's character and charm. **(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 of three storey / 3 blocks on a Site in Devonport altogether. Make Victoria Road shopping area an Historic Heritage Area to retain its special character. Retain the Special Character Overlay over all of Devonport & Maintain a cohesive streetscape. 816.1 816.2 816.3 816.4

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 ☒

[redacted]

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

23 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.

Maninder Kaur-Mehta (Manisha)

From: Unitary Plan
Sent: Wednesday, 28 September 2022 12:46 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Diana Faith Coleman

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Diana Faith Coleman

Organisation name:

Agent's full name:

Email address: jjr.dfcoleman@xtra.co.nz

Contact phone number: 0272131090

Postal address:
9 Scenic Drive
Hillpark
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:
Retention of the Hillpark Special Character Area Overlay as a Qualifying Matter

Property address: The suburb of Hillpark

Map or maps:

Other provisions:
I propose that Hillpark's Ecological value be recognised as a Qualifying Matter (SEA coverage, notable trees, streams, importance as part of a wider ecological network and supporting wildlife). I note that there are areas of significant ecological value in Hillpark that are worthy of further investigation and recognition (ie further SEA-worthy areas, and unmapped or incorrectly mapped streams). 818.1

I propose that Hillpark's Landscape Visual significance be recognised as a Qualifying Matter (and recognised with either an extension to the Special Character Statement or by application of an appropriate Landscape-oriented overlay). 818.2

I encourage Council to conduct Landscape Visual Assessments which I believe will identify the importance of Hillpark's significant tree cover both at an Urban fabric level within Hillpark, and as a notable, prominent landscape feature in the wider area.

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:
As a Hillpark Resident, I support Auckland Council's proposal to recognise the Hillpark Special Character Area Overlay as a Qualifying Matter. The Hillpark Residents Association (of which I am a member) presented an argument that was successfully laid out in the Auckland Unitary Plan submissions and hearings processes and resulted in the addition of the Hillpark Special Character Area Overlay in the Unitary Plan (this built upon the former Heritage 8 zoning under the Manukau District Plan). I believe the arguments presented in that submission and evidence from that process are still relevant and applicable to this current Plan Change 78 discussion. 818.3
Of note Hillpark has been recently recognised by the New Zealand Geographic Board as a suburb in its own right - a significant factor being the area's unique special character.

In summary, the importance of Hillpark's Special Character Area Overlay, and why it should be considered as a Qualifying Matter as proposed by Auckland Council:

1. The Hillpark Special Character Area is one of the only Special Character Areas in the wider Sth Auckland area.

2. The Hillpark Special Character Area is the only Special Character Area that is a purpose-designed garden suburb with a high number of intact mid-century homes (many by prominent architects of the time).

3. The Hillpark Special Character Area recognises the pattern of subdivision – the unique combination of natural and built environments. A subdivision that was designed around the trees.

Furthermore, Hillpark is very important from ecological and landscape visual perspectives, I, therefore, propose that the wider Hillpark suburb's significant natural environment be recognised as a Qualifying Matter.

1. Within Hillpark there are a high number of scheduled Notable Trees and several Significant Ecological Areas, as well as permanent and intermittent streams (which form part of a wider natural drainage system). However, I believe the natural environment in Hillpark is under-recognised and 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.

2. Hillpark's mature native bush supports an abundance of flora and fauna. Most noticeable are the native birds supported by Hillparks bush include including Kereru, Tui, Kotare (Kingfisher), Piwakawaka (Fantail), Ruru (Morepork), Riroriro (Grey Warbler), Tauhou (Silvereye) are commonly seen and Kaka are also seen from time to time.

3. 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).

4. 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.

5. I 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 (permanent and intermittent).

I also 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.

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. I 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: Approve the plan change with the amendments I requested

Details of amendments: Inclusion of Hillpark's ecological and landscape visual values as Qualifying Matters, which compliment the Special Character Area Overlay already proposed as a Qualifying Matter.

Submission date: 28 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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Maninder Kaur-Mehta (Manisha)

From: Unitary Plan
Sent: Wednesday, 28 September 2022 12:31 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Penelope Jane Hansen

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Penelope Jane Hansen

Organisation name:

Agent's full name: Penny

Email address: pjhansen48@gmail.com

Contact phone number:

Postal address:
10 Ada St
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:

Property address:

Map or maps:

Other provisions:
I wish to support the following :

Information sheet No 2 : Residential intensification of walkable catchments and the Terrace Housing and Apartment Buildings Zone - the implementation of good design principles with both occupants of the apartment buildings and their neighbours having plenty of sun and no
unwanted shading. They should also have plenty of green space, trees and community spaces, for both the ecological good of the city and psychological good of its human inhabitants. And the ability of birds to find plenty of spaces in the city. 820.1

Information Sheets No 7 & 8: the implementation of Resource Consents for all things mentioned in these sheets. In particular I am concerned about the fragile and ancient combined wastewater and sewage systems spewing sewage from Newmarket, Remuera and other inadequately served areas of Auckland into the Waitemata already. What will happen if more buildings are plumbed into this system? The sewage systems need to be upgraded before there is significant building. Otherwise the Waitemata will become one large sewer. Already there are too many unswimmable days in the harbour. 820.2

While supporting the need for intensification, I also support in general the Council's attempts to ensure that intensification does not deprive our city of its heritage. What are the cities we love to visit? Those that have retained their heritage and we here in Auckland have a beautiful wooden heritage we should cherish and be proud of. 820.3

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:
I'm not sure how I should answer the question above. I have said yes but to clarify - please read what I gave written under "Other Provisions" above.

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

Details of amendments: See above - if these are indeed amendments - I think they are just supporting what the Council has suggested.

Submission date: 28 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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Maninder Kaur-Mehta (Manisha)

From: Unitary Plan
Sent: Wednesday, 28 September 2022 12:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Maureen Harris
Attachments: Submission on Proposed Plan Change 78 Auckland Unitary Plan.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Maureen Harris

Organisation name:

Agent's full name: Elinor Harris

Email address: moz.harris@gmail.com

Contact phone number:

Postal address:
10 Renall Street
Freeman'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 Change 78 – Intensification. Special Character Areas for Freemans Bay, proposed Low Density Residential Zone for Freemans Bay.

Property address: 10 Renall Street, Freeman's Bay Auckland, 1011.

Map or maps:

Other provisions:
Renall Street Special Heritage Zone. I oppose any intensification in Freemans Bay beyond the pre-existing provisions in the Auckland Unitary Plan. I support the Special Character Areas for Freemans Bay and the proposed Low Density Residential Zone for Freemans Bay. I do not support the shrinking of the Special Character overlay areas and request that the entire area be retained.

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 wish to protect the heritage zone and keep the current restrictions on intensification in place to prevent destruction of a unique heritage character zone.

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

821.1

Details of amendments: Maintenance of Special heritage restrictions in Freemans Bay and specifically Renall Street.

Submission date: 28 September 2022

Supporting documents
Submission on Proposed Plan Change 78 Auckland Unitary Plan.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.

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 Proposed Plan Change 78 Auckland Unitary Plan (Freemans Bay)

Submitter: Maureen Harris

Full Name: Maureen Harris

Address: 10 Renall Street, Freeman's Bay, Auckland, 1011.

Phone: 022 023 5492

Email: moz.harris@gmail.com

To Whom it May Concern,

I am a resident of Freemans Bay, Auckland. I oppose any intensification in Freemans Bay beyond the pre-existing provisions in the Auckland Unitary Plan. I support the Special Character Areas for Freemans Bay and the proposed Low Density Residential Zone for Freemans Bay. I do not support the shrinking of the Special Character overlay areas and request that the entire area be retained. 821.2 821.3 821.4

I do not see why changes need to be made to the existing special character area of Freeman's Bay. The sections of the suburb of early workers cottages are very small, streets are narrow and steep, infrastructure is old and difficult to fix or renew.

We have difficulties on rubbish collection days and when tradesmen need to park in the street. For many residents parking in front of their house is not a given and special exemption fees need to be paid to secure parking.

To insist on building more housing here would be to promote a small, expensive and difficult build on a difficult site creating more congestion. The resulting houses would only be available to upper income buyers or renters. It would do little if anything to alleviate the housing crisis. And the image of tall housing surrounding old cottages, shutting out sunlight is reminiscent of slum areas of old.

Our special character suburb serves to keep alive our roots and history in this place. It is also a draw card for tourists and I note that this neighbourhood is well represented in the upcoming heritage festival.

Such houses, such an area are tangible pieces of our history important to our sense of place. Please consider any changes, very, very carefully.

Auckland is our past, present and future.

Kia whakatōmuri te haere whakamua – I walk backwards into the future with my eyes fixed on the past.

Yours Sincerely,

Maureen Harris

From:	Unitary Plan
To:	Unitary Plan
Subject:	Unitary Plan Publicly Notified Submission - Plan Change 78 - Jonathan Mitchell
Date:	Wednesday, 28 September 2022 12:15:49 pm
Attachments:	25 Clifton Road - PC78 Submission.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jonathan Mitchell

Organisation name:

Agent's full name: Nick Mattison

Email address: Nick@civix.co.nz

Contact phone number: 021733232

Postal address:
PO Box 5204 Victoria Street West
Auckland
Auckland
Auckland 1141

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:
Coastal hazard qualifying matter and infrastructure constraints control

Property address: 25 Clifton Road, Hauraki

Map or maps:

Other provisions:

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

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

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

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

Details of amendments: Delete Coastal Hazards and Infrastructure Control Qualifying Matters from subject site and upzone to MHU Zone.

Submission date: 28 September 2022

Supporting documents
25 Clifton Road - PC78 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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+64 9 303 1113
www.civix.co.nz
Level 1, 87 Albert Street, Auckland
PO Box 5204 Wellesley St, Auckland 1141

Auckland Council
Attn: Plans and Policy

28 September 2022

Plan Change 78 Submission – 25 Clifton Road, Hauraki, 0622

To Whom it may concern,

On behalf of Joanna Mearns and Jonathan Michell, the landowners of No. 25 Clifton Road, Hauraki, we have prepared feedback on Plan Change 78 – Intensification (PC78), which gives effect to requirements of the National Policy Statement on Urban Development (NPS-UD) and the Medium Density Residential Standards (MDRS). The details of the subject site and any relevant changes are detailed in **Table 1** below.

Table 1: Site details

Site Address	25 Clifton Road, Hauraki, 0622
Legal Description	Lot 1 DP 39265
Current Zoning	Residential – Single House Zone
Proposed Zoning under PC78	Residential – Low Density Residential Zone
Qualifying Matters under PC78	Coastal Erosion, Water / Wastewater Constraints
Summary of Relief Sought	Up-zone site to Residential – Mixed Housing Urban Zone and remove water / wastewater constraints control

An aerial image of the subject site and surrounds is shown below in **Figure 1**.

Figure 1: Aerial image of the site and surrounds from Council Geomaps

Our comments on the relevant provisions of PC78, as they affect the subject site, are detailed below.

Qualifying Matter – Coastal Hazards

We do not support the 'downzoning' of the subject site due to the presence of the Coastal Erosion hazard qualifying matter, as this is not consistent with the existing approach under the Unitary Plan.

The Unitary Plan provides for specific natural hazards to be mapped in applicable locations, and the associated rules implemented accordingly. Within the mapped extent of the coastal erosion hazard area, there are already sufficient protection provisions included in the Auckland-wide provisions of the AUP, but outside of the extent there is no requirement to consider them (ie: there are no rules restricting activities adjacent to an overlay, only within it). The rules within Chapter E36 require specialist hazard assessments to undertaken where new structures and/or dwellings are proposed within hazard areas, and these rules are applicable regardless of the underlying zoning. This ensures that Council can fully assess the hazard, and must be satisfied that new development can occur in a manner that is safe and would not increase risk to surrounding properties or the wider environment.

In addition, as per the PC78 GIS maps, it appears that only a negligible portion of the site (less than $1m^2$) has actually been identified within the coastal erosion hazard area. As shown below in **Figure 2**, almost all of the subject site is outside of this area, and the only potion within the hazard area is a small spur that is not wide enough to contain any buildings and is entirely contained within the rear yard setback. As such, the hazard area will realistically have no effect on developing this site in line with the MDRS provisions and in turn, there is no ability for features to be built or modified within the hazard extent that would alter or increase its effect on neighbouring land. Therefore, there is no reason for the Low Density Residential Zone to be applied to this site.

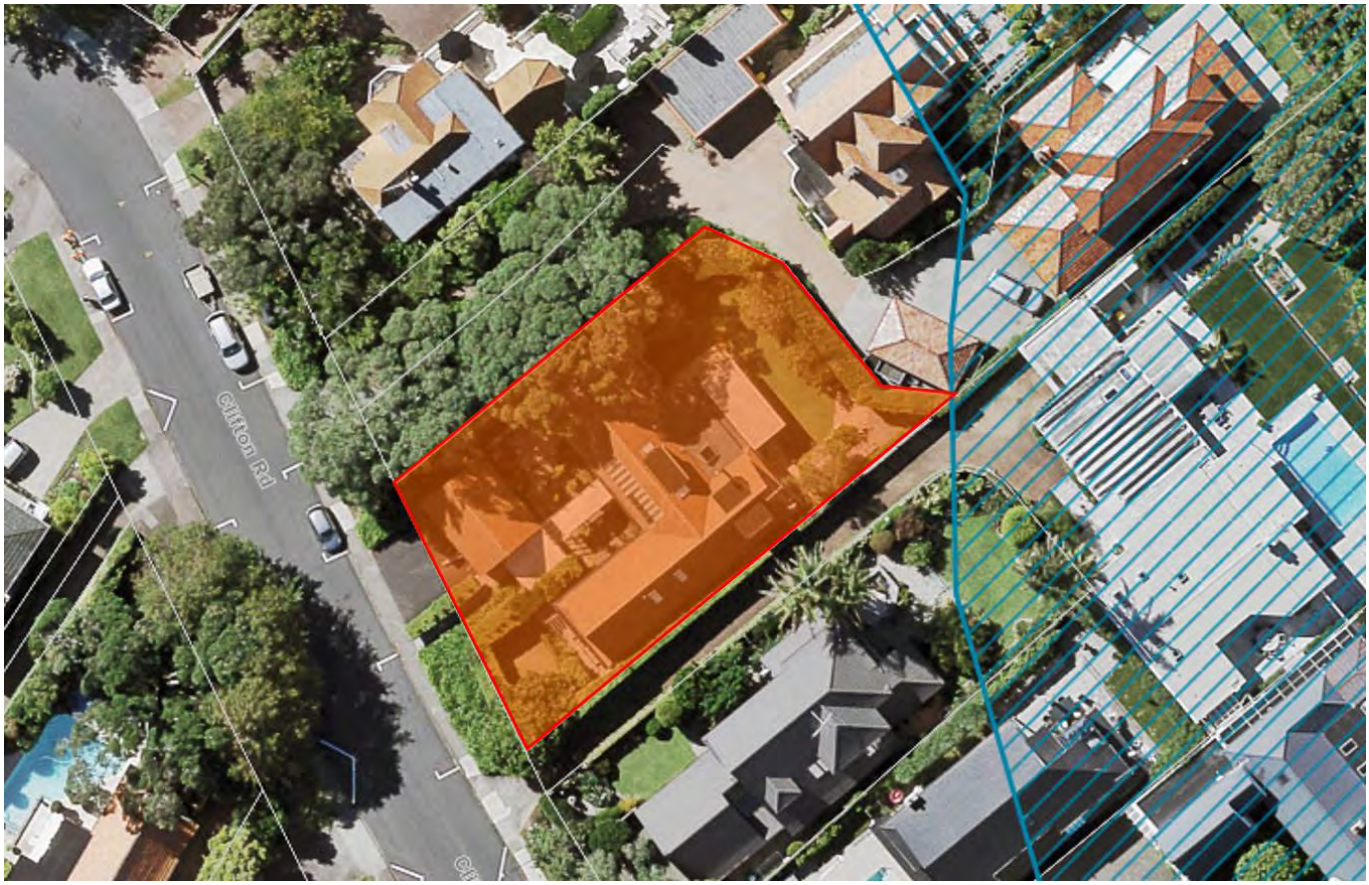

Figure 2: Subject site relative to the coastal erosion qualifying matter area

Finally, the eastern-most boundary of the site is over 35m away from the coastal cliffs, which means that it sits outside of the defined coastal erosion hazard area under the current AUP provisions, which only requires a 20m setback. As such, the application of the coastal erosion qualifying matter on this site is considered overly conservative and restrictive, for no demonstratable benefit or protection.

Further restriction on development via the Low Density Residential zone controls, as proposed on the subject site, does not appropriately respond to a qualifying matter. Therefore, it would be contrary to the MDRS legislation, specifically section 77G of the Resource Management Act 1991 (RMA), to not up-zone the site to the MHU zone.

Relief sought:

- Remove the coastal erosion hazard area as a qualifying matter and instead rely on the existing rules within Chapter E36 of the AUP to manage intensification on this site; and 827.1
- Up-zone the site to the 'Mixed Housing Urban' (MHU) zone as required by the legislation. 827.2

Qualifying Matter – Infrastructure Capacity

The site has also been identified within the infrastructure constraints control area under PC78 due to water / wastewater constraints. We disagree with infrastructure capacity being a qualifying matter.

While we acknowledge that some areas of Auckland do have substandard infrastructure networks, this should not prevent up-zoning and intensification. Typically, there are a number of different approaches for dealing with infrastructure constraints, including localised upgrades to more comprehensive infrastructure funding agreements, or on-site solutions such as soakage or mitigation tanks. It is also common for developers to fund infrastructure upgrades to enable development, and this is frequently factored into budgets and decision making.

An example of a more suitable approach is the Mount Roskill / Owairaka area, which when initially developed in the 1960s / 1970s had a basic infrastructure network that was not suitable for intensification. Under the initial Unitary Plan development process, much of this area was up-zoned to enable higher density housing, with Mixed Housing Urban (MHU) and Terrace Housing and Apartment Building (THAB) zoning being applied. Infrastructure in this area has been progressively upgraded to cope with the intensification and has been constructed by Piritahi, often in collaboration with private developers. In this process, the up-zoning came first, which enabled certainty for infrastructure upgrades to be funded and constructed, and now the area is being progressively redeveloped with medium and higher density housing. We consider this to be a far more appropriate approach to the up-zoning requirements of the MDRS and NPS-UD than is currently proposed.

Finally, we note that the infrastructure constraints control has not been applied to the western frontage of Clifton Road. This would suggest that only a localised of the existing network would be required to address Council's concerns for properties on the eastern frontage. As such, we do not believe that the inclusion of a qualifying matter on the subject site is appropriate.

Relief sought:

- Remove the Water / Wastewater Constraints control from the subject site and enable the up-zoning required for relevant residential zones under section 77G of the RMA. 827.3

Summary

Given the above, we do not consider that the coastal erosion or water / wastewater constraint controls have been appropriately applied to No. 25 Clifton Road, Hauraki. We seek that the site is up-zoned to the MHU, as required under the provisions of the RMA.

Kind Regards.

HARRISON FERNANDES-BURNARD

INTERMEDIATE PLANNER

CIVIX PLANNING | ENGINEERING | SURVEYING

Maninder Kaur-Mehta (Manisha)

From: Unitary Plan
Sent: Wednesday, 28 September 2022 12:16 pm
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan Change 78 - Jon Moses and Maryrose Morgan-Coakle
Attachments: Letter to Auckland council objecting to plan 78 Sept 28 2022.pdf; Letter to Auckland Council re Special Character Areas Residential 30042022.pdf

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jon Moses and Maryrose Morgan-Coakle

Organisation name:

Agent's full name:

Email address: maryroseandjon@gmail.com

Contact phone number: 021371191 02728283623

Postal address:
17 Mount St John Ave
Epsom
Auckland
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:
Rules encompassed by sheets 1-9 under plan change 78

Property address: 17 Mount St John Ave, Epsom

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:
That the intensification takes little or minimal account of the historic character of MT St John Avenue and surrounding streets around Mt St John.

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

Details of amendments: amendments to density and heights of buildings in Margot street plus amendments to street frontages and side frontages and height to boundary lines

Submission date: 28 September 2022

Supporting documents
Letter to Auckland council objecting to plan 78 Sept 28 2022.pdf
Letter to Auckland Council re Special Character Areas Residential 30042022.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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17 Mt St John Ave

Epsom

Auckland 1051

Auckland Council

28th September 2022

Attention: Planners

Dear Sir/Madam Re Proposed Plan 78 and its attachments.

I am objecting to elements of Residential Intensification and will address my concerns by way of sheet Numbers.

1. First objection is the definition off walkable catchments by way of the definition of a 15 minute walk to a rapid transit stop being a 1200 metres walk. This is not achievable by older people or people with disabilities who have had accidents or hip and knee replacements or people with arthritis or people carrying shopping etc Sheet #1 828.1
2. Sheet #2 the changes for terraced housing and Apartment Building Zone is piecemeal and scattered and this will destroy the older character Zones in Epsom for example Margot street will be 3 storeys. Manukau Rd will be 6 stories and will be like going down a tunnel and yet Belvedere Street which is directly parallel and behind Margot St will remain a single house zone. This will cause dominance and shading effects on the street behind Margot St. There will be no onsite amenities when houses are built to boundaries with a 1 metre side gap and 1.5 metre frontage. Climate change is not being accounted for as all trees will be removed to build this type of housing. This is already happening at 60 Margot street where one house that is really two houses are being built on a single house site with no yard areas. No permeability is being reflected as all sites will be concreted with no garden areas to take storm water away. It is not that long ago that the house I am in was only permitted 30% site coverage by buildings and now this type of zoning will become nearly 90% site coverage. There are already water issues and flooding in low lying Epsom. 828.2
   There will be no light behind and beside adjoining properties with 19 metre heights and 1 metre boundaries. How can onsite amenities as described in sheet 2 meet the outdoor spaces in square metres as defined? The climate change effects talk about deep soil canopy trees but this is impossible with the defined small boundaries of unbuilt space.

   I have 2 scheduled trees on my property in Epsom which are absorbing C02 for the neighbours and they have a spread of at least 60 square metres each so it would not be possible to have large canopy trees within this new zoning change. The maximum impervious areas with no proper yard spaces or minimum frontages make this impossible to provide satisfactory permeable space. Four or more dwellings without notification is nonsensicle.

3. Sheet #3 Intensification allowing no building coverage limits or permeable area limits means not complying with decarbonisation of our environment worsening C02 within neighbourhood centre zones and local centre zones. 3 and 4 storey zones. Already Auckland has less trees than cities such as Delhi in India. 828.3

4. Sheet #4 Medium density residential zones 3 houses per site irrespective of site size with minimum setbacks and front yard of 1.5 metres and rear yard of 1.5 metres how can one repair or maintain buildings without adequate access under these limits. Have the planners looked at how you put a ladder against a property when this is not sufficient space to provide a lean factor for ladders or painting? An outlook space of 16 square metres for a lounge and 1 square metre for other rooms is worse than a prison cell. Outdoor living space for ground floor of 20 square metres or 3 by 3 metres is totally inadequate. The above ground area of 8 sq metres is also useless. Where is there space for outdoor washing lines which is environmentally more favourable than dryers. 828.4 828.5
5. Sheet #5 Mixed housing urban zones
   Onsite amenities are impossible with 1m metre between buildings and no light will cause shading and mould issues which are already a major issue in Auckland's climate. How can storm water be managed if there is none or minimal permeable areas? 10 % net site permeable areas will not meet climate change requirements that the government and council have signed onto. 828.6

6 Sheet #8 says 25 new trees in the notable trees register. This is abysmal when there are only around 4,000 scheduled trees in greater Auckland. We already own 4 scheduled trees on two properties that cost us a large amount of money to maintain with no subsidies from council where we are providing a huge absorption of C02 for other households. How can council only add such a minimal numbers of large trees when the council permits all sites to be cleared in accordance with their intensification rules? 828.7

7 Sheet #9 Special character areas Originally Mt St John Ave back in May was not deemed a special character area while the Market Rd area from MT St John Ave to Ranfurly Rd was. This was ridiculous and I objected as it was clearly not correct as far more significant homes on bigger sites were on Mt St John Ave. There were also more valuable houses on Mt St John Ave. They were not properly surveyed contrary to what sheet 9 says. Please refer to my attachment which objected to the zoning at that time. I used the grading system and came up with a different result. I do understand that Mt St John has been changed to the same as Belvedere Street but how can one have any faith with the council staff who determined what is special character when it was plainly incorrect just from a walk along both streets. Either the council staff did not physically view the streets or look at their Council valuations? 828.8

8 PC 78 Frequently asked questions section
   Auckland's existing unitary plan allowed for up to 900,000 extra dwellings so why do we need a further 1 million more when the 900,000 represents approximately 50% of all existing houses built in the last 150 years. If only 10-15,000 extra dwellings are being built in Auckland each year this would take at least 45 years to build the existing limits set by the Unitary plan of 2016. Why do we need to allow for a further 1 million dwellings at this time that will not and cannot be built over the next 50 years? There are no schools to provide for this intensification in the Newmarket Epsom areas. There are no areas of land to build new 828.9

schools in these areas so why allow for intensification when the two public high schools Auckland Boys Grammar and Epsom Girls Grammar are at peak numbers now? It is not good enough for Council to say that is Central Government's problem. Go back to the government and say the intensification process is a nonsense if there are no schools for children to go to. This is a fundamental issue along with no requirement to have off street parking for new dwellings. All these new dwellings will have multiple cars so the streets will be covered with cars when the council wants people out of cars. There is no logic in Auckland Transport removing street access to vehicles in the city and providing bus lanes everywhere if people have to park their cars on suburban streets as no parking requirement has been made in building new dwellings. This is especially important with the transition to electric cars and there being no requirement to build charging facilities into medium and high density housing. 828.10

This new zone planning changes takes no account of the fact that many elderly people such as ourselves have had accidents and cannot walk everywhere or shop on foot or bicycle. We also look after elderly relatives in their 90's who need picking up and taking places by car not by buses or bicycles. Intensive housing require lifts and the maintenance costs of these and Body Corp charges have not been properly factored in when designing this form of housing. We also maintain a number of properties that mean that we need to take equipment to these sites and these cannot be taken on buses or bicycles or trains.

We look forward to presenting my issues at a hearing in the near future and wish to be heard in person.

Yours faithfully,

Jon Moses and Maryrose Morgan-Coakle
Mob 021371191/0272828323
maryroseandjon@gmail.com

Letter to Auckland Council re Special Character Areas Residential

We are replying to the notification of the new definition and rezoning of Character areas in the Mt St John Ave, Belvedere Street and Market Rd zones.

1. The very limited time to reply to these zoning changes is completely unjust since the report was completed mostly last year but we only have three weeks to respond ie the 9th May 2022
2. The people who have compiled this report have no historical understanding of the history of these areas and seem to have no comprehension of the value in terms of historical significance or monetary values of the homes in the areas I am writing about
3. The special character assessments being given to certain streets is completely out of wack with the quality, history or values of homes.
4. ***The Epsom North special character area which we are in is going to be significantly diminished and fragmented by this new process which is the antithesis of what special character is intended to identify and protect. Special Character is fundamentally about protecting an area that shares homogenous (not identical but similar) characteristics across a majority of dwellings in an area, not just a few groupings of sites that Council has chosen. Given that special character dwellings make up less than 3% of residential homes in Auckland and given that special character is a finite resource that is contracting quickly as demolition of older properties is occurring, it is very important to retain comprehensive well defined areas where they exist like that found in Epsom North***
5. The colour coding or scoring system from 1-6 has not been accurately applied and in many cases is completely wrong. This only requires a walk along Mt St John Ave verses Market Rd, which has been deemed a special character street although there are significantly less older and substantial houses on smaller sites than Mt St John Ave.
6. The colour coding does not have attached street numbers which makes it extremely difficult to comment on each colour coding apart from me walking up each street to attach a street address to a colour code. Also several houses down drives have not been included in the assessments.
7. A number of very important homes such as No 27 Mt St John have been left off the coded map along with No 8 Belvedere St which are important elements in the assessment process
8. The infill housing suggested would put pressure on drains, water reticulation, electricity ,gas mains, parking and air quality as trees and gardens would have to be felled in order to fit the new houses/apartments on the land..
9. There is already overcrowding in the two local state high schools Epsom Girls and Auckland Grammar plus there are three private schools which have huge student numbers, Diocesan, St Cuthberts ,Dilworth and St Peters in the local area with thousands of students resulting in massive traffic congestion with buses and cars and paedestrians. This suggested plan has not taken this important aspect into account. Where will the students go and which new schools are being built in the zone?
10. The Auckland Council has been raving about its efforts to green the city and plant more trees while substantially doing the opposite with the current Unitary plan and this new National Policy on Urban Development will only **worsen t**he efforts to decarbonise by removing every tree on each property.

11. Auckland has had a significant number or wooden villas and bungalows which have a great history but this new policy will decimate 90% of the inner city historic housing framework. The special character residential zones such as Mt St John Ave and Belvedere St that used to be one house per 1000 square metres will lose any character with the pepper potting being suggested in the new plan where very few houses will be deemed special character so that a 6 storey apartment block can go up beside a special character house or in front of such a house as suggested for Margot St. The coding does not even relate accurately to the closeness to the Remuera Train station.

RE Mt St John Avenue and Belvedere St

The report says there are no significant houses in MT St John Ave. The History of Epsom by Graham Bush notes many significant historical features of Epsom including Mt St John Ave. 27 Mt St John Ave which has the biggest land area for one house in central Auckland and is described as a significant historical house pg 409 original grantee William Turner who sold to James Williams the builder of Pah farm. The first house built was from 1865-1867 with the architect being Leonard Terry who designed the BNZ in Queen St. It is an Italianate house with mahogony doors imported from England. More recent owners have been H O Nolan, Dr Jeffcoat Harbutt, a well known gynaecologist,, then Peter Tatham followed by the current owners Mark and Rosie Dunphy

Other significant homes include no 29 which was built for the Hellaby family and this home is one of several substantialhomes approximately 100 years old.

No 17 Mt St John Ave was built by Albert Paykel in 1926 and was designed by the architect Plumbly Walker who designed the Lewis Eddy building and other significant houses in Auckland. This house is of the Arts and Crafts era of double brick construction with Oamaru stone mullions and steel frame Crytall windows with over 2,000 leadlight panes plus a stained glass dome in the entrance hall which there are very few of in Auckland. There are a number of houses abutting our house and in Belvedere street which are of similar significance and yet they have been given a 5 coding not a 6 while several flats in Belvedere have been given a 5. This is completely incorrect and effects the scoring process and therefore undervalues the true value of the area and therefore your summary which says it doesn't meet the 75% required.

Most houses in MT St John Ave are substantial villas with some substantial bungalows that have had either additions or significant up grades internally and externally. There would be no homes on this street below $3 million and some instances like No 27 would be closer to $20 million.

The re-zoning shows pepper potting – for no reason – along Mt St John Avenue, with the properties closest to public transport (train) not rezoned at all! Yet the Government's argument for the rezoning was intensification 15 minutes from train stations, or transport. This hotch potch coding in Mt St John Ave is not even reflective of the concept to attach higher density based on access to transport modes. Surely Market Rd houses are closer to the train station yet they are deemed a special character area

No 27 Mt St John Ave is not colour coded and neither is No 8 Belvedere St which abut Mt St John and are close to the summit. Surely the Volcanic cone shaft of Mt St John should be protected and the Maunga protected which will not be the case when 3 and 6 storey blocks go up.

Mt St John Ave		Suggested scale by us Level
67	Large villa with additions, pool full section	5
65	Big villa	5
63	Huge villa with millions spent over past 2 year	6
61	Huge villa refurbished	5
59	Large refurbished villa	5
59A	Large refurbished villa	5
59A	Large expensive modern 2 storey house	5
57A	Large modernised 2 storey house sold $3.3 million 5 years ago	5
57	Beautiful restored villa	5
55	Villa restored reasonable	4
55A	Huge villa	5
53A	Block of flats unremarkable	2
51 A	Ugly block of flats	2
49	Massive historic villa	5
47 A	Historic villa close to mountain	5
47	Bungalow modernised 25 years ago	4
45	Bungalow	4
43	Large stucco bungalow modernised and extended	5
41	Huge extended bungalow	5
39	New house being built in bungalow style	5
31	Tiromaunga large historic villa updated shifted from Owens Rd	6
29	Hellaby bungalow restored 100 years old	6
27	Huge Italianate house dates back to 1865 on 2 acres plus Dumphy's	6
25	2 flats	3
23	Huge luxury 2 storey bungalow millions	6
21	California bungalow attractive extensively extended with pool	5
19	Edwardian 2 storey bungalow attractive with pool	5
17	Arts and Crafts house 1926 Paykel home with stone mullions, leadlights cnr Belvedere St	6
15	Brick bungalow built in 1950 updated	4
13	Modest bungalow	4
11B	Modern 2 storey plaster home	4
11A	2 1980's town houses	4
7	Transitional villa refurbished original	5
5	Restored villa extended and modernised	5
5	Restored villa extended and modernised	5
3	Restored villa extended and modernised	5
1	Run down villa	3

Market Rd see attached schedule of individual houses

There are less significant homes on the west side of market Rd abutting Mt St John Ave than homes in Mt St John Ave yet somehow the report writer has given a higher percentage of homes **as level 5 -and 6. This is completely incorrect and you would only need to get a valuer or an architect or just walk along the street to review this. Any person who assesses homes could see that there are more significant homes in Mt St John Ave from the corner of Market Rd to Belvedere St than in Market Rd where the report has been assessed. How does Mt St John achieve a score of only 64% but Market Rd achieves 76%?**

There are far more modest homes in Market Rd than Mt St John Ave as witnessed by the quality of homes, the age and historical character plus the monetary values and the smaller sections on Market Rd than Mt St John Ave. There is no logic or fact behind the assessment of giving this part of Market Rd a special character category when this is plainly incorrect.

The survey page shows 6 properties at level 6 on Market Rd yet the diagram shows only 2 and the score sheet shows 7 at level 5 yet there are only 3!

The assessment that this part of Market Rd is of higher quality than Mt St John is absolute fiction.

Market Rd		Suggested scale by us
69	Average	3
71	Rubbish house	2
73	Poor flats	2
75	Small villa	3
75A	Modest bungalow	3
77	Reasonable bungalow	3
79A	Modest modern bungalow	4
79B	Small bungalow	3
81	Big house	5
81A		
83	Good bungalow	4
85	Modern bungalow	4
89	15 year old ugly 2 storey brick house on corner	4
91	Modern 40's bungalow	3
93	Modern 2 storey house	4
95	50's bungalow	3
97	40's bungalow	3
99	Modern 2 storey newer house	4
101	Ugly villa modernised untastefully	3
101A	60's 2 storey bungalow	3
103A	Modest brick bungalow	3
103B	Brick small bungalow	3
103C	Modern town house	4
105	1950's bungalow	3
107	Nicer bungalow	4
109	Original 2 storey villa subdivided badly with two	4

	houses in front	
109A	Small 70's bungalow in front of 109	3
109B	Small 70's bungalow in front of 109	3

Yours faithfully,

Jon Moses and Maryrose Morgan-Coakle

17 Mt St John Ave

Epsom

Auckland 1051

Ph 09-5249622 or Jon mob 021371191 Maryrose Mob 0272828323

BEFORE THE AUCKLAND COUNCIL

Under the Resource Management Act 1991 ('the Act')

In the matter of **Auckland Council's**
Proposed Plan Change 78
to the Auckland Unitary Plan (Operative in Part)
Intensification Planning Instrument ("IPI")

North Eastern Investments Limited
("NEIL")
The Submitter

Submission to the Auckland Council
PPC 78 Intensification Planning Instrument (IPI)
Dated 28 September 2022

Submission to the Auckland Council **Proposed Plan Change 78: Intensification Planning Instrument ("IPI")**, that is subject to public notification by the consent authority pursuant to section *80F(1)(a)*[1] and has been prepared in accordance with *Subpart 5A—Intensification planning instruments and intensification streamlined planning process, of the Resource Management Act 1991*

To: **Auckland Council (AC)**
Private Bag 92300, Auckland

Attn: Planning Technician Auckland Council Level 24,
135 Albert Street Private Bag 92300 Auckland 1142
unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: **North Eastern Investments Limited** (**"NEIL"**)

The Council notified **PC 78: Intensification Planning Instrument ("IPI")**, on the Auckland Council website, the submissions opened on the 18th of August 2022 and close 29th of September 2022.

THE COUNCIL'S NOTIFIED DOCUMENTS ON THE AUCKLAND COUNCIL'S WEBSITE ARE:

[1] The notified documents for Proposed Plan Change 78 (**"PC78"**) to the Auckland Unitary Plan Operative in Part (**"AUP"**) include over 7400 pages of information and a PC78 Map Viewer. The notified documents are listed in **Attachment Two** to this Submission.

[2] The notified Map Viewer in Proposed Plan Change 78 **"agreement to terms"** includes that *"Some proposed qualifying matters are shown in the Plan Change 78 map viewer. Not all amendments proposed in the proposed Plan Change 78, including qualifying matters, can be spatially identified…"* refer to **Attachment Three** for the full disclaimer and the information available to the submitter at the time the IPI process was notified.

[3] No data or information is available on the Map Viewer to inform the submitter how the qualifying matters applicable on the summary text when clicking on a site were constructed. The "(i)'s" (for Information) on the Map Viewer are inactive.[2]

[1] Section 80F: inserted, on 21 December 2021, by section 10 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).
[2] Do not function or link to any other item to provide the submitter with information

NORTH EASTERN INVESTMENTS LIMITED SUBMISSION

Introduction

[4] Heritage Land Limited (**"HLL"**) owns the land at 56 Fairview Avenue and 129 Oteha Valley Road, Albany. North Eastern Investments Limited (**"NEIL"**) is the submitter[3] to the Council's Proposed Plan Change 78 (**"PC78"**). The owner and submitter have interests in land in other parts of Auckland.

[5] NEIL submits in relation to the land at 56 Fairview Avenue and 129 Oteha Valley Road specifically, and NEIL submits in relation to other properties in the Auckland Region affected by PC78 more generally.

ISPP and the IPI Process

[6] With reference to paragraphs [1] – [3] above, NEIL acknowledges that the government through its proposed fast-track legislation to incorporate the *Medium Density Residential Standards* (**"MDRS"**) of Schedule 3A of the RMA into relevant residential zones and provide for up to 3, three-storey dwelling units on all residentially zoned sites, and to give effect to policy 3[4] of the *National Policy Statement on Urban Development 2020* (**"NPS-UD"**) - updated May 2022 (a year earlier than previously intended), has limited the time available to Council to prepare its *Intensification Streamlined Planning Process* (**"ISPP"**).

[7] A good resource management practice requires that sufficient particulars are given with PC78 in a concise and transparent manner on the date of notification to enable those who might wish to make submissions on PC78 to be able to assess both the effects on the environment and on their own interests. Would-be submitters should not themselves have to engage in detailed investigations to enable them to assess the effects of PC78. It is an Auckland Council Policy Planning Team, Auckland Council Planning Committee, Auckland Council Local Boards, and Auckland Council's (inclusive of their Council Controlled Organisations) responsibility to provide all the details and information about PC78 that are necessary to achieve that outcome. The PC78 material deposited for public scrutiny must contain sufficient detail for those assessments to be made from the notified material

[3] Pursuant to RMA s6(2)

[4] As amended under Section 77S: inserted, on 21 December 2021, by Section 9 of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (2021 No 59).

at the date of notification. The 504-page s 32[5] refers to Attachment A 24 times.[6] Attachment A on page 148 is different from Attachment A on page 269, and these are different again from the active link arrow on page 503 that links the submitter back to the *'Thursday, 30 June 2022 Kōmiti Whakarite Mahere/Planning Committee Open Agenda'*, the latter is 336 pages long and may or may not all be relevant to PC78.

[8] NEIL cannot locate the following documents referred to and relied on by the notified documents as part of the Council's s 32, but not included on the AC PC78 Notified documents:

a. Ministry for the Environment's (**'MfE'**) guidance on implementing Policy 3 of the NPS-UD.
b. Ministry for the Environment. 2020. Understanding and implementing intensification provisions for the National Policy Statement on Urban Development. Wellington: Ministry for the Environment.
c. Waka Kotahi (2021) Draft Pedestrian Network Guidance. https://www.nzta.govt.nz/walking-cycling-and-publictransport/walking/walking-standards-and-guidelines/pedestrian-network-guidance/glossary-2/ (The stated link takes the submitter to a page not found on the NZTA website when examined[7])
d. Friedman, A. (2021). *Mobility and the City: The Broad View. In: Fundamentals of Sustainable Urban Design.* Springer, Cham. https://doi.org/10.1007/978-3-030-60865-1_15
e. *Munro, I. (2009). The Problem of Catchment in Centres-based Residential Growth Planning. Urbanism Plus Ltd.*
f. *Zhao, F., Chow, L.-F., Li, M.-T., Ubaka, I., & Gan, A. (2003). Forecasting Transit Walk Accessibility:*
g. *Regression Model Alternative to Buffer Method. Transportation Research Record, 1835(1), 34–41. https://doi.org/10.3141/1835-05*
h. *Patricia. (2010). Normal walking speed: Average human walking pace. Yogawiz. http://www.yogawiz.com/blog/walking/normal-walking-speed.html*
i. *New Zealand Transport Agency (2009). Pedestrian Planning and Design Guide.*
j. *Daamen, W., & Hoogendoorn, S. P. (2003). Experimental Research of Pedestrian Walking Behaviour. Transportation Research Record, 1828(1), 20–30. https://doi.org/10.3141/1828-03*

[5] Proposed Plan Change 78 to the Auckland Unitary Plan (Operative in part) SECTION 32 OVERVIEW EVALUATION REPORT
[6] s32 Pages, 36, 136, 137, 140, 143, 148, 171, 174, 260, 269, 483, 484, 485, 487, 488, 489, 490, 494, and 501,
[7] See image - **Attachment Four** to this submission, last attempt to access this website content was 28 September 2022 at 5:46am and the document was not found.

k. *Allan, Andrew. (2001). Walking as a Local Transport Modal Choice in Adelaide. EcoPlan International*
l. Waka Kotahi (2021) *Draft Pedestrian Network Guidance*. Further reference to: Akcelik & Associates. (2001). *An investigation of pedestrian movement characteristics at Midblock signalised crossings*
m. *Q Ladetto, et. al., 'Human Walking Analysis Assisted by DGPS', research paper, Geodetic Laboratory, Swiss Federal Institute of Technology, Lausanne, Switzerland.*
n. *2031 public transport network (General Transit Feed Specification or 'GTFS'*
o. *Statement of evidence of Nicholas Roberts on behalf of Auckland Council planning – Residential Zones 9 September 2015*
p. …..and many others.

NEIL reserves the right to update this submission point to provide a more complete list of documents referenced but only partially available, or unavailable to the submitter in the notified documents.

[9] NEIL considers the s32 analysis for PC78 to contain erroneous assumptions made from the inception of the process. That essential considerations have not been given adequate, evidence-based consideration or have been ignored in relation to the *"Spatially Qualifying Matter"*. Section 32 requires that the objectives of the Plan Change must be examined for their appropriateness in achieving the purpose of the RMA and that the benefits, costs, and risks of new policies and rules need to be clearly identified and assessed. The entire process after a deficient s32 analysis is notified is one of *"trying to catch the horse after it has bolted"* and that has the effect of taking land use rights of owners (that experts for the court had agreed and the court had previously ruled on many occasions) without the right of appeal.

[10] NEIL provided feedback in 2013 on the Draft AUP and sought a Precinct (Albany 4[8]) in 2014 through the Proposed Auckland Unitary Plan (**"PAUP"**) submission process to align the AUP planning framework with the (then recent) Environment Court consent orders[9] specific to the land at 56 Fairview Avenue and 129 Oteha Valley Road, and that the Auckland Council Planning Committee 2012 had agreed were resolved in principle subject to Consent Order documentation. The latter would go before the Environment Court in 2016. The Court recorded that its decision to grant NEIL's land use consent was *"inevitable"*[10]. Why? Because the scheme was essentially no different

[8] The NEIL proposed Precinct Albany 4 was renamed Albany 5 by AC during the PAUP process.
[9] [2011] ENV-2009-AKL-000452 NEIL v AC PC22 Consent Order dated 22 March 2011, [2011] ENV-2010-AKL-000242 NEIL v AC Declaration by Consent, it is an unlawful act for the Council to apply annotations on its planning maps to the NEIL land through its plan change, 15 July 2011, [2012] ENV-2009-AKL-000452 NEIL v AC PC23 and 24 Consent Order Dated 14 March 2012
[10] [2016] NZEnvC139 NEIL v AC at paragraph [19], also refer to paragraph [2]

than the scheme that the council's external expert Planner had reported on to the Council, and that the Auckland Planning Committee[11] had agreed were resolved in principle subject to Consent Order documentation, the parties had advised the Court of that agreement in a *Joint Memorandum of the Parties in 2012*[12], the court recorded that understanding in the C*ourt Minute 2012*[13] and additionally recorded same in its Court decision in 2012[14], (the latter hearing related to the only unagreed matter in 2012).

[11] After more than eight (8) years NEIL awaits a rehearing of its February 2014 submission on the PAUP before the Independent Hearings Panel (**"IHP"**) as directed by the Court of Appeal in 2018[15] to resolve the submitter's request for a Precinct with extra height. Despite the 2012 Auckland Council Planning Committee resolution[16], the 2012 Environment Court Memorandum of agreement[17], the 2012 Court Minute[18], and the decision on the 2016 NEIL land use consents that included buildings of greater height than permitted by both the former AC NSCC ODP and the AC PAUP MSU/MHS zoning[19] in 2016, AC have continued to oppose NEIL's request for a precinct with extra height across all three portions of its land,[20] provisions in relation to the stream margins and zoning of business mixed-use (BMU)[21] on the OVR frontage. The latter, the zoning of BMU was agreed upon in June-July 2022 so that AC could make the zoning of the NEIL land operative in the AUP just prior to the notification of PC 78 in August 2022. It is almost 4 years since the Court of Appeal made its decision that NEIL's 2016 PAUP hearing had been unfair and sent NEIL back to the IHP to be reheard.

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[11] Information on public record ENV-2009-AKL-000434, Auckland Council Planning Committee resolution of the 18 May 2012.

[12] ENV-2009-AKL-000434 Joint Memorandum of the Parties-July 2012

[13] ENV-2009-AKL-000434 Thompson, J - Minute dated 13 July 2012 confirming that the parties had agreed on the scope and the Court saw no need to go beyond the parties' agreement.

[14] [2012] NZEnvC 266 NEIL v AC at paragraph [1]

[15] [2018] NZCA 629 NEIL v AC & HNZ

[16] Information on public record ENV-2009-AKL-000434, see Auckland Council Planning Committee resolution of the 18 May 2012.

[17] ENV-2009-AKL-000434 Joint Memorandum of the Parties-July 2012

[18] Judge Thompson issued a Minute 13 July 2012 confirming that as the parties had agreed on the scope and the Court saw no need to go beyond the parties' agreement

[19] The AC downzone approach to the NEIL land contrary to the substantial feedback that the land should be treated as a Precinct, see *15647 Construkt Feedback on Draft Unitary Plan* (Andre de Graaf also an urban design expert for Auckland Council in both [2016] NZEnvC139 NEIL v AC and the [2012] NZEnvC 266 NEIL v AC decisions), *14341 Urban Design Forum Feedback (David Gibbs)* on the *Draft Unitary Plan, and 12071 Feedback on the Draft Unitary Plan*. This independent feedback was in addition to *15372 NEIL Feedback on the Draft Unitary Plan*. About 2020 NEIL became aware that none of the feedback in relation to this land was provided by the AC Policy Planning team for the PAUP to the Upper Harbour Board to enable them to make informed recommendations about the HLL land holdings.

[20] This includes the triangular portion of the land that declined in 2012

[21] The Council had agreed to this in the Mediation Agreement (subject to AEE of the development as a whole) with NEIL and Fairview Village (Premier Lifestyle Retirement Village) in 2010 (dated 19 July 2010). The Fairview Village preferred the Oteha Valley Road location for the Mixed-Use component.

[12] The AC continues to oppose NEIL PAUP Precinct Albany 5 (formerly Albany 4) despite agreeing that the land is within a walkable catchment of the edge of the metropolitan zone and a rapid transport stop in both the earlier request for feedback and the notified version of PC78. While NEIL awaits a PAUP hearing AC has made extensive changes to the AUP that include additional Precincts between 2018 and 2022. The 2013 notified version of the PAUP was to be designed to give effect to the Auckland Plan 2012. The Auckland Plan was a high-level strategic plan that Auckland Council replaced with the Auckland Plan 2050 (adopted in 2018). The PC78 Intensification Streamlined Planning Process (**"ISPP"**) proposes further changes to the AUP to intensify beyond the level anticipated by the Auckland Plan 2050. The s32 for PC78 does not address the effects of PC78 on the unheard submitters on the PAUP process, in this case, NEIL.

[13] As part of the PC78 consultation process, the Council sought public feedback. NEIL provided feedback on the *"Government's new housing rules: what it means for Auckland"* to AC. NEIL was advised that NEIL's Feedback (see **Attachment Four**) was omitted from the published *'Upper Harbour Board Written Feedback'*. NEIL is advised that this is because the information was not supplied. That is untrue. NEIL correctly identified the land as being in the Upper Harbour Board area in the feedback Auckland Council received. When queried, NEIL was advised that *NEIL Feedback 7834* is included in Volume 5 of the Feedback, however, this is also untrue. Volume 5 does not include *NEIL Feedback 7834*. Instead, *NEIL Feedback 7834* is referenced in the index to Volume 5 but does not include it. The latter has the effect of hiding[22] *NEIL feedback 7834* from the public, Councillors, and from the Upper Harbour Board, and the IPI process. NEIL considered it important to include NEIL's feedback in the Upper Harbour Board Feedback because there is a "*shared responsibility for decision-making between the local boards and the governing body.*[23] NEIL submits that this is unfair to NEIL and to any other submitter who may have been similarly affected. Particularly, as the feedback has been sought by the Council[24] to inform local board decisions, Mana Whakahono a

[22] NEIL considers this to be a repeat of the approach taken by the Council when drafting the 2013 PAUP contrary to the Environment Court Consent Orders that included specific provisions in the ODP for the land, the approach taken to the multiple 2013 Draft AUP feedback (including from the New Zealand Institute of Architects, Construkt Architects Limited, Urban Design Forum, and NEIL), NEIL's and Thurlow's submission on the PAUP and NEIL's original hearing on the PAUP.

[23] *See* - s10 of the Local Government (Auckland Council) Amendment Act 2010 (**"LGACAA2010"**), s7 of the Local Government (Auckland Council) Act 2009 (**"LGACA2009"**) Local Board for the Local Board, at 7 (1) (b) refers to Sections 14 and 23 of the Act.

[24] Council has chosen to consult the public (including NEIL) on PC78 through a feedback process pursuant to Part 1 Schedule 3 (2) this consultation is, therefore, part of the IPI process. Council has a duty to keep accurate records, pursuant to s35 of the RMA, particularly in this instance where the Council has chosen to consult the public (including NEIL) on PC78 through a feedback process pursuant to Part 1 Schedule 3 (2) and where this consultation is, therefore, part of the IPI process.

Rohe, and iwi participation[25] as part of the ISPP. Council has chosen to consult the public (including NEIL) on PC78 through a feedback process pursuant to Part 1 Schedule 3 (2).

[14] Openness and transparency are key ingredients to building accountability and trust. NEIL considers Council's notification[26] unclear to submitters. NEIL would consider it unfair for the Council to reject submissions received on the 29th of September 2022 for any part of the ISPP. If the Council accepts all the IHP recommendations,[27] the IPI becomes operative on notification of the Council's decisions (clause 103 of Schedule 1). If the Council rejects some or all the IHP recommendations, the Minister becomes the final decision-maker on those recommendations and the remaining part of the IPI becomes operative on notification of the Minister's decision (clauses 104 and 105 of Schedule 1). At Clause 91 (1) There is no right of appeal against any decision or action of the responsible Minister, a local authority, or any other person under this Part, except as provided under clauses 92[28] and 93.[29] At Clause 107 there is no right of appeal under this Act against any decision or action of the Minister, a specified territorial authority, or any other person under this Part.

[15] NEIL has separately submitted on the AC's *Proposed Plan Change 71 and Plan Modification 14: NPS-UD Removal of Car Parking Minimums – Consequential Technical Amendments* and notes that parts of PC71 were withdrawn[30]. AC advised through the PC71 s42a report that:

> *"34. Plan Change 79 ('PC79'), which was notified on the 18 August 2022, has proposed amendments to the Trip Generation Standard (E27.6.1), including reduced trip generation thresholds for residential activities (both subdivision and land use). The intention of these changes is to ensure that additional demands and effects on the transport network, resulting from residential intensification and an anticipated reduction in on-site car parking, are considered, and where necessary, their environmental effects are mitigated.*
>
> *35. The amendments proposed by PC79 address the issues that were intended to be addressed by the proposed travel demand standard in PC71."*

[25] *See* - Part 1 Schedule 1 (Clause 1A and B) apply to an ISPP
[26] *See* – Part 1 Schedule 1 (Clause 5 and 6) that apply to an ISPP
[27] Clause 103 What happens if specified territorial authority accepts all recommendations of the independent hearings panel
[28] Clause 92 Appeals in relation to requirements, designations, and heritage orders
[29] Clause 93 Appeals on questions of law in relation to requirements, designations, and heritage orders
[30] *Following the close of the submission period, council decided to withdraw the travel demand standard from the plan change under clause 8D of Schedule 1 of the RMA. – PC71, para 30 page 16*

The expert evidence for PC71 closed on the 27th of September 2022 for submitters. NEIL opposed aspects of PC71 and has concerns about the interrelatedness of PC71, PC79, and PC80 with PC78. The s 32 analysis for PC78 does not appropriately address the effects of the interrelated matters of associated plan changes. NEIL **opposes** imposing maximum parking limits and maximum parking levels through proposed text amendments on PC78 that support that outcome in the other related but separate plan changes PC71, PC79 to PC82 as notified or amended through submissions. 836.1

NPS UD Infrastructure ready *- 56 Fairview Avenue and 129 Oteha Valley Road*

[16] The land at 56 Fairview Avenue has extensive road frontage to both Oteha Valley Road and Fairview Avenue. Additionally, 56 Fairview Avenue is truncated by Medallion Drive and therefore has frontage to both sides of Medallion Drive. Auckland Transport (**"AT"**) a 100% owned Council Controlled Organisation (**"CCO"**) advised that this 200-metre-long portion of Medallion Drive (which terminates with a round-about at Fairview Avenue and a signalised intersection at Oteha Valley Road) commenced operation for public use on the evening of the 14th of March 2022.[31] The land at 129 Oteha Valley Road has frontage to Oteha Valley Road. The speed limit on all roads surrounding this land; Fairview Avenue, Medallion Drive, and Oteha Valley Road (Regional Arterial Road) is 50km/hour.[32] There are extensive pedestrian and cycle paths providing excellent connectivity around the NEIL land as detailed in NEIL Feedback *7834*. [33] on this ISSP, refer to **Attachment Four**.

[17] Contrary to the Court decisions[34] AC's CCO, AT has not provided NEIL with access to the southern portion of the land at 56 Fairview Avenue. AC did not consider HLL or NEIL an affected party to AT's request for an extension to the lapse date of its NOR. AT's stated requirement for the Medallion Drive section of the road that transects the land is to provide for *'future growth'* in the Fairview Heights catchment. AT provided this new stretch of road without 3-waters infrastructure and other utility services that might assist with the provision of 'future growth' (robustness of servicing) in the catchment.

[18] In 2022 NEIL has arranged installation and coordination of servicing with Watercare Services and other Utility providers to ensure connectivity is in place to enable NEIL to advance intensive development on the land at 56 Fairview Avenue and 129 Oteha Valley Road.

[31] https://at.govt.nz/projects-roadworks/albany-developments/medallion-drive-link/ website accessed 20/03/22 at 4:21 PM
[32] https://data-atgis.opendata.arcgis.com/datasets/ATgis::speed-limits/explore?location=-36.715302%2C174.713909%2C16.28 (Auckland Transport GIS accessed 22 September 2022).
[33] **Attachment Four** paragraphs [28] to [47] inclusive
[34] [2016] NZEnvC073 NEIL v AT and [2016] NZEnvC216 NEIL v AT

[19] NEIL holds multiple unimplemented regional and land use consents[35] that rely on earlier consent orders, plan change decisions, and other decisions by the Courts[36] between 2011 and 2019 in relation to the land at 56 Fairview Avenue and 129 Oteha Valley Road, Fairview Heights, Albany (**"Land"**).

[35] REG-2143619 & LUS60049673, REG – 2143624 & LUS60049850, REG-2143618 & DIS60049608, REG – 2143623 & LUS60049786, REG – 2143624 & LUS60049850, REG – 2143623 & LUS60049786, REG-2143622 & DIS60049742, REG-2143619 & DIS60049673, LUC60068255, ENV-2019-AKL-000081, ENV-2019-AKL-000082, ENV-2019-AKL-000086 Kainga Ora v Auckland Council (NDC).

[36] The Court decisions **support** NEIL's attempts over the last 20 years to secure a planning framework consistent with earlier planning provisions and court decisions to develop the land at 56 Fairview Avenue and 129 Oteha Valley Road for high-density residential and mixed-use, the exception is those matters that are underlined in the list below; the decline of the HEW Towers decision, the decline of a request to cross-examine a witness of the intervenor Kāinga Ora in the NEIL IHP Rehearing and aspects relating to costs).

[2008] ENV-2008-AKL-000359 NEIL v NSCC Enforcement order to hold a hearing – Judicial Conference 26 November 2008, after that date ARC advised (3 December 2008) NEIL that ARC would notify the NEIL ARC Applications that they had received in February 2008.

[2009] Auckland Regional Council (ARC) Consents for NEIL to develop its land lodged in 2003 were all granted in 2004, these consents would be re-granted with minor amendments under s127 following a joint hearing with NSCC with a total of 6 Commissioners. The ARC decision was dated 14 September 2009. ARC consents were granted on 16 October 2009 but not released to NEIL until 6 April 2010 following ENV-2009-000460 and 461 Decision No [2010] NZEnvC104, a Decision on Interlocutory Application of 1 April 2010. NEIL appealed these decisions in November 2009 (in the absence of the decision). The ENV-2009-000460 Consent Orders were granted on the 11th and 16th of May 2011 all for instream works relating to these applications, except for part of one application declined in error as part of the NZEnvC266, however, that consent was re-applied for (essentially in an unchanged format) and granted by AC in April 2017. The following is a list of the planning framework decisions that relate to the land at 56 Fairview Avenue and 129 Oteha Valley Road.

[2010] NZEnvC104 NEIL v ARC Interlocutory Decision, it is unlawful for the Council to withhold its decision.

[2010] NZEnvC181 NEIL v ARC Regional Consents (Costs)

[2011] ENV-2009-AKL-000452 NEIL v AC PC22 Consent Order dated 22 March 2011

[2011] ENV-2010-AKL-000242 NEIL v AC Declaration by Consent, it is an unlawful act for the Council to apply annotations on its planning maps to the NEIL land through its plan change, 15 July 2011

[2012] ENV-2009-AKL-000452 NEIL v AC PC23 and 24 Consent Order Dated 14 March 2012

[2012] NZEnvC082 NEIL (Thurlow Consulting Engineers & Surveyors Ltd) v AC, NZTA, CDL Land NZ Limited, and AT, 3 May 2012

[2012] NZEnvC185 NEIL v AC (Decline of waiver application -2.9 years late) -4 September 2012

[2012] NZEnvC266 NEIL v AC (HEW declined consent) -6 December 2012

[2013] ENV-2010-AKL-000186 CDL Land NZ LTD v AC (NEIL agreed to the consent order of CDL v AC to resolve the appeal)

[2013] NZHC 2468 NEIL (Thurlow Consulting Engineers & Surveyors Ltd) v AC, 20 September 2013 (costs).

[2016] NZEnvC006 NEIL v AT & AC Interlocutory Decision NOR MDL

[2016] NZEnvC073 NEIL v AT Medallion Drive Link, first Decision NOR MDL

[2016] NZEnvC139 NEIL v AC NEIL land use consents granted

[2016] NZEnvC216 NEIL v AT NOR MDL, Final Decision NOR MDL

[2017] NZEnvC47 NEIL v AT NOR MDL (costs)

[2017] NZEnvC52 NEIL v AC (costs) Court declined to award costs (land use)

[2017] NZHC1557 NEIL v AC & AUP IHP & HNZC PAUP Zoning + Precinct

[2017] NZHC2355 NEIL v AT (costs)

[2017] NZHC2960 NEIL v AC & IHP & HNZC PAUP declined NEIL cannot cross-examine Brendon Liggett expert for the intervenor (Kāinga Ora)

[2018] NZHC 916 NEIL v AC & HNZ, PAUP Fairness (this decision was overturned by the Court of Appeal)

[2018] NZCA 629 NEIL v AC (HNZC decision, PAUP decision, Fairness)

[2018] NZHC1805 NEIL v AC & HNZC PAUP Zoning, Precinct, Fairness (costs)

NPS- UD, PC 78 - Zone Enabled

[20] The Auckland Unitary Plan Operative in Part (**"AUP"**) includes Terrace Housing and Apartment Building zone (**"THAB"**) and the Business Mixed Use zone (**"BMU"**) for NEIL's land[37]. The land has a development capacity that is **plan-enabled**[38] and the land is **infrastructure-ready**.[39] Indeed, Auckland Council (**"AC"**), Auckland Transport (**"AT"**), the Upper Harbour Board, and Waka Kotahi (**"NZTA"**) have spent tens of millions of dollars[40] on infrastructure both in proximity to the NEIL land and on the NEIL land.

Designations

[21] NEIL **opposes** the "*designation*"[41] recorded in the PC78 Map Viewer on the land at 56 Fairview Avenue as a *"Spatially Qualifying Matter"*. NEIL has been unable to locate any information on this proposed new designation in the PC78 text and there is no information on what this designation might be in the s32. NEIL considers it unlawful to apply a designation to its land as a *"Spatially Qualifying Matter"* without the right of appeal through PC78 and **opposes** it. NEIL considers this a repeat of the AC (former NSCC) Plan Change 32[42] approach to the land. NEIL advises Auckland Council and their Council Controlled Organisations (CCO), including Auckland Transport (AT), that any designation applied to the NEIL land through PC78 is considered <u>illegally</u> applied. 836.2

[22] NEIL **opposes** any designation[43] being applied to any land parcel in the Auckland region through the PC78 Map Viewer where there is no supporting information as to why the designation is being applied. 836.3

[2019] ENV-2019-AKL-000081 (Kāinga Ora), ENV-2019-AKL-000082 (Forrest & Bird), ENV-2019-AKL-000086 (Herne Bay Residents Association Incorporated, and The Saint Mary's Bay Association Incorporated), NEIL (s274 Party) and others v Auckland Council & Auckland Council Healthy Waters (Consent Order in relation to the Regionwide Network Discharge Consent).
<u>[2022] AC IHP PAUP Rehearing request for recusal decision.</u>
[2022] AC IHP PAUP decision on NEIL Zoning, the decision is dated 4 July 2022.

[37] [2022] The Auckland Unitary Plan Independent Hearings Panel made a recommendation on the 2014 NEIL PAUP submission for THAB and BMU zoning on **28 June <u>2022</u>** and Auckland Council Planning Committee made a resolution (number PLA/2022/79) to accept the Panel's recommendation.

[38] NPS-UD2020 updated May 2022: **Plan-enabled** has the meaning in clauses 3.4 (1) (a)-(b) and 3.4 (2)

[39] NPS-UD2020 updated May 2022: **Infrastructure-ready** has the meaning in clause 3.4 (3)

[40] Estimated to be more than $60 million dollars.

[41] See **Attachment Three** -Item 2 of the terms and conditions for the notified PC78 Map Viewer states: *"The Plan Change 78 Map Viewer <u>does not replicate</u> spatial information from the Auckland Unitary Plan, Operative in Part, that is not the subject of Plan Change 78."* [Emphasis added where <u>underlined</u>].

[42] [2011] ENV-2010-AKL-000242 NEIL v AC Declaration by Consent, it is an <u>unlawful</u> act for the Council to apply annotations on its planning maps to the NEIL land through its plan change, 15 July 2011

[43] See **Attachment Three** -Item 2 of the terms and conditions for the notified PC78 Map Viewer states: *"The Plan Change 78 Map Viewer <u>does not replicate</u> spatial information from the Auckland Unitary Plan, Operative in Part, that is not the subject of Plan Change 78."* [Emphasis added where <u>underlined</u>].

Walkable Catchment

[23] NEIL **supports** a walkable catchment defined as 1200m or more, refer to Attachment Four, NEIL PC78 Feedback. 836.4

[24] In relation to Policy 3(c) the use of the word "within" denotes all land that is inside the walkable catchments. The PC78 Map Viewer confirms through its *"Management Layer"* that a Walkable Catchment applies to the NEIL land at both 56 Fairview Avenue and 129 Oteha Valley Road (**Figure 1**). This is consistent with the NEIL PC78 Feedback 7834 (see-**Attachment Four**) during consultation on the *"Government's new housing rules: what it means for Auckland"*. It is also consistent with NEIL experts' evidence in the Environment Court, the Environment Court decisions for this land, and NEIL's expert evidence in 2020 before the PAUP IHP, although the latter is yet to be heard in 2022. NEIL **supports** the application of a Walkable Catchment in the statutory Management Layer to its land. 836.5

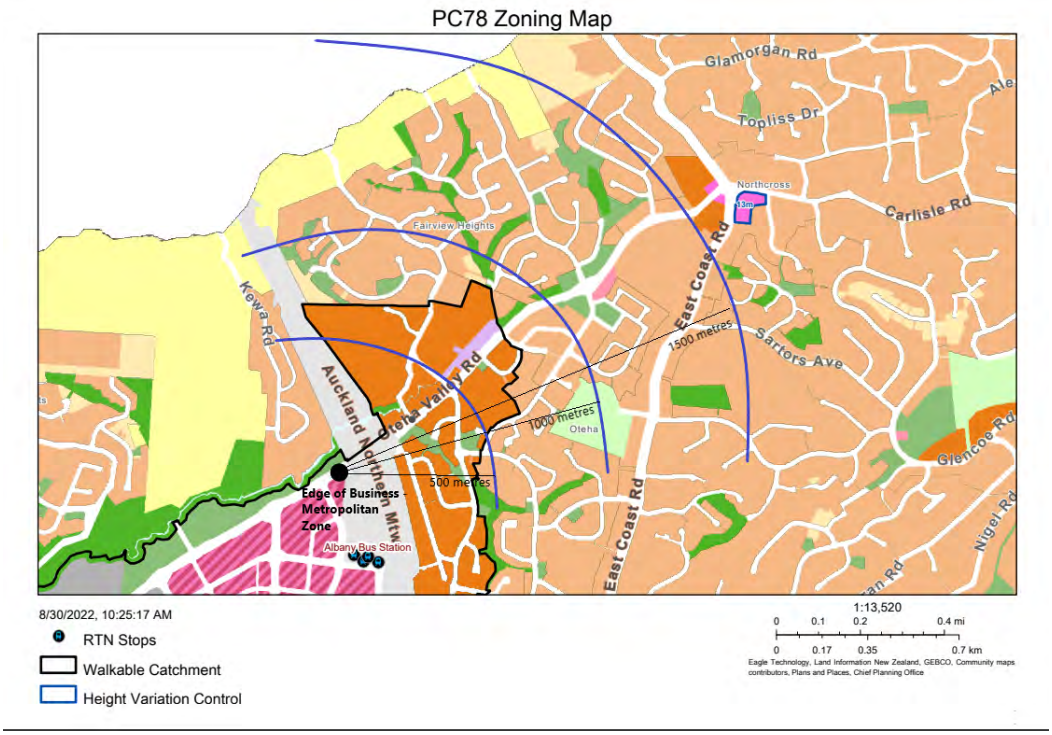


Figure 1: PC78 Notified Map Viewer - NEIL land within the Walkable Catchment, NPS-UD2020

NPS-UD and the National Planning Standards

[25] Planning is a forward-looking discipline. PC78 is notified over 3 years after the national planning standards came into effect[44] and there have been many amendments made to the AUP.[45] The AUP must give effect to the national

[44] The National Planning Standards came into force on 3 May 2019
[45] National Planning Standards, 17. Implementation Standard, 7. a. – b.

planning standards. Their delayed implementation is inefficient in setting the framework of the AUP, particularly where the implementation of the MDRS and Policy 3 requires amendments to multiple chapters of the AUP[46], and where the NPS-UD directly references consistency with the national planning standards. In multiple instances throughout the s 32 for PC78 there are references to the national planning standards either to align with them or to directly quote them in terms of various definitions. AC can implement the national planning standards when amending the plan. NEIL **opposes** the advancement of PC78 text amendments where proposed amendments are not in accordance with the mandatory directions of the *National Planning Standards*. 836.6

[26] The s32[47] references the 'National Planning Standards. In the national planning standards, *'height – means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.'* The s32[48] states *"The AUP height standards are not calculated in storey units, but rather are measured in metres. To enable a 'viable' six storey building in a walkable catchment, a height of 21m is required. Further discussion around this is included in Appendix 1."*

NPS-UD storey enabled not height restricted

[27] NEIL disagrees with Council's s32 analysis. The NPS-UD requires the AUP to **enable at least** six stories. Greater height within a storey is required for different building footprints and typologies, the suggested floor-to-floor interstorey height of 3.1m is inadequate to establish a variety of high-amenity six-storey, well-serviced, weathertight buildings in the THAB, MUB, and other zones. 836.7 836.8

[28] In buildings, **a storey encompasses those parts of a building that are at the same level.** The NPS-UD Policy 3 (b) and (c) refer to enabling building heights of *"at least 6 storeys"*. NEIL **opposes** the introduction of any inner-storey floor-to-floor height restriction in the AUP. NEIL **opposes** any restriction on the height of a six-storey building, i.e. 21m or similar, where AC seeks to control both the footprint and the construction technology utilised to achieve buildings of **enable at least** six-storeys.

[46] IPI Section 32 Overview Report, version 5, 10 August 2022, at **3.4 Structure of changes to the AUP**, page 14.
[47] Proposed Plan Change 78 - Intensification (PC78) PC78 to the Auckland Unitary Plan (Operative in part) Section 32 Implementation of Policy 3 of The National Policy Statement – Urban Development: Evaluation Report, at **3.2.5 What does 'building heights' mean?** Based on reference to the definitions in the National Planning Standards, 'building heights' is the vertical distance (height) of a physical construction (building) that is located on land.
[48] Proposed Plan Change 78 - Intensification (PC78) PC78 to the Auckland Unitary Plan (Operative in part) Section 32 Implementation of Policy 3 of The National Policy Statement – Urban Development: Evaluation Report, at **3.2.6 What does 'at least six storeys' mean?**

[29] NEIL **opposes** any restriction on a partial level or mezzanine within a storey and opposes any added definition to the notified PC78 text for partial level, mezzanine, or similar term. The intent of the NPS UD Policy 3 is **to enable at least 6 full floor levels** and remove unnecessary barriers and restrictions that relate to achieving this environmental outcome. 836.9

No Qualifying Matters apply to the land at 56 Fairview Ave and 129 Oteha Valley Rd

[30] As per the NEIL Feedback (Attachment Four) there are currently **no** qualifying matters that relate to the land at 56 Fairview Avenue and 129 Oteha Valley Road in the AUP. NEIL **opposes** the application of any qualifying matter being applied to the land as an outcome of PC78. 836.10

[31] The s32, Qualifying matters, states that the *implementation of qualifying matters is proposed to be supported by zoning that limits development potential.*[49] NEIL **opposes** the *"Flood Plains (i)"* recorded in the Map Viewer on the land at 56 Fairview Avenue and 129 Oteha Valley Road as a *"Spatially Qualifying Matter"* and **opposes** all text inclusions in PC78 in relation to this mapping. NEIL **opposes** any flood plains, flood prone, flood sensitive mapping being erroneously applied to the land. This inclusion in PC78 is considered by NEIL to be contrary to the Environment Court consent order.[50] NEIL reserves the right through this submission to introduce the PAUP Topic 022, 026, and other relevant material into this PC78 hearing. The PAUP IHP recommendations and decision process retained information layers on the **non-statutory GIS**. 836.11

[32] NEIL **opposes** the *"Flood Plains (i)"* recorded in the Map Viewer on the land at 56 Fairview Avenue and 129 Oteha Valley Road as a *"Spatially Qualifying Matter"*.

[33] NEIL **opposes** the *"Flood Plains (i)"* as a *"Spatially Qualifying Matter"* to any other land in the Auckland region through PC78. 836.12

[34] NEIL **opposes** the *"Further Information (i)"* recorded in the PC78 Map Viewer on the land at 32 41 Springvale Drive (former resource consent Lot 19), 43 Springvale Drive (former resource consent Lot 14), 45 Springvale Drive (former resource consent Lot 13), and 52 Springvale Drive (former resource consent Lot 12) as a *"Spatially Qualifying Matter"*. The consent documents for these dwellings (now constructed and occupied) demonstrate the **incorrectness** of the PC78 notified *"Flood Plains (i)"* mapping as a *"Spatially Qualifying Matter"* of the PC78 Map Viewer for these properties (adjacent to the NEIL land on the eastern 836.13

[49] IPI Section 32 Overview Report, version 5, 10 August 2022, 8. Qualifying Matters, page 45.

[50] [2019] ENV-2019-AKL-000081 (Kāinga Ora), ENV-2019-AKL-000082 (Forrest & Bird), ENV-2019-AKL-000086 (Herne Bay Residents Association Incorporated, and The Saint Mary's Bay Association Incorporated), NEIL (s274 Party) and others v Auckland Council & Auckland Council Healthy Waters (Consent Order in relation to the Regionwide Network Discharge Consent).

boundary of 56 Fairview Avenue). The images in Figures 2 and 3 are cross-sectional elevations taken from MSC Consulting Group Limited drawings for the development of these properties.

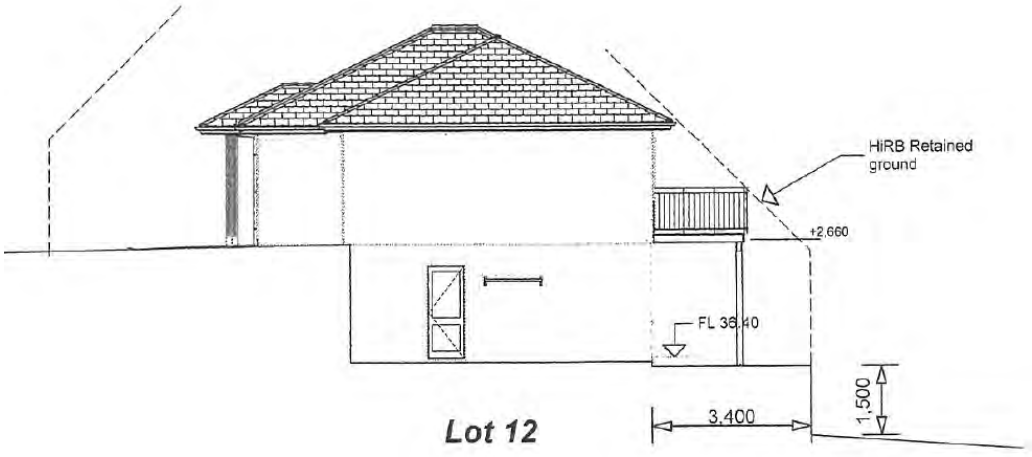


Figure 2. Number 52 Springvale Drive, Fairview Heights consent image

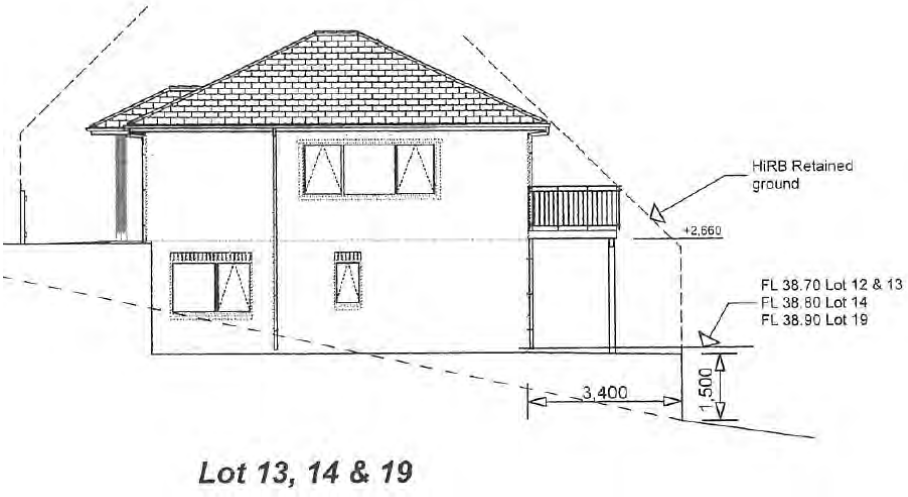


Figure 3: Numbers 41, 43, 45, Springvale Drive, Fairview Heights consent image

[35] NEIL is advised that the flood level data from the "Stormwater Management and Flood Risk Assessment for Residential Development at 97 Oteha Valley Road, Fairview Heights" was undertaken by Stormwater Solution Consultant Limited who provided MPD Flood Levels for 10year and 100year events where the flood levels *"do not allow for attenuation in the catchment"*, the MPD Flood Levels the consultant demonstrated were higher than they would be if levels were attenuated in the catchment. The 43 Springvale Drive property had an MPD100yr on the existing stream at 35.39 and the Finished Floor Level is 38.80 based on Figure 3 above. The property is at 45 Springvale Drive (former resource consent Lot 13), and 52 Springvale Drive (former resource consent Lot 12). The

PC78 Map Viewer shows water over the finished floor level of the existing buildings at these addresses without explanation. The flood model levels shown are incorrect, they are likely to have a detrimental effect on the property owners' rights and insurance premiums. The submitter is deprived of access to the parameters of the model, and its origin in the notified documents, and no assessment can be made by any suitably qualified person prior to this submission, again the s32 is silent on the modelling methodology and the mapping cannot be relied upon.

[36] NEIL **opposes** the text amendments proposed to Section E36 Natural hazards and flooding in the AUP text. The evidential basis to include natural hazards as a qualifying matter in accordance with sections 77I(a) and 77O(a) of the RMA in the AUP, has not been met to include it for notification, it is both unsound and unnecessary. All Stormwater mitigation and avoidance of flood risk are controlled by the Schedules of the Auckland Regionwide Network Discharge Consent (NDC)[51]. 836.14

> *"The Environment Court[52] has granted Auckland Council's Healthy Waters department a regionwide resource consent to use best practice to manage all public stormwater discharges across Auckland region to protect the environment, people and property - and improve water quality."[53]*
>
> *"The NDC will be a key tool in managing and integrating land uses, stormwater discharges and the region's natural water assets to reduce impacts from climate change and flooding and allow multiple community and environmental outcomes to be realised."[54]*
>
> *"The NDC applies to existing diversions and discharges of stormwater from the public network new or modified diversions and discharges that result from the upgrading of the stormwater network future diversions and discharges that result from the extension of the public network to service intensification and greenfield growth."[55]*

[37] The NDC provides different performance requirements for different development scenarios. The NDC contains specific provisions for the protection of the NEIL land at 56 FA and 129 Oteha Valley Road, Albany. This protection

[51] https://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc
[52] [2019] ENV-2019-AKL-000081 (Kāinga Ora), ENV-2019-AKL-000082 (Forrest & Bird), ENV-2019-AKL-000086 (Herne Bay Residents Association Incorporated, and The Saint Mary's Bay Association Incorporated), NEIL (s274 Party) and others v Auckland Council & Auckland Council Healthy Waters (Consent Order in relation to the Regionwide Network Discharge Consent).
[53] https://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc
[54] https://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc
[55] https://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc

applies to the land surrounding and above the NEIL land holdings in the catchment, all landowners in the catchment and Auckland Council, its Council Controlled Organisations, and Waka Kotahi must mitigate the effects of their activities in accordance with the NDC, so as not to affect properties in the lower catchment.

Part 2 and the NPS-UD alternatives

836.15

[38] A Precinct is more appropriate for the NEIL land at 56 Fairview Avenue and 129 Oteha Valley Road than the proposed PC78 provisions notified. NEIL seeks a Precinct for its land to give effect to the regional policy statement and achieve the purpose of the Resource Management Act 1991 through its submission on PC78. NEIL proposes that the **Waikahikatea Precinct** be applied to its land. The Waikahikatea Precinct proposed provisions are included in **Attachment One**.

[39] The Waikahikatea Precinct incorporates two unnamed tributaries and one main Waikahikatea Stream channel within the Lucas Creek catchment:

(a) The Waikahikatea Stream is the main channel that runs parallel with Oteha Valley Road and comprises approximately 243.6 lineal metres;

(b) The southwest tributary, which is an unnamed tributary on the southwest boundary comprising 178.5 lineal metres; and

(c) The northeast tributary is an unnamed tributary on the northeast boundary of the site comprising 146.67 lineal metres.

[40] For clarity, the NEIL land is associated with approximately 875 lineal metres of streams, approximately 568.84 lineal metres of that stream length have the centreline of the channel within NEIL's land, and the other 300 lineal metres have the centreline in land owned by others. The total riparian length for the streams is about 1,437 lineal metres. NEIL's development interface with the stream environment has been intensively reviewed by AC experts and found to be acceptable on previous occasions many times, as per the granted consents held by NEIL. The **Waikahikatea Precinct** is proposed to encapsulate the previous decisions of the Court including the Auckland Council, Healthy Waters Network Discharge Consent ("NDC") provisions that apply to land in the Upper Lucas Creek Catchment of Fairview Heights as the NDC prevents increased flood levels in these streams.

[41] NEIL reserves the right through this submission to update the Waikahitatea Precinct alternative offered in PC78 through the further submissions process.

The relief sought by NEIL the submitter

[42] NEIL seeks all relief outlined throughout this submission above.

[43] NEIL seeks amendments to PC78 to enable a supportive planning framework to enable its intensive residential and mixed-use business development with additional height controls with specific site-specific (**Waikahikatea Precinct** or similar) provisions for the treatment of the streams and riparian margins in a similar manner to the previous Environment Court Consent Orders and (from 2009-2016), inclusive of any consequential changes to the PC78 (and PC71, PC79 and PC80) text to secure that outcome. 836.16

[44] All documents footnoted and referenced in the NEIL submission fall within the requirements of Schedule 1 Part 6 ISPP *Clause 97 (k) any other relevant information* and NEIL reserves the right to draw from all information including past evidence of the former North Shore City Council, former Auckland Regional Council, Auckland Transport and Auckland Council decisions in relation to the planning framework for the NEIL land in support of this PC78 submission.

General matters

[45] NEIL **supports** a duplicate submission in English of all Te Reo submissions being approved by the original submitter (as a correct submitter-approved English translation) prior to further notification. NEIL **supports** the original Te Reo submission and the English translation of the original Te Reo submission being numbered as the same submission for further submission notification. NEIL **supports** the provision of an English interpreter for all Te Reo at hearings. 836.17

[46] NEIL wishes to be heard in support of its submission in person and/or by remote audio-visual[56] technology.

Amanda M. Coats, Proarch Consultants Limited, with delegated authority (from Heritage Estates (2000) Limited) to sign this submission on behalf of the submitter **North Eastern Investments Limited (NEIL)**

Date: 28 September 2022

Electronic address for service of submitter:

[56] RMA s39AA (1) (b)

North Eastern Investments Limited
c/-Proarch Consultants Limited
PO Box 1105, PALMERSTON NORTH
Telephone: **021517955**

Contact person: **Amanda Coats**

Email: amanda@proarch.co.nz and jointly provide all correspondence to NEIL's consultant Johnny Farquhar: johnnyfarquhar@gmail.com at the same time.

ATTACHMENT ONE:

WAIKAHIKATEA PRECINCT PROVISIONS

PREC I553 - Waikahikatea Precinct

Precinct Description

The Waikahikatea Precinct covers nearly 8 hectares of greenfield land between Oteha Valley Road and Fairview Avenue, east of Albany Town Centre. It consists of 56 Fairview Avenue (Lot 1 DP199126, 129 Oteha Valley Road (Lot 3 DP208793) and 131 Oteha Valley Road (Lot 2 DP199126). The Waikahikatea Precinct has special suitability for comprehensive and intensive development because it is fully serviced and is close to community facilities, employment and transport infrastructure including the Albany Park and Ride facility. The purpose of the precinct is to enable comprehensive development for intensive apartment living together with mixed use activities on Oteha Valley Road.

A degraded section of the Waikahikatea Stream, being a tributary of Lucas Creek, flows through the site parallel to Oteha Valley Road. There is potential for parts of the stream corridor, and other tributaries within the site, to be redeveloped as part of a comprehensive development to provide significant environmental and amenity benefits and effective connections to the surrounding areas. The stream in this location is not part of a Natural Stream Management Area nor is it part of a Significant Ecological Area. In addition, the Precinct is protected from the risk of flooding by specific conditions in the network discharge resource consent held by Auckland Council Healthy Waters. The Precinct is not affected by any regionally significant or locally significant volcanic viewshafts or any other Natural Resources, Natural Heritage, Historic Heritage or Mana Whenua overlays.

The zoning of the land in the Waikahikatea Precinct is Terraced Housing and Apartment Zone and Business - Mixed Use Zone. The landform and size of the precinct means that it is capable of accommodating taller buildings than the underlying zones. The development of the land is affected by the recent extension of Medallion Drive through the Precinct.

Objectives

PREC I553 – O1

To enable comprehensive high-density apartment and mixed use development of the precinct generally in accordance with the Albany 5 Precinct Plan, that includes management of the Waikahikatea Stream to achieve effective linkages and functional and accessible open space, in a way that also optimizes the development potential of the precinct given the precinct's strategic location close to public transport, community facilities and employment centres through an integrated development.

PREC I553 – O2

To enable the creation of a built environment that provides a sense of place, internal open space, security and amenity through high quality design by enabling additional building height.

The objectives of the underlying Terrace Housing and Apartment Building Zone and Business - Mixed Use Zone also continue to apply.

Policies

PREC I553 – P1

To provide for high density, high amenity, apartment living in well- designed apartment buildings in a manner that achieves the following:

a. Appropriate management of the interface with Waikahikatea Stream and adjoining land.
b. Functional and accessible open spaces and underground parking where practicable.
c. A sense of community and comprehensive urban design.
d. Vehicle access from Fairview Avenue.

PREC I553 – P2

To enable a well-designed mixed use development fronting Oteha Valley Road that includes:

- high density apartment dwellings and commercial activities
- redevelopment and enhancement of the Waikahikatea Stream and its margins
- complementary natural and physical elements at the stream interface without requiring in all sections of the stream strict horizontal riparian margin limits.
- sustaining and improving the riparian vegetation, in-stream habitat and amenity values.

PREC I553 – P3

Enable additional building height of ~~8~~ **10** full residential floors at the lower western part of the precinct, ~~5~~ **6** full floors, including extra height at ground floor level, in the mixed use development and 7 full residential floors in the remainder of the Precinct as shown on the Waikahikatea Precinct Plan, where this achieves high quality and sustainable social and environmental outcomes such as:

- Increased functional ground level open space.
- Regeneration of the stream corridor.
- A range of business and community amenities such as cafes, recreation facilities and community services.

PREC I553 – P4

To ensure the riparian margins of the Waikahikatea Stream are re-vegetated and the vegetation alongside the stream environment is significantly enhanced and well maintained over the long term, while enabling appropriate realignment and encroachment into the riparian margin to accommodate development and appropriate bridge connections.

PREC I553 – P5

Provide public access alongside the Waikahikatea Stream from the proposed Medallion Drive Extension bridge through the land zoned Business - Mixed Use, the stream access to be by way of public walkway.

PREC I553 – P6

Restrict vehicle access from Oteha Valley Road to a maximum of three vehicle crossings.

PREC I553 – P7

Ensure that building design reflects the landform, engages with the public realm and contributes to pedestrian interest and safety.

PREC I553 – P8

Manage peak storm water loads on water ways and ensure appropriate minimum floor levels to manage flood events consistent with the existing network discharge consent for the catchment.

The policies for the underlying Terrace Housing and Apartment Building and Business – Mixed Use zones also apply.

Rules

PREC I553 – R1 Rules: Activity Status: Lakes Rivers Streams and Wetlands

The activity provisions in the relevant zones, overlays and Auckland- wide provisions apply in the precinct unless otherwise specified below.

Activity	Activity status
Any activities in, on, under or over the bed of lakes, rivers, streams and wetlands not otherwise provided for	RD
Diversion of a river or stream to a new course and associated disturbance and sediment discharge	RD

Matters of Discretion

E3.8.1 applies with the addition of:

The nature and extent of proposed developments in the riparian margins.

Assessment Criteria

E3.8.2 applies with the addition of:

The extent to which the proposal is generally consistent with the Waikahikatea Precinct Plan. The Precinct policies shall be given greatest weight.

PREC I553 – R2 Rules: Notification

Section C1.13 applies.

PREC I553 – R3 Rules: Land Use General

The overlay, Auckland-wide and zone standards apply in this precinct except for the changes in the following rules.

PREC I553 – R4 Rules: Land Use THAB Zone

Standards

H 6.6.5 Building Height

Height Variation Controls apply as shown on the Waikahikatea Precinct Plan

H6.6.6 Height in relation to boundary

H6.6.6.(1B) and (1C) do not apply and are replaced with the following:
Buildings within 21.5m from the frontage must not project beyond a 60 degree recession plane measured from a point 19m vertically above ground level along the side boundaries.

H6.6.8.	Height in relation to boundary adjoining lower intensity zones.	H6.6.8 does not apply.
H6.6.9	Yards	H6.6.9(1A) does not apply.
H 6.6.13	Outlook Space	Standard H6.6.13 (2) (c) does not apply.

Matters of Discretion

H6.8.1 applies with the addition of:The nature and extent of proposed developments in the riparian margins.

Assessment Criteria

H6.8.2 applies with the addition of:

The extent to which the proposal is generally consistent with the Waikahikatea Precinct

Plan. The Precinct policies shall be given greatest weight.

PREC I553 – R5 Rules: Land Use Business – Mixed Use Zone

Standards

H 13.6.1 Building Height

Height Variation Controls apply as shown on the Waikahikatea Precinct

Plan. H 13.6.3 Building Setback At Upper Floors

Standard H13.6.3 does not apply.

Vehicle Access: There shall be a maximum of three vehicle crossings from Oteha Valley Road.

Matters of Discretion

H13.8.1 applies with the addition of:

The nature and extent of proposed developments in the riparian margins.

Assessment Criteria

H13.8.2 applies with the addition of:

The extent to which the proposal is generally consistent with the Waikahikatea Precinct

Plan. The Precinct policies shall be given greatest weight.

PREC I553 – R5 Rules: Subdivision

Standards

E38.7.3.2 does not apply, and

Despite any other rule in the Plan, Section 230 of the Resource Management Act does not apply.

Matters of Discretion

E38.12.1 applies with the addition of:

The provision of public access along the stream corridor.

Assessment Criteria

E38.12.2 applies with the addition of:

The extent to which the proposal is generally consistent with the Waikahikatea Precinct Plan.

The Precinct policies shall be given greatest weight

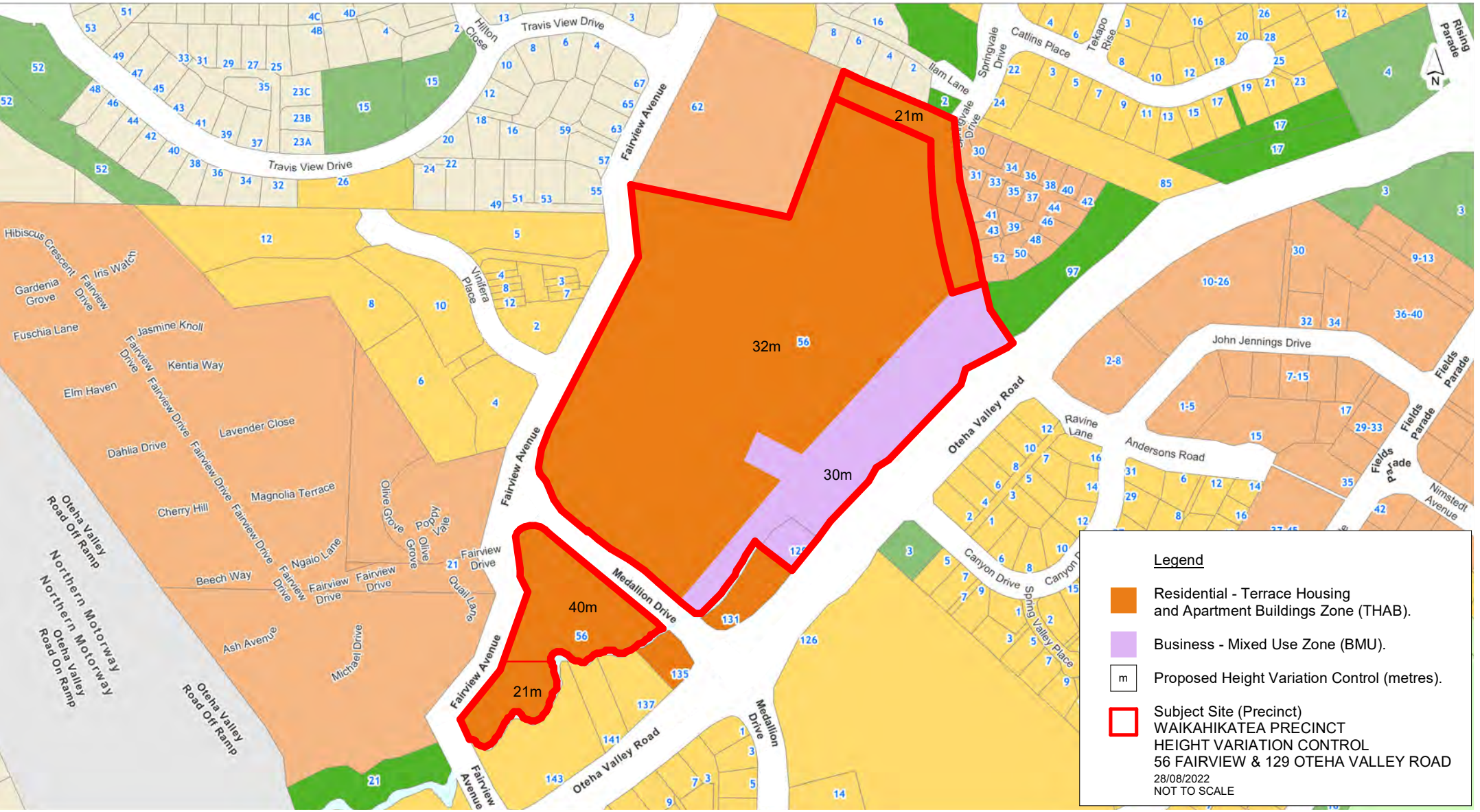
PREC I553 – R6 Rules: Natural Hazards and Flooding

Assessment Criteria

E36.8.2 applies with the addition of:

The extent to which the proposal is generally consistent with the Waikahikatea Precinct Plan, and

The extent to which flood risk is avoided through compliance with the existing network discharge consent for the catchment.


21m
32m
30m
40m
21m
Legend
Residential - Terrace Housing and Apartment Buildings Zone (THAB).
Business - Mixed Use Zone (BMU).
m
Proposed Height Variation Control (metres).
Subject Site (Precinct)
WAIKAHIKATEA PRECINCT
HEIGHT VARIATION CONTROL
56 FAIRVIEW & 129 OTEHA VALLEY ROAD
28/08/2022
NOT TO SCALE
Travis View Drive
Fairview Avenue
Medallion Drive
Oteha Valley Road
John Jennings Drive
Andersons Road
Northern Motorway
Oteha Valley Road Off Ramp
Oteha Valley Road On Ramp

ATTACHMENT TWO:

The notified documents relied on for this submission are:

1. Auckland Council Webpage Text for Plan Change 78

Information Documents:

2. PC 78 Explanatory Note (8 pages)
3. PC 78 Frequently Asked Questions (15 pages)
4. PC 78 Information Sheet 1 Walkable Catchments (5 pages)
5. PC 78 Information Sheet 2 Residential Intensification In Walkable Catchments and Terrace Housing Apartment Building Zone (5 pages)
6. PC 78 Information Sheet 3 Intensification Around Suburban Centres (4 pages)
7. PC 78 Information Sheet 4 Medium Density Residential Standards (MDRS) (6 pages)
8. PC 78 Information Sheet 5 Updates to the Residential – Mixed Housing Urban Zone (4 pages)
9. PC 78 Information Sheet 6 The Residential – Low-Density Residential Zone (4 pages)
10. PC 78 Information Sheet 7 Qualifying Matters (Part 1) (5 pages)
11. PC 78 Information Sheet 8 Qualifying Matters (Part 2) (5 pages)
12. PC 78 Information Sheet 9 Special Character Areas (5 pages)
13. PC 78 Information Sheet 10 The City Centre Zone (4 pages)
14. PC 78 Information Sheet 11 Updates to Precincts (3 pages)
15. PC 78 Information Sheet 12 Future Coastal Hazards Plan (4 pages)
16. PC 78 Information Sheet 13 Auckland Light Rail (4 pages)
17. PC 78 Information Sheet Map Viewer User Guide (3 pages)
18. PC 78 Special Character Business Findings Reports Part 1 (72 pages)
19. PC 78 Special Character Business Findings Reports Part 2 (50 pages)
20. PC 78 Special Character Guidance Documents (50 pages)
21. PC 78 Special Character Residential Findings Reports Central Isthmus Part 1 (62 pages)
22. PC 78 Special Character Residential Findings Reports Central Isthmus Part 2 (87 pages)
23. PC 78 Special Character Residential Findings Reports Central Isthmus Part 3 (83 pages)
24. PC 78 Special Character Residential Findings Reports Central Isthmus Part 4 (85 pages)
25. PC 78 Special Character Residential Findings Reports East (28 pages)
26. PC 78 Special Character Residential Findings Reports North (53 pages)
27. PC 78 Special Character Residential Findings Reports South (27 pages)
28. PC 78 Special Character Re-survey Documents (11 pages)

Notified Documents:

29. 01-pc-78-overall-evaluation-report-section-32-engagement-reports (504 pages)
30. 1.pc-78-chapter-d-overlays-natural-resources (12 pages)
31. 1.pc-78-chapter-e-auckland-wide-natural-resources (26 pages)
32. 1.pc-78-chapter-h-zones-residential (211 pages)

33. 02-1-pc-78-section-32-policy-3-intensification (277 pages)
34. 02-2-pc-78-section-32-policy-3-intensification (26 pages)
35. 02-3-pc-78-section-32-policy-3-intensification (8 pages)
36. 02-4-pc-78-section-32-policy-3-intensification (8 pages)
37. 02-5-pc-78-section-32-policy-3-intensification (8 pages)
38. 02-6-pc-78-section-32-policy-3-intensification (9 pages)
39. 02-7-pc-78-section-32-policy-3-intensification (8 pages)
40. 02-8-pc-78-section-32-policy-3-intensification (67 pages)
41. 2.pc-78-chapter-d-overlays-natural-heritage (93 pages)
42. 2.pc-78-chapter-e-Auckland-wide-infrastructure (128 pages)
43. 2.pc-78-chapter-h-zones-open-space (19 pages)
44. 03-pc-78-section-32-economy-matters (108 pages)
45. 3.pc-78-chapter-d-overlays-historic-heritage-and-special-character (85 pages)
46. 3.pc-78-chapter-e-Auckland-wide-environment-risk (37 pages)
47. 3.pc-78-chapter-h-zones-business (276 pages)
48. 04-pc-78-section-32-historic-heritage (18 pages)
49. 4.pc-78-chapter-d-overlays-sites-and-places-of-significance-to-mana-whenua (6 pages)
50. 4.pc-78-chapter-e-auckland-wide-subdivision (43 pages)
51. 4.pc-78-chapter-h-strategic-transport-corridor (8 pages)
52. 05-pc-78-section-32-special-character (56 pages)
53. 5.pc-78-chapter-d-overlays-infrastructure (33 pages)
54. 5.pc-78-chapter-h-zones-special-purpose (23 pages)
55. 06-pc-78-section-32-sites-of-significance-for-mana-whenua (90 pages)
56. 07-pc-78-section-32-pararekau-island (90 pages)
57. 08-pc-78-section-32-pukekiwiriki-pa (140 pages)
58. 09-pc-78-section-32-city-centre-zone (66 pages)
59. 10-pc-78-section-32-residential-and-business-zones (513 pages)
60. 11-pc-78-section-32-heavy-industry-light-industry-general-business-zones (140 pages)
61. 12-pc-78-section-32-special-purpose-zone (30 pages)
62. 13-pc-78-section-32-precincts-city-centre (72 pages)
63. 14-pc-78-section-32-precincts-central (62 pages)
64. 15-pc-78-section-32-precincts-south (62 pages)
65. 16-pc-78-section-32-precincts-north (120 pages)
66. 17-pc-78-section-32-precincts-west (43 pages)
67. 18-pc78-section-32-wetlands (20 pages)
68. 19-pc-78-section-32-significant-ecological-areas-d9 (23 pages)
69. 20-pc-78-section-32- onf-onl-d10 (32 pages)
70. 21-pc-78-section-32-onc-and-hnc-d11 (24 pages)
71. 23-pc-78-section-32-waitakere-ranges-d12-and-attachment (46 pages)
72. 24-pc-78-section-32-volcanic-viewshafts-and-height-sensitive-areas (590 pages)
73. 25-pc-78-section-32-ridgeline-protection-overlay (61 pages)
74. 26-pc-78-section-32-local-public-views (55 pages)
75. 27-pc-78-section-32-oil-refinery-and-gas-transmission-pipelines

(18 pages)
76. 28-pc-78-section-32-national-grid-corridor-and-attachment (34 pages)
77. 29-pc-78-section-32-significant-infrastructure-Auckland-airport (16 pages)
78. 30-pc-78-section-32-strategic-transport-corridor (16 pages)
79. 31-pc-78-section-32-ports-of-Auckland-Onehunga (18 pages)
80. 32-pc-78-section-32-significant-natural-hazards-flooding (26 pages)
81. 33-pc-78-section-32-significant-natural-hazards-coastal-erosion (279 pages)
82. 34-pc-78-section-32-significant-natural-hazards-coastal-inundation (16 pages)
83. 35-pc-78-section-32-significant-natural-hazards-land-instability (11 pages)
84. 36-pc-78-section-32-provision-of-public-access (18 pages)
85. 37-pc-78-section-32-open-space (53 pages)
86. 38-pc-78-section-32-emergency-management-areas (15 pages)
87. 39-pc-78-section-32-notable-trees (21 pages)
88. 40-pc-78-section-32-infrastructure-stormwater-disposal-constraint (28 pages)
89. 41-pc-78-section-32-water-and-wastewater-servicing-constraints (43 pages)
90. 42-pc-78-section-32-infrastructure-beachlands-transport-constraint (22 pages)
91. 43-pc-78-section-32-designations (13 pages)
92. pc-78-c-general-rules (5 pages)
93. pc-78-chapter-a-introduction (16 pages)
94. pc-78-chapter-i-precincts-central-part-one (166 pages)
95. pc-78-chapter-i-precincts-central-part-two (96 pages)
96. pc-78-chapter-i-precincts-city-centre (226 pages)
97. pc-78-chapter-i-precincts-north-part-one (81 pages)
98. pc-78-chapter-i-precincts-north-part-three (124 pages)
99. pc-78-chapter-i-precincts-north-part-two (133 pages)
100. pc-78-chapter-i-precincts-south (197 pages)
101. pc-78-chapter-i-precincts-west (136 pages)
102. pc-78-chapter-j-definitions (137 pages)
103. pc-78-chapter-k-designations-using-chapter-k (4 pages)
104. pc-78-chapter-l-schedules-part-one (423 pages)
105. pc-78-chapter-l-schedules-part-two (169 pages)
106. pc-78-chapter-l-schedules-part-three (295 pages)
107. pc-78-chapter-m-appendices-part-one (27 pages)
108. pc-78-chapter-m-appendices-part-two (311 pages)
109. pc-78-proposed-plan-change (3 pages -not part of the plan change is stated on this document)
110. pc-78-public-notice-notification (2 pages)
111. pc-78-rural-urban-boundary-rub-and-walkable-catchments (3 pages)

AC's notification webpage for PC78 states *"We are required to incorporate medium density residential standards that enable three storey housing in residential areas for plan changes that were not completed by 18 August 2022. These variations will be processed alongside PC 78. Find out more information on Variations 1, 2, 3, 4 and 5."* At the link provided are the following notified documents for these variations: -

Variation 1 to PC49 (Private):Dury East Precinct
AC Notification webpage print
Var1-Public Notice (1 page)
Var1-Section 32 Report (55 pages)
Var1-Drury East Precinct (30 pages)

Variation 2 to PC50 (Private): Waihoehoe Precinct
AC Notification webpage print
Var2-Public Notice (1 page)
Var2-Section 32 Report (48 pages)
Var2-Waihoehoe Precinct (30 pages)

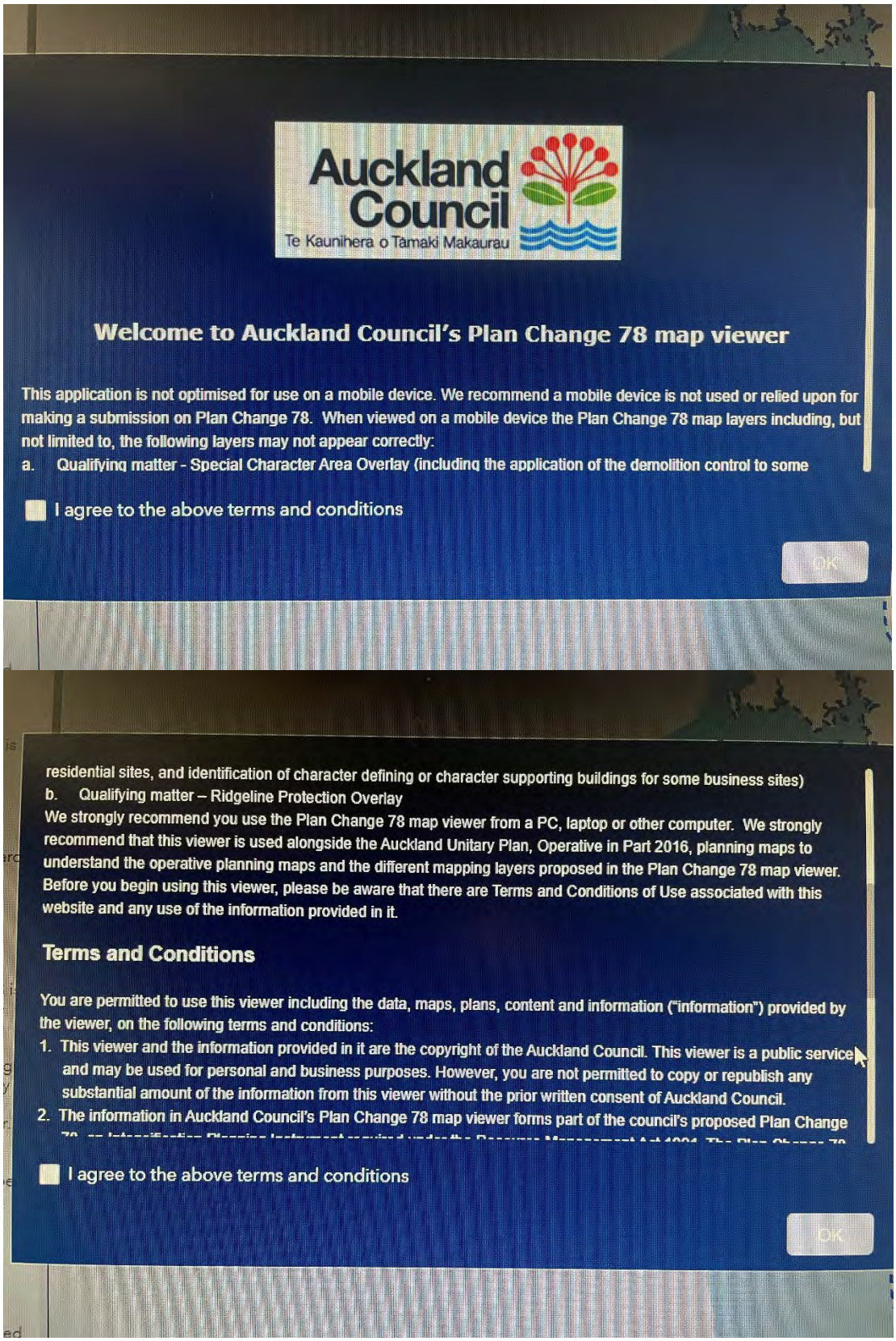
Variation 3 to Plan Change 59 (Private): Albany 10 Precinct)
AC Notification webpage print
Var3-Public Notice (1 page)
Var3-Section 32 Report (29 pages)
Var3-Albany 10 Precinct attachment 1 (36 pages)
Var3-Albany 10 Precinct attachment 2 (1 page)

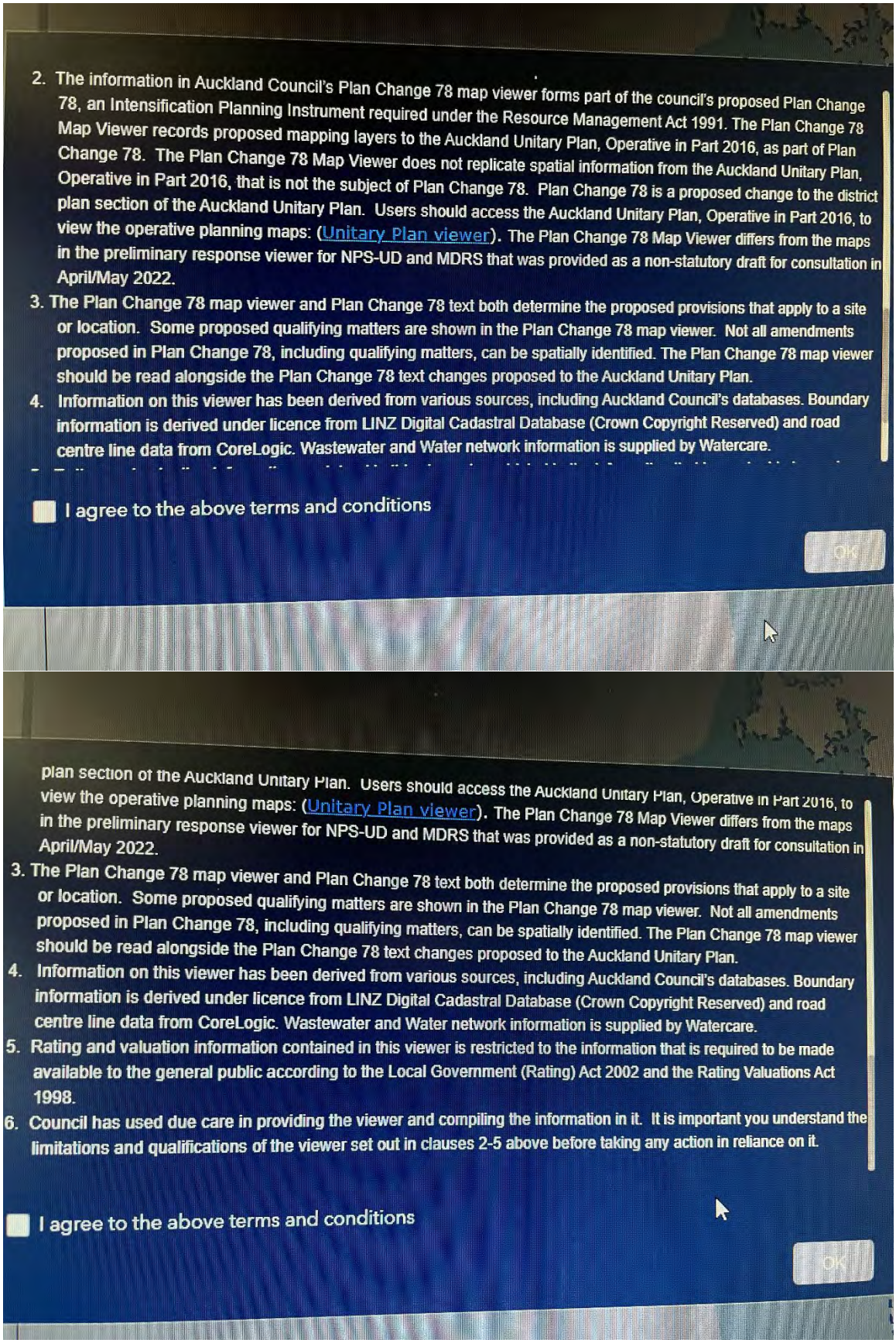
Variation 4 to Plan Change 60: Open Space and Other Rezoning Matters
AC Notification webpage print
Var4-Public Notice (1 page)
Var4-Section 32 Report (28 pages)
Var4-Proposed amendments to Auckland Unitary Plan GIS Viewer (maps) (11 pages)

Variation 5 to Plan Change 66: 57-57A Schnapper Rock Road
AC Notification webpage print
Var5-Public Notice (1 page)
Var5-Section 32 (35 pages)
Var5-Schnapper Rock Road Zoning Changes (1 page).

ATTACHMENT THREE:

The Plan Change 78 Map Viewer 18 August 2022




2. The information in Auckland Council's Plan Change 78 map viewer forms part of the council's proposed Plan Change 78, an Intensification Planning Instrument required under the Resource Management Act 1991. The Plan Change 78 Map Viewer records proposed mapping layers to the Auckland Unitary Plan, Operative in Part 2016, as part of Plan Change 78. The Plan Change 78 Map Viewer does not replicate spatial information from the Auckland Unitary Plan, Operative in Part 2016, that is not the subject of Plan Change 78. Plan Change 78 is a proposed change to the district plan section of the Auckland Unitary Plan. Users should access the Auckland Unitary Plan, Operative in Part 2016, to view the operative planning maps: (Unitary Plan viewer). The Plan Change 78 Map Viewer differs from the maps in the preliminary response viewer for NPS-UD and MDRS that was provided as a non-statutory draft for consultation in April/May 2022.
3. The Plan Change 78 map viewer and Plan Change 78 text both determine the proposed provisions that apply to a site or location. Some proposed qualifying matters are shown in the Plan Change 78 map viewer. Not all amendments proposed in Plan Change 78, including qualifying matters, can be spatially identified. The Plan Change 78 map viewer should be read alongside the Plan Change 78 text changes proposed to the Auckland Unitary Plan.
4. Information on this viewer has been derived from various sources, including Auckland Council's databases. Boundary information is derived under licence from LINZ Digital Cadastral Database (Crown Copyright Reserved) and road centre line data from CoreLogic. Wastewater and Water network information is supplied by Watercare.
I agree to the above terms and conditions
OK
plan section of the Auckland Unitary Plan. Users should access the Auckland Unitary Plan, Operative in Part 2016, to view the operative planning maps: (Unitary Plan viewer). The Plan Change 78 Map Viewer differs from the maps in the preliminary response viewer for NPS-UD and MDRS that was provided as a non-statutory draft for consultation in April/May 2022.
3. The Plan Change 78 map viewer and Plan Change 78 text both determine the proposed provisions that apply to a site or location. Some proposed qualifying matters are shown in the Plan Change 78 map viewer. Not all amendments proposed in Plan Change 78, including qualifying matters, can be spatially identified. The Plan Change 78 map viewer should be read alongside the Plan Change 78 text changes proposed to the Auckland Unitary Plan.
4. Information on this viewer has been derived from various sources, including Auckland Council's databases. Boundary information is derived under licence from LINZ Digital Cadastral Database (Crown Copyright Reserved) and road centre line data from CoreLogic. Wastewater and Water network information is supplied by Watercare.
5. Rating and valuation information contained in this viewer is restricted to the information that is required to be made available to the general public according to the Local Government (Rating) Act 2002 and the Rating Valuations Act 1998.
6. Council has used due care in providing the viewer and compiling the information in it. It is important you understand the limitations and qualifications of the viewer set out in clauses 2-5 above before taking any action in reliance on it.
I agree to the above terms and conditions
OK

About

Title

Auckland Council's Plan Change 78 map viewer, notified 18 August 2022

Description

Auckland Council is a tier 1 territorial authority and is required to notify an intensification planning instrument by 20 August 2022 to:

- give effect to policies 3 and 4 of the National Policy Statement on Urban Development (amended May 2022) and
- incorporate Medium Density Residential Standards into all relevant residential zones

Auckland Council notified Plan Change 78 on 18 August 2022 to meet these requirements.

The Plan Change 78 map viewer proposes amendments to the planning maps of the Auckland Unitary Plan, Operative in Part 2016. Plan Change 78 is a proposed change to the district plan section of the Auckland Unitary Plan.

Both the Plan Change 78 map viewer and Plan Change 78 text determine the proposed provisions that apply to a site or location. Some proposed qualifying matters are shown in the Plan Change 78 map viewer. Not all amendments proposed in Plan Change 78, including qualifying matters, can be spatially identified. The Plan Change 78 map viewer should be read alongside the Plan Change 78 text changes proposed to the Auckland Unitary Plan.

Plan Change 78 is available from Auckland Council's website Auckland Council

This application is not optimised for use on a mobile device and we recommend a mobile device is not used or relied upon for making a submission on Plan Change 78. When viewed on a mobile device the Plan Change 78 map layers including, but not limited to, the following may not appear correctly:

- Qualifying matter - Special Character Area Overlay
- Qualifying matter – Ridgeline Protection Overlay

We strongly recommend you use the Plan Change 78 map viewer from a PC, laptop or other computer.

The following matters are visible only through the property summary tool:

- the sites subject to the demolition control within Qualifying matter Special Character Area Overlay – Residential
- the presence of buildings as character defining or character supporting buildings within Qualifying matter Special Character Area Overlay – Business. The identification of building category (character defining or character supporting) is not available in PC 78 map viewer but is available in PC 78 text: Chapter L Schedule 15.

The period for submitting Plan Change 78 closes on 29 September, 2022.
Information on how you can make a submission is available from Auckland Council's website Plan change page

Legend

To print the full PC 78 map viewer legend click below

View the full Legend

The following abbreviations have been used:

(i) – information

Help

For more information on how to use the PC 78 map viewer, click below

User's guide to the viewer

Information in the Map Viewer for 56 Fairview Avenue and 129 Oteha Valley Road is pasted below from the notified Map Viewer PC78:

Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors | Plans and Places, Chief Planning Office | Eagle Technology, LINZ, StatsNZ, NIWA, DOC, © OpenStreetMap contributors, Natural Earth | Plans and Places Department

Proposed Plan Change 78 - Property Summary

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

Property Header Address

56 Fairview Avenue Fairview Heights Auckland 0632

Zone/s

- Residential - Terrace Housing and Apartment Building Zone

- Business - Mixed Use Zone

Management Layer/s

- Walkable Catchment

Spatially Identified Qualifying Matter/s

- Flood Plains (i)

- Designation

Further Information (i)

Proposed Plan Change 78 - Property Summary

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

Property Header Address

129 Oteha Valley Road Fairview Heights Auckland 0632

Zone/s

- Business - Mixed Use Zone

Management Layer/s

- Walkable Catchment

Spatially Identified Qualifying Matter/s

- Flood Plains (i)

Further Information (i)

ATTACHMENT FOUR:

NEIL FEEDBACK *7834*.

AUCKLAND UNITARY PLAN (OPERATIVE IN PART)

IN THE MATTER	of the Resource Management Act 1991
AND	Feedback on Auckland Council's preliminary response viewer for NPS-UD and MDRS
FROM	**NORTH EASTERN INVESTMENTS LIMITED & HERITAGE ESTATES (2000) LIMITED ("NEIL")** Submitter
TO	**AUCKLAND COUNCIL** Local Authority

FEEDBACK BY
NORTH EASTERN INVESTMENTS LIMITED & HERITAGE ESTATES (2000) LIMITED ("NEIL")
ON AUCKLAND COUNCILS PRELIMINARY RESONSE TO THE MANDATORY IMPLEMENTATION OF THE NATIONAL POLICY STATEMENT URBAN DEVELOPMENT 2020 AND RESOURCE MANAGEMENT (ENABLING HOUSING SUPPLY & OTHER MATTERS) ACT

Service Address: North Eastern Investments Limited & Hertiage Estates (2000) Limited
c/- Proarch Consultants Limited
by email: amanda@proarch.co.nz
Phone: +6421517955

To the Unitary Plan Team at Auckland Council by email to: unitaryplan@aucklandcouncil.govt.nz

[1] North Eastern Investments Limited & Heritage Estates (2000) Limited (**"NEIL"**) provides feedback on Auckland Council's preliminary response for National Policy Statement Urban Development 2020 (**"NPS-UD"**) and Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (**"MDRS"**) specific to the land at 56 Fairview Avenue and 129 Oteha Valley Road (**"56 Fairview Avenue"**).

[2] NEIL is the consent holder of multiple unimplemented regional and land use consents reliant on plan changes granted in favour of NEIL by the Environment Court between 2011 and 2016 in relation to the land at 56 Fairview Avenue.

[3] At the date of this Feedback, NEIL awaits a rehearing of its February 2014 submission on the PAUP before the Independent Hearings Panel as directed by the Court of Appeal in 2018 to resolve the submitters request for a Precinct with extra height and mixed-use zoning. Between November 2016 (when the AUP became Operative in Part) and the 9 May 2022 Feedback, AC has made extensive changes to the AUP (Operative in Part) that NEIL submitted on in February 2014.

[4] The notified version of the Proposed Auckland Unitary Plan (**"PAUP"**) that NEIL submitted on was designed to give effect to the Auckland Plan 2012, a high-level strategic plan that Auckland Council replaced with the Auckland Plan 2050 (adopted in 2018) because:

> ***1.1 The Auckland Plan***
>
> *The first Auckland Plan was adopted in 2012, less than 18 months after Auckland Council was established. It was a landmark document for Auckland, covering every aspect of Auckland life and economy. One of its provisions was for review after six years.*
>
> *Over the past five years, the plan has provided direction in some significant areas. For example, it set the growth model for Auckland. The Unitary Plan took its direction from this and enabled the model through its zoning. It also built the strategic case and the momentum for the City Rail Link. Inclusion of this in the plan was not simply about agreeing to a project but about creating the framework for Auckland's future transport strategy.*
>
> *While these are significant achievements, the 2012 plan had shortcomings which became evident through implementation (see Table 1). This meant that, the current plan could not adequately continue to provide the support for decision-making that legislation intends.*

Table 1 Issues with existing Auckland Plan

Issues	Description
Out of date data	• Majority is based on 2006 census data • Does not reflect strategic work carried out since the plan was adopted
Hard copy document	• Unable to update document to reflect significant changes
Integration/Development Strategy	• Development Strategy sits separately from other strategic directions
Complex structure	• Contains too many layers and components • People find it hard to work with, which affects implementation • Limited integration between different components
Mixed content	• Includes range of strategic and operational content • Detailed content better addressed in other plans and processes
No prioritisation	• Does not prioritise across the large number of strategic directions in the plan
Targets	• Too many targets and many unmeasurable • Unclear ownership of targets • Difficult to track progress as a result

To illustrate the issue on the out-of-date data, Auckland's rate of population growth has exceeded the growth projections of the 2012 plan. This could have created significant implications for Auckland if these out-of-date projections continued to be used into the future. The estimated population figures were revised after the 2013 Census. The Auckland Plan 2050 Evidence report, Demographic trends for Auckland: Data sources and findings, provides further detail around Auckland's continued anticipated population increase. The Auckland Plan 2050 will help to build a better understanding of how to plan for and fund this level of growth.[1]

[5] NEIL intends to amend (under s127 of the RMA) and implement its granted land use consents and apply for a new land use consent for the balance of the land at 56 Fairview Avenue to the south of Medallion Drive but awaits a hearing on its PAUP submissions.

[6] In accordance with the NPS-UD[2] the government requires Auckland Council (**"AC"**) to identify walkable catchments around the city centre, metropolitan centres and rapid transit stops (train or busway stations) where buildings of six storeys or more must be enabled.

[7] AC is a Tier 1 authority and therefore has the greatest obligations of the 3 tiers under the NPS-UD. This feedback will form part of the Councils proposed plan change notified in August 2022 and is understood to be part of that process that the Council is required to consider under its Schedule 1 process and the NPS-UD.

[1] Auckland Council (2018). Auckland Plan 2050: Developing the Auckland Plan 2050 ISBN 978-1-98-856441-8 (PDF)

[2] The NPS-UD was gazetted on 20 July 2020 and became operative on 20 August 2020. It replaced the 2016 NPS on Urban Design Capacity.

[8] AC must comply with specific policies; Policies 3 and 4 (see Part 3 and subpart 6) of the NPS-UD not later than 2 years after the commencement date, no later than 20 August 2022.[3]

> *Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:*
>
> *(a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
>
> *(b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
>
> *(c) building heights of least 6 storeys within at least a walkable catchment of the following:*
>
> *(i) existing and planned rapid transit stops*
>
> *(ii) the edge of city centre zones*
>
> *(iii) the edge of metropolitan centre zones; and*
>
> *(d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:*
>
> *(i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
>
> *(ii) relative demand for housing and business use in that location.*
>
> *Policy 4: Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.[4]*

[9] NEIL (see Figure 1, page 5) agrees with AC and their depiction of the NEIL land in the Preliminary Response Viewer at Figure 26 (on page 30). NEIL agrees with AC (see Table 1 on pages 31-32) that there are no qualifying matters relevant to prevent the council enabling 6 stories on the NEIL land in accordance with the NPS-UD 2020, Policy 3.

[3] [2021] NZEnvC082 Eden-Epsom Residential Protection Society Incorporated v Auckland Council and others.
[4] MfE NPS-UD2020

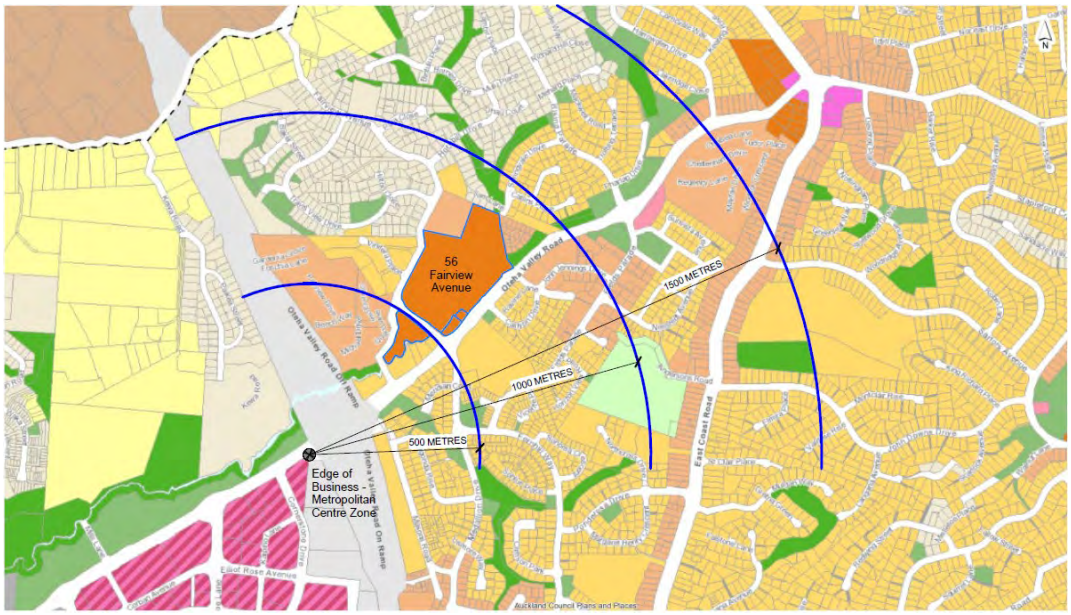


Figure 1: NEIL land at 56 Fairview Avenue is identified in the NPS-UD2020 as being within 800m walkable distance of the edge of the Metropolitan Zone at Albany.

[10] The NEIL land at 56 Fairview Avenue has always been within the walkable catchment of the Albany Park and Ride frontage (see Figure 2 below) to Oteha Valley Road and the edge of the metropolitan area (Figure 1 above). The land is adjacent to Oteha Valley Road. A Road referred to as a rapid and frequent network (**"RTN"**) prior to and during the PAUP plan review 2012-2016.

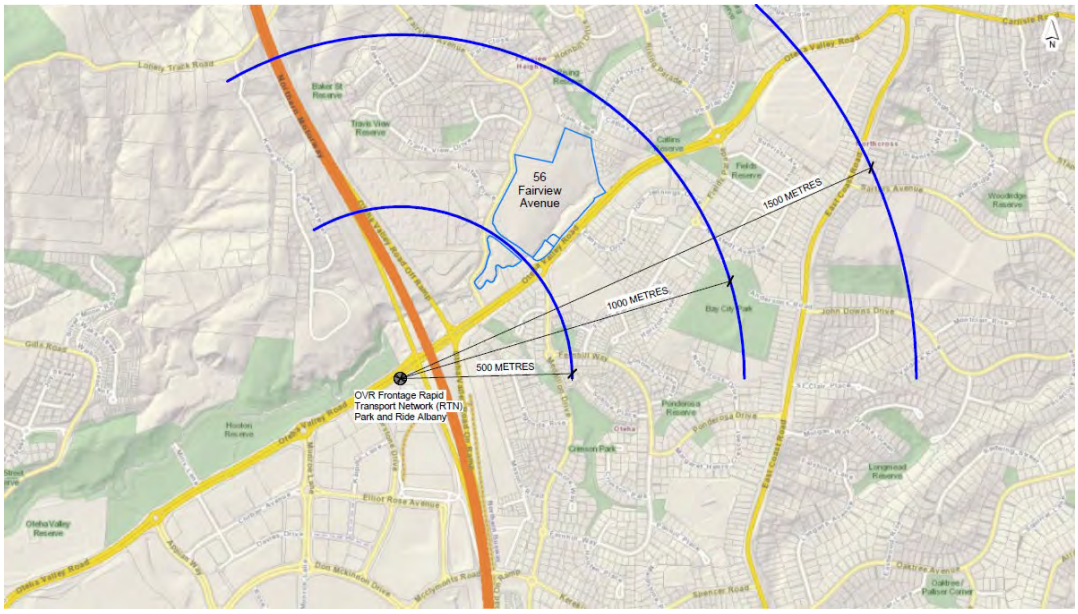


Figure 2. Diagram locating the NEIL land and its proximity to the Oteha Valley Road RTN frontage to the park and ride at Albany.

[11] Auckland Council's Planners, the Planning Committee, Upper Harbour Board, and the Council were aware that the NEIL land was zoned for highest intensity of development in this catchment (circa 2002 -2016) in the North Shore City Council Operative District Plan prior to the PAUP process. During that period the was zoned *Area D: Varied Residential Zone* with a *Mixed-Use Overlay* and site-specific development parameters[5] obtained from the Environment Court Consent Orders[6]. An AC expert recorded the following statement before the Environment Court in relation to the 56 Fairview land, from the evidence of Andreas Theodorus de Graaf on behalf of Auckland Council 28 September 2012

> *"[2.9] By way of overview I note the following. NEIL has put forward the general argument that the site is appropriate for a higher form of density. I agree that the site offers this opportunity, which at a high level is supported by the ACRPS[2], ACRGS[3] and the Auckland Plan as a guiding document for future growth of the Auckland region…"*
>
> *[4.2] The site is well located in terms of accessibility, with Oteha Valley Road in close proximity to the South East, and Northern Motorway slightly further away to the South West. The proposed Medallion Drive extension, linking Fairview Avenue and Oteha Valley Road would further enhance its accessibility and address.*

In 2012 the Auckland Council Regional Policy Statement (**"ACRPS"**) and the Auckland Council Regional Growth Strategy (**"ACRGS"**) were different, but the Auckland Plan 2012 referred to by Mr de Graaf had been adopted by the Council.

[12] The PAUP's purpose was promoted by AC to give effect to the Auckland Plan 2012. In 2012 the Auckland Plan identified a 10-minute walk as an example of an easy walking distance but noted that there would be variations based on the size, the role and function of different centres in the region. The Auckland Plan 2012 considered that the actual walkable catchment will be influenced by subdivision, street and block pattern and topography, or simply put, that refined to reflect any constraints to accessibility to these centres should set the walkable catchment parameters.

[5] Akin to today's AUP (Operative in Part) Precincts
[6] NSCC Operative Plan Changes 22, 23-25 and 32. PC22 became operative 7 July 2011, NSCC PC23 became operative 28 June 2012, PC32 became operative 7 February 2014.

[13] In the 2018 review of the Auckland Plan 2012[7] the Council recognised:

> *"the 2012 plan had shortcomings which became evident through implementation (see Table 1[8]). This meant that, the current plan could not adequately continue to provide the support for decision-making that legislation intends"*

This recognition was because the rate of population growth for Auckland, Tamaki Makaurau had exceeded the growth projects of the Auckland Plan 2012[9]. Armed with this knowledge (and having granted NEIL consent to intensively develop its land at 56 Fairview Avenue for residential and mixed use on most of its land in 2016) the AC Planners, Planning Committee and Council did not identify changes in the Auckland Plan 2050 to enable or prioritise growth or intensification in the Fairview Heights catchment[10] existing urban areas north of Oteha Valley Road and east of the State Highway.

NEIL notes that the Auckland Plan 2012 Map D.1 Development Strategy Map (Auckland-Wide)[11] and Map D.2 Development Strategy Map (Urban Core)[12] identified the NEIL land with a colour for "some change" where:

> *Some Change = Areas not identified as priorities for growth. Some intensified development expected to occur. May include some small lot detached and semi-detached housing. The Unitary Plan will explore innovative ways of allowing high-quality residential infill and redevelopment in these areas.*

[7] Auckland Council (2018). Auckland Plan 2050: Developing the Auckland Plan 2050, ISBN 978-1-98-856441-8 (PDF)
[8] Table 1 in this instance refers to the Table 1 in the fuller quote from the 2018 review on page 3 of this document.
[9] Auckland Council (2018). Auckland Plan 2050: Developing the Auckland Plan 2050, page 6, June 2018
[10] Noting that the Council previously proposed growth through the former North Shore City Council (NSCC) Plan Change 32 process in the Fairview Heights catchment. Auckland Transport advised the Environment Court (2012, 2013 and 2016) that the Medallion Drive Link was required to enable growth in the Fairview Avenue catchment.
[11] Auckland Plan 2012, page 54
[12] Auckland Plan 2012, page 55

NEIL has previously questioned the appropriateness of the Auckland Plan 2012 and its depiction of the development capacity of the 56 Fairview Avenue land based on the historic zoning of the land and the Environment Courts decisions prior to the Draft AUP that should have informed zoning in the PAUP process. Today the Auckland Plan 2050, "Node-Albany" makes the following statement:

> *"Albany is the node for the north and has been identified for significant growth and intensification over the next 30 years"*[13]

[14] The "Node Albany" map in the Auckland Plan 2050[14] indicates that the growth should occur within the dashed blue line boundary shown on the Node-Albany[15] for the next 30 years and not enable or promote intensification on the eastern side of the motorway in an area with the closest walking proximity to the Albany Park and Ride (see Figure 3).

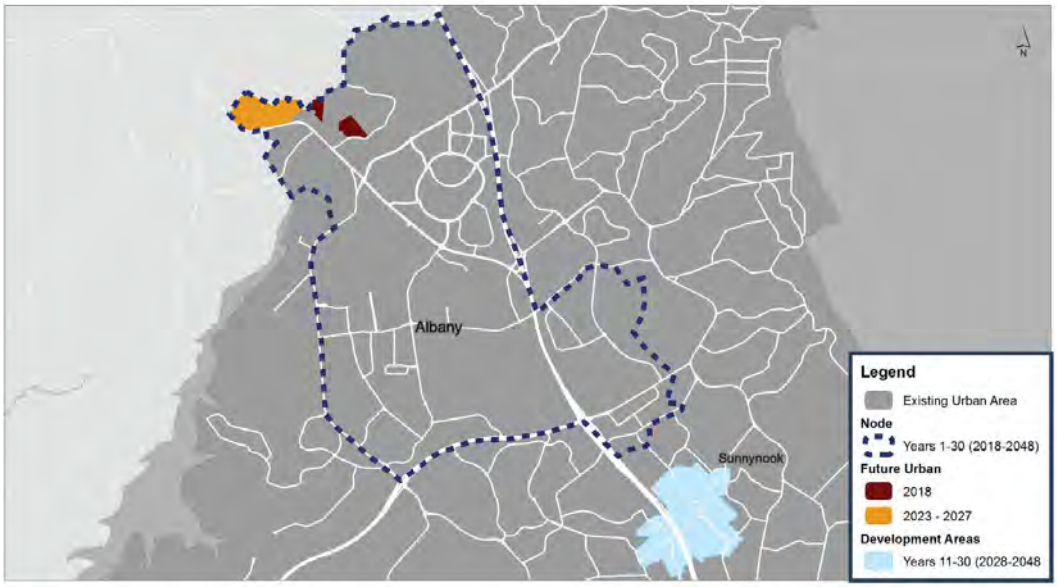


Figure 3: Auckland Plan 2050 Node-Albany 30-year Growth Plan excludes properties in close walking proximity of the Albany Park and Ride and edge of the Metropolitan Zone.

[13] Auckland Plan 2050, page 254

[14] The Auckland Plan 2050 was adopted by the Auckland Council Planning Committee on 5 June 2018.

[15] The source cited (in the Auckland Plan 2050) for enabled housing capacity and feasibility development capacity are based on the housing and business development capacity assessment for Auckland (December 2017). NEIL understands this to be the former National Policy Statement on Urban Development Capacity 2016: Housing and business development capacity assessment for Auckland December 2017. A document that relied on a methodology for calculating urban plan enabled capacity is based on that detailed in the Capacity for Growth Study 2013 (CfGS) Methodology and Assumptions Report (Balderston & Fredrickson, 2014), using the provisions Auckland Unitary Plan – Operative in Part (AUPOIP) To calculate the enabled capacity, the AUPOIP provisions are utilised and translated into a variety of key parameters, contained in 'lookup' tables (Appendix B) and numeric constants (Appendix E). These parameters and constants are then mathematically and spatially tested and analysed across all residential and some business and mixed-use zoned parcels to generate the plan enabled capacity for residential dwellings.

[15] In July 2016, Judge Thompson[16] said the following of the NEIL land use applications for intensive residential and mixed-use commercial development inclusive of over height buildings of 6 stories on the land at this address:

> *[2] In a decision given in late 2012 ([2012] NZEnvC266) the Court, in dealing with an appeal about an earlier iteration of the same overall proposal, noted that the two parts of the proposal were not involved in the hearing. The decision recorded that:*
>
> > *Issues about them have been resolved between the parties since the Councils decision, and the Consent Orders disposing of those parts of the appear are to be presented in due course.*

And,

> *[19] At the conclusion of evidence on 26 July, and having heard Mr Casey and Mr Maassens close for NEIL, we conferred and were quite satisfied, from all of the available material, that the following conclusions were not just available but were all but inevitable on an informed review (ie under s104D, s104, and Part 2 of the Act) of issues and the evidence relating to them.*

[16] "Inevitable" that a design for intensive residential and mixed use with over height building on this highly connected, fully serviced land, near the Albany Park in Ride is appropriate.

Figure 4: [2016] NEIL consented development with over height proposed buildings exceeding the THAB zone height of 16m.

[17] In a question by Judge Smith for the same land at 56 Fairview Avenue put to Mr Farquhar in 2016 Notice of Requirement for Medallion Drive Link at page 646:

[16] [2016] NZEnvC139 NEIL v AC, Judge CJ Thompson, Environment Commissioners KA Edmonds and D Bunting.

> *Q. Well, can I put it to you another way, it seems to me that if I was trying to find a site that met the regional objectives and the objectives of the Plan and even the PAUP for intensification site [sic] that was appropriate for intensification, I would have to go a far way to find one that was more suited than this site.*[17]

This is not an authority but rather a quote from another context where the proposition from Smith, J which demonstrates that the site attributes advanced by NEIL to AC and former NSCC were worthy of serious consideration for intensification.

[18] Approximately nine years ago, in 2013 Auckland Council's Research, Investigations and Monitoring Unit (**RIMU**) undertook a *"Walkable Catchments Analysis at Auckland Train and Northern Busway Stations"*[18]. The study is essentially a survey of various busway stations and train stations. Importantly, the study asked this question:

> *"…are train*[19] *users prepared to walk further than a 10minute/800m design feature being promoted without much scrutiny or evidence"?* [20]

[19] The report was authored by Lindsay Wilson. It was peer reviewed by the *'Peer Review Panel'* using the Panels terms of reference, and reflects that it was reviewed by 2 reviewers, and approved for Auckland Council publication by Greg Holland, the Manager for RIMU on 20 December 2013. The author highlighted the variance in walkable distance a person was prepared to walk in terms of the number of hectares of land area that falls within the busway or trainway catchment as follows:

> *"While the distances may only vary by walking an additional 200-400m (or 2½ – 5 minutes) an additional 200m walk is a significant factor given that an 800m walkable catchment potentially includes 200ha of land and a 1000m walkable catchment potentially includes 300ha of land* ***and a***

[17] ENV-2014-AKL-003 NEIL v AT Transcript at page 646.
[18] Walkable Catchments Analysis at Auckland Train and Northern Busway Stations - 2013 Technical Report 2013/014, ISBN 978-1-927266-63-2 (PDF)
[19] And bus users, as the study also surveyed bus users
[20] Ibid, section 1.2 Reasons for surveying busways and rail service users, page 5.

> ***1200m walkable catchment potentially includes 450ha of land."***[21] **[Emphasis Added]**

[20] The 2½ -5-minute walk time adds a 200-400m distance to the walkable length to a busway or train station increases walkable catchment from 200 hectares to 450 hectares. The reports' *"Executive Summary"* concluded:

> *"Overall, the results from the survey show that an 800-metre radius is accurate for some stations* ***but underestimates the actual walking distance for others."***[22] **[Emphasis added in bold]**

[21] It is a generally accepted urban design principle that creating higher density urban environments near public transport encourages walking and public transport use and less dependence of private motor vehicles.

> *A well-designed urban form may be an effective tool to improve accessibility, increase social cohesion and promote well-being in urban areas.* ***It requires: ensuring a sufficient level of density to make the most of the agglomeration benefits****; integrating land use and transport policies through transit-oriented development strategies; building the infrastructure for pedestrian-friendly cities to improve connectivity; and offering different mobility alternatives (transport solutions) by promoting public transit,* ***walking and cycling****.*[23] **[Emphasis added in bold and where underlined]**

[22] The sites surveyed in the *"Walkable Catchments Analysis at Auckland Train and Northern Busway Stations"* report included the Albany Busway Station within a walkable distance of the land at 56 Fairview Avenue (see Figure 1 on page 5). The survey was undertaken on Wednesday the 13th of March 2013[24] and recorded on Excel spreadsheets. The walkable

[21] Ibid, section 1.1 Walkable catchments and centres, page 5.
[22] Ibid, page ii.
[23] https://www.oecd-ilibrary.org/sites/08790c97-en/index.html?itemId=/content/component/08790c97-en
[24] Walkable Catchments Analysis at Auckland Train and Northern Busway Stations - 2013 Technical Report 2013/014, ISBN 978-1-927266-63-2 (PDF), page17, the same date as all other busway stations were surveyed.

catchment maps resulting from the survey were generated from the survey using Network Analyst.[25] In 2013 the survey[26] of 627 individual respondents found:

Bus Station	***Car***	***Walk***	***Bus***	***Cycle***	***Total***
Albany	*358*	*42*	*223*	*4*	*627*

[23] In comparison to other stations at that time, Albany had the highest proportion of people arriving at the busway station in cars (57%) and by bus (36%) and only (13%) walked. Of the 42 people who walked to the Albany Park and Ride none of them walked less than 800m, in fact 8% walked between 800m and 1200m, 17% walked between 1200-1600m, 17% walked between 1600-2000m and 58% walked between 2000-5000m to get to and from the Albany Park and ride based on the 2013 report. In summary the report records that:

> *"The graph line for Albany is significantly further to the right than the other stations; (over 50 per cent walked further than 2700m) suggesting customers are walking from a larger catchment."*[27]

[24] When compared with the overall findings for the five bus stations surveyed the report found that:

> *"At five of the stations,* ***50 per cent of respondents walked further than 800m****. The exception was the Akoranga Station, where over 80 per cent of respondents walked between 400m -800m. Overall, the results from surveys show* ***that an 800 metre radius*** *is accurate for some stations, but* ***underestimates the actual walking distance*** *for others."*[28] [Emphasis added in bold]

[25] The Kōmiti Whakarite Mahere/Planning Committee Open Attachment A. Workshop Notes: National Policy Statement Urban Development-Definitions (**Attachment A**) presented to the Auckland Council Planning Committee in March 2021[29] where the following statement is made:

[25] Ibid, page 17,
[26] Ibid, information from Table 10, page 33, section 3.4 Busway survey results
[27] Ibid, 3.7 Results for individual busway stations, page 42
[28] Ibid, 4.0 Summary and Recommendations, page44-45
[29] Kōmiti Whakarite Mahere / Planning Committee meeting Thursday 4 March 2021, 10am, held at the Reception Lounge Auckland Town Hall 301-305 Queen Street, Auckland Open Attachment A: National Policy Statement on Urban Development Workshop one, Planning Committee Workshop 17 February 2021

> *"Some people will walk long distances to access rapid transit; in some cases much further than 800m.* ***The median distance is usually around or a little under 800m."*** [Emphasis added in bold]

Where Attachment A reflected that this position statement was informed by: *"Literature, some evidence from Auckland, overseas examples and Waka Kotahi work on walking"* but without specific references or authorities.

[26] There is a final comment in the [2013] RIMU report that is considered important:

> ***"****Walkable catchments for centres are not fixed* ***and should not be****,* ***as over time the centres will evolve and change****."* [Emphasis added in bold and where underlined].

[27] This is an important statement because not all the busway stations surveyed nine years ago for metropolitan centres resided in high density catchments with well-established pedestrian friendly walking environments. The Albany Park and Ride was established after the primary roading infrastructure and part way through conversion of retiring the surrounding land from Greenfield (formerly rural land) to urban land under the former North Shore City Council Operative District Plan. The urban growth up to the point of the study in this catchment is visually explained in figures 5 to 8[30] below. There is significantly more development in this catchment in 2022 (see Figure 10 on page 16).

Figure 5: Aerial Photograph circa 2001 -Source Auckland Council GIS

[30] Although the aerial photograph is dated 2015 the catchment from 56 Fairview Avenue and the Albany Park & Ride survey of 2013 had altered little and the 2015 photograph is considered representative only of the catchment at the earlier date.

Figure 6: Aerial Photograph circa 2003/2004 -Source Auckland Council GIS

Figure 7: Aerial Photograph circa 2008 – Auckland Council GIS

Figure 8: Aerial Photograph circa 2015 – Auckland Council GIS

[28] NEIL's 2016 consented development (see Figure 9 below) was designed to provide walking and cycling paths throughout the development and between Oteha Valley Road (and a new bus stop on that frontage supported by Auckland Transport) and Fairview Avenue, these connections were generally at a gradient of 1 in 20 or 1 in 12 because the at grade pathway connections are benched into the topography. Throughout the six (6) year Environment Court process to achieve land use consent NEIL demonstrated that contoured land can be developed in an integrated manner to promote walking and cycling environment near rapid and frequent public transport routes and within walking distance of rapid transit stops, i.e., the Albany Park and Ride.

Figure 9: [2016] EnvC139, NEIL Consented Development – Oteha Valley Road at the bottom of the drawing, Medallion Drive Link to the left-hand side of the drawing and Fairview Avenue to the top of the drawing.

Figure 10: Aerial Photograph circa 2017– Auckland Council GIS

Figure 11: Auckland Transport[31] wider view of Medallion Drive link through 56 Fairview Avenue

[31] Auckland Transports stated objectives for the Medallion Drive Link include:

Project objectives

Growth - Facilitate future growth in the residential areas north of Oteha Valley Road.

Capacity - Increase capacity of the transport links between Oteha/Pinehill and Fairview Heights/Northcross.

Efficiency - Improve the efficiency of existing intersections at SH1, Medallion Drive and Rising Parade.

Safety - Improve safety for traffic accessing Oteha Valley Road from Fairview Avenue.

Travel Choice - Improve walking and cycling connections between Medallion Drive and Fairview Avenue.

Cultural - Enhancing the environment through stormwater management/treatment, planting, landscaping and re-establish of the cultural footprint within the area.

Sourced from - https://at.govt.nz/projects-roadworks/albany-developments/medallion-drive-link/#

[29] Auckland Transport's project overview of the Medallion Drive link includes:

> *Auckland is experiencing major population growth, which is placing huge demand on housing and transport infrastructure. To support this growth, Auckland Transport (AT) is developing its transport network to ensure communities have access to an integrated high quality transport system. This rapid growth is evident in the Albany area, which over the past 20 years has changed from a primarily rural settlement on the fringe of Auckland city, to a growing urbanised environment with a number of residential developments. Three key roading projects are planned in the area, including the Medallion Drive Link. The road will improve connectivity and safe access for the growing residential areas served by these roads as well as providing improved walking and cycling facilities. The project involves constructing a new 2-lane road, including a new bridge, approximately 200 metre long with footpaths and cycle facilities to link Fairview Avenue with Oteha Valley Road.* ***Extending Medallion Drive will allow vehicles, cyclists, and pedestrians to move safely and efficiently around the area and will improve access between the residential community, public transport, schools, retail precinct and the future designated growth area north of Oteha Valley Road.*** [Emphasis added in bold and underlined][32]

Figure 12: Image adapted from NZTA Norther Corridor Improvement website.[33]

[30] The Auckland Plan 2050 Development Strategy Monitoring report December 2021[34] and records the following key findings from 2020/2021:

[32] https://at.govt.nz/projects-roadworks/albany-developments/medallion-drive-link/ website accessed 9 May 2022.
[33] Figure 9 is adapted from the NCI Map at https://www.nzta.govt.nz/assets/projects/auckland-northern-corridor/docs/nci-project-map-march-2022.pdf
[34] Auckland Council (2021). Auckland Plan 2050 Development Strategy Monitoring Report 2021

• apartments and townhouses etc. accounted for 62 per cent of all dwellings consented in 2020/2021 compared with 52 per cent in 2019/2020

• 4,793 dwellings were consented within1,500m catchments of train stations[1] and the Northern Busway stations. This is 25 per cent of the total dwellings consented

[31] In early 2022 the Medallion Drive Extension (Figure 11, page 16) through the 56 Fairview Avenue property has opened[35] and the Northern Corridor Improvement project (Figure 12, page 17 above) are complete.

[32] The NEIL land at 56 Fairview Avenue is within the 800m walkable catchment of the edge of the Metropolitan centre to Albany (Figure 1, page 5) but the appropriateness of enabling additional intensity in this location has always been based on attributes of the site. It is in close walkable proximity to schooling, recreational and minor convenience shopping, such as obtaining milk, bread, and a newspaper from the Mobil Station.

PRE-SCHOOL CHILDREN, DAY CARE AND KINDERGARTEN

[33] The NEIL land is within 200m to 400m walking distance of the existing Kindercare facility at 141 Oteha Valley Road[36], Fairview Heights, Auckland.

Walking distance from the top end Fairview Avenue (56 Fairview Avenue) to the Kindergarten		560m

ISBN 978-1-99-110100-6 (PDF)

[35] on the 14 March 2022

[36] Kindercare, 141 Oteha Valley Road, Fariveiw Heights, Auckland 0632. The facility advertises that it is open Monday to Thursday from 7.30am to 5.30pm and 7.30am to 5.00 on Fridays. Phone 094792828 and albany@kindercare.co.nz.

Walking distance from the lower 56 Fairview Ave land on Medallion Drive to the Kindergarten at 141 Oteha Valley Road	
	72m
Walking distance from the 97 OVR adjacent to 56 Fairview Ave land on OVR to the Kindergarten at 141 Oteha Valley Road	520m

Figure 13: Walkable distances from the NEIL land to the existing Kindergarten.

SCHOOLS WITHIN WALKING DISTANCE OF 56 FAIRVIEW HEIGHTS

[34] **Oteha Valley Primary School** is located at 2 Medallion Drive. The Schools Restricted Zone on the Auckland Council GIS 2021 covers approximately eighty percent of the NEIL land, Figure 14.

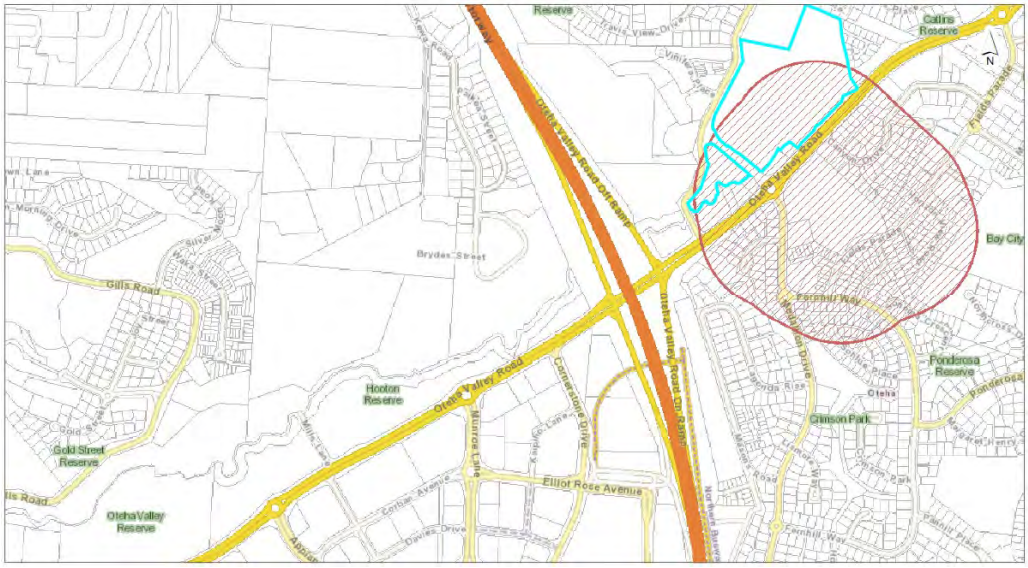


Figure 14: Oteha Primary School - Schools Restricted Zone Primary Schools. Source Auckland Council GIS 2021 non-statutory

[35] Based on the Oteha Valley School website the NEIL land resides within the middle of their red outline on the map (taken from their website), the school zone covers the area at Figure 15, below and includes 100% of the NEL land area within its home zone boundaries. The NEIL land is in close walking proximity to the school at less than 400m in many instances subject to the route taken through the NEIL land once the 2016 land use consented portion of the site is developed.

<u>Our home zone boundaries are:</u>

Starting from the intersection of Kewa Road (included) and Lonely Track Road travel east along Lonely Track Road to East Coast Road. Turn south along the centre of East Coast Road (even numbers 816-1050) until turning west into Ponderosa Drive. Include Margaret Henry Crescent before turning south into Fernhill Way (include numbers 71,70 and above). At the intersection of Crimson Park turn west across country to the end of Lismore Way and into Medallion Drive (include numbers 61,88 and below). Turn south along the centre of Medallion Drive, then west along the centre of McClymonts Road to the Northern Motorway overbridge. Head north along the northern motorway to the Lonely Track Road overbridge. There is currently an agreement with Albany Primary School's Board of Trustees that the subdivisions

in the Gills Road/Albany Heights area are a shared part of both schools' zones. - Silver Moon Rd - Mangrove Lane - Makamaka Lane - Paikea Street.

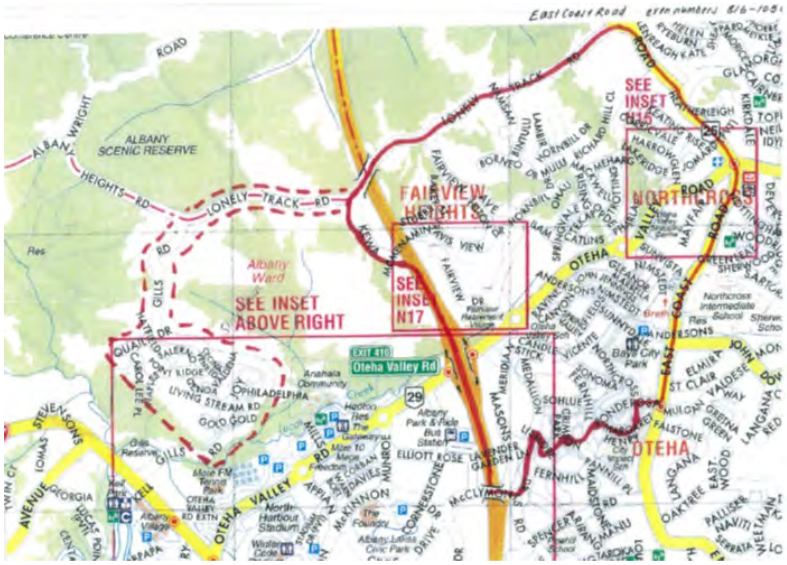


Figure 15: Oteha Primary School boundary catchment for students[37]

[36] Walking distances from 56 Fairview Avenue to the Oteha Primary School as illustrated in the following table, Figure 16. The NEIL 2016 consented development provides connectivity through the site between Fairview Avenue and Oteha Valley Road and between Ilam Lane and Oteha Valley Road.

Walking distance from the lower portion of 56 Fairview Avenue to the Oteha Primary School via Medallion Drive	492m

[37] https://www.oteha.school.nz/ -website retrieved/access on the 7th of May 2021

Walking distance from the top end of 56 Fairview Ave land via Medallion Drive to the Oteha Primary School		606m
Walking distance through the NEIL 2016 consented development from Ilam Lane to the Oteha Primary School		819m

Figure 16: Walkable distances from 56 Fairview Avenue to Oteha Primary School

[37] Frontage The NEIL land is outside the schools restricted zone Intermediate shown on the Auckland Council GIS 2021, (Figure 17) based on the Councils non-statutory layer information.

Figure 17: Schools Restricted Zone Intermediate and Secondary Schools – Source Auckland Council GIS 2021

[38] Northcross Intermediate School is located at 10 Sartors Avenue. The school's catchment area (taken from the school's website) indicates 100% of the NEIL land is within the Northcross Intermediate Zone, see Figure 18.

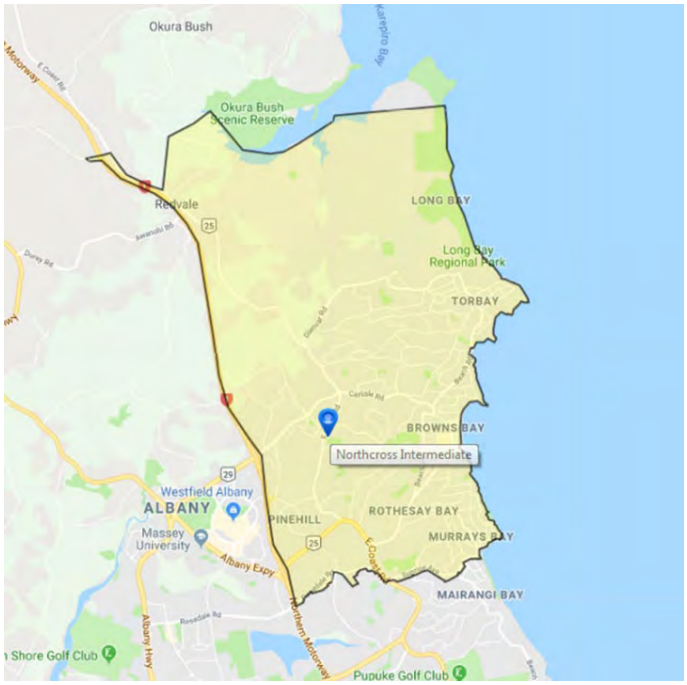


Figure 18: Northcross Intermediate School catchment area

[39] There are several variations on viable walking routes to and from the NEIL land to Northcross Intermediate School from the 56 Fairview Avenue land, Figure 19 illustrates one of the longer routes. It is feasible to walk through the labyrinth of streets and find a shorter route of about 1500m. When the NEIL 2016 consented development is complete the walking routes from Fairview Avenue will be shorter and more direct as pedestrians will be able take shorter walking routes through the development to Oteha Valley Road.

Walking distance the upper portion of 56 Fairview Avenue to Northcross Intermediate	1850m

Figure 19: Maximum walking route from upper Fairview Avenue to Northcross Intermediate School before the NEIL consented development is completed

[40] There are no secondary schools close to the site. Most secondary students will travel by public transport to reach Rangitoto College and others. It is envisaged that secondary students will either carpool or take a bus from the Albany Park & Ride. The Albany bus station frontage on Oteha Valley Road is within catchment, see Figure 1 & 2 (page 5) where walking, and cycling (shared paths) have been upgraded as part of the Northern Corridor Improvement project in 2021/2022. From the Albany Park and Ride there are multiple options for bus routes through to other parks of Auckland and to the Central City, see Figure 22 (page 26) for the Auckland Transport (AT) bus network map.

[41] With reference to Figure 1 (page 5), the edge of the Business -Metropolitan Centre Zone is also the approximate location of the pedestrian access to the Albany Bus Station from Oteha Valley Road, see Figure 2 (on page 5).

Figure 20: 2018 Auckland Transport photograph

[42] The Albany Busway Station resides in the Whaka Kotahi (NZTA) designation in the AUP. Whaka Kotahi, Auckland Council and Auckland Transport have recently completed the Northern Corridor Improvement (**NCI**) project. The EPA decision for the NCI included footpaths and cycleways to improve the connectivity of this project with Oteha Valley Road. A stated benefit of the project is to ***"Create new reliable, safe services for bus users, walkers, and cyclists"*** - refer to Figure 21 below for an overview of the area with the NCI nearing the end of construction in 2021. The NEIL land is located to the top right-hand side of this photograph just out of view.

Figure 21 - October 2021 Waka Kotahi photograph[38] of progress at the Albany Busway Station and associated walkways and cycleway progress linking to eastern side Oteha Valley Road

[43] The land at 56 Fairview Avenue fronts to Oteha Valley Road, a rapid and frequent transit route with a consented bus stop on the subject site side of the land and a long-established bus stop on the opposite side of the road adjacent to Oteha Primary School. There are multiple buses traversing Oteha Valley Road.

[44] Based on the legend of the AT network map (Figure 22, page 26, below). Bus 83 is a frequent service at least every 15 minutes, 7am -7pm, 7 days a week. Lower frequencies early morning and evening, Bus 83 picks up Massey University, Albany Station, Browns Bay, Mairangi Bay, Constellation Station, Smales Farm Station, and Takapuna. Bus 856 is a connector service operating at least every 30 minutes, 7am -7pm, 7 days a week. Lower frequencies early morning and evening. Bus 856 picks up Albany Station, Torbay, Browns Bay, Beach Road, Milford, Smales Farm Station, North Shore Hospital and Takapuna. Bus 861 is also a lower frequency early morning and evening service and picks up Long Bay, Torbay, Galmorgan Drive, Albany Station, Massy University, Bush Road, and Constellation Station.

[38] https://www.nzta.govt.nz/projects/the-western-ring-route/auckland-northern-corridor/gallery

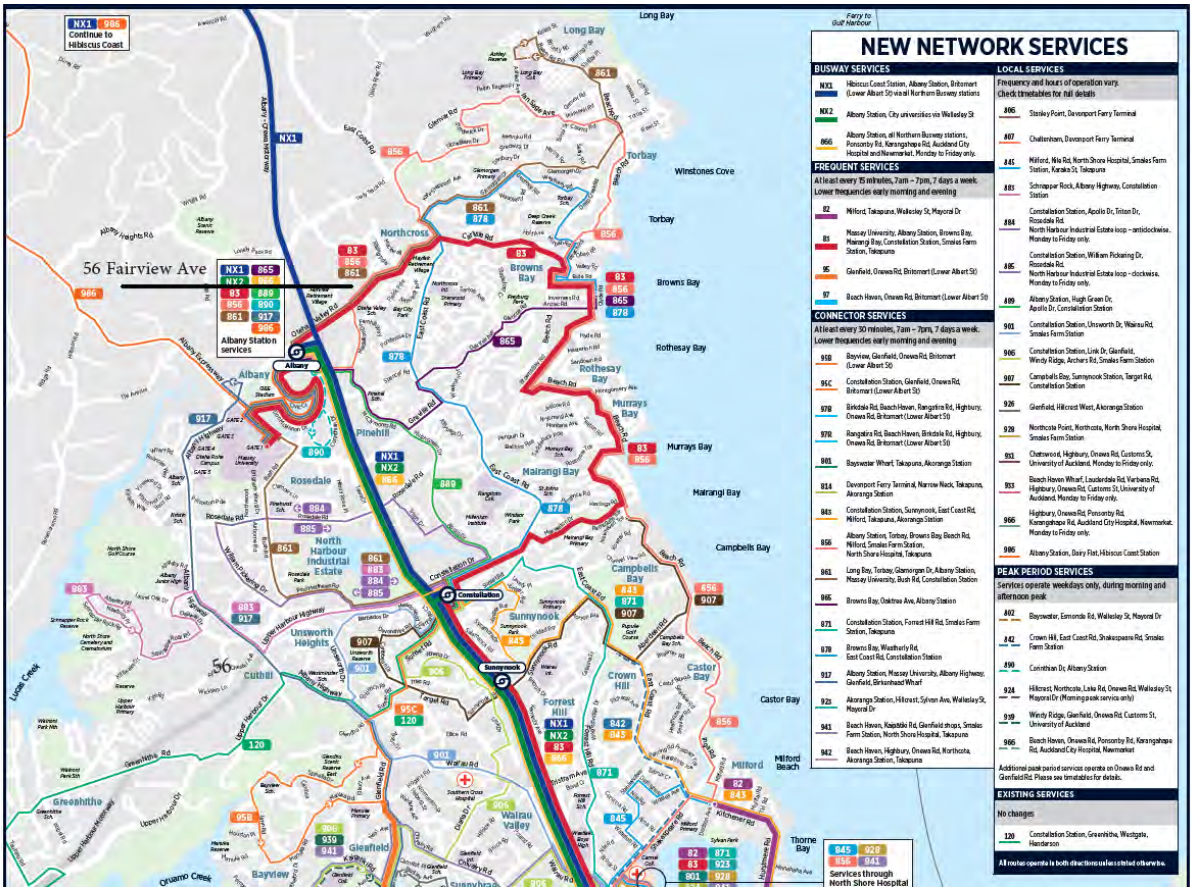
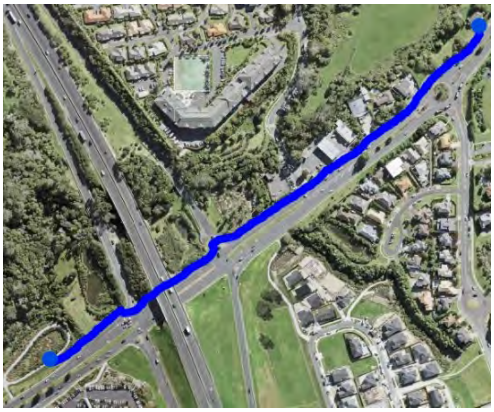


Figure 22: North Shore bus network map 2021 with 56 Fairview Avenue identified

[45] The NEIL land within close walking proximity to Hooten Reserve and can be accessed via the existing and proposed footpath (shared pedestrian/cycle paths) along Oteha Valley Road as illustrated below at Figure 23.

Walking distance from 56 Fairview Avenue (near 129 OVR) to Hooten Reserve		710m
		

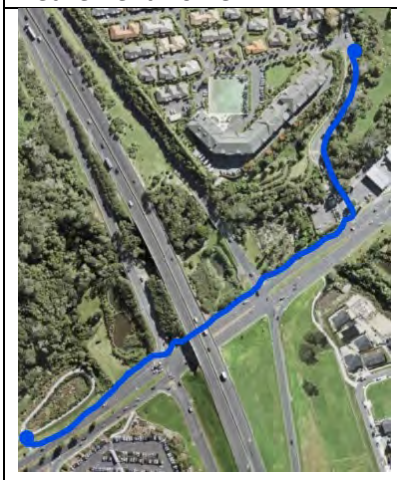
Walking distance from the upper end of Fairview Ave of the 56 Fairview Ave land to Hooton Reserve		900m
Walking distance from 56 Fairview Ave near Margaret Drive below the Retirement Home		670m
		

Figure 23: Walking distance from 56 Fairview Avenue to Hooten Reserve

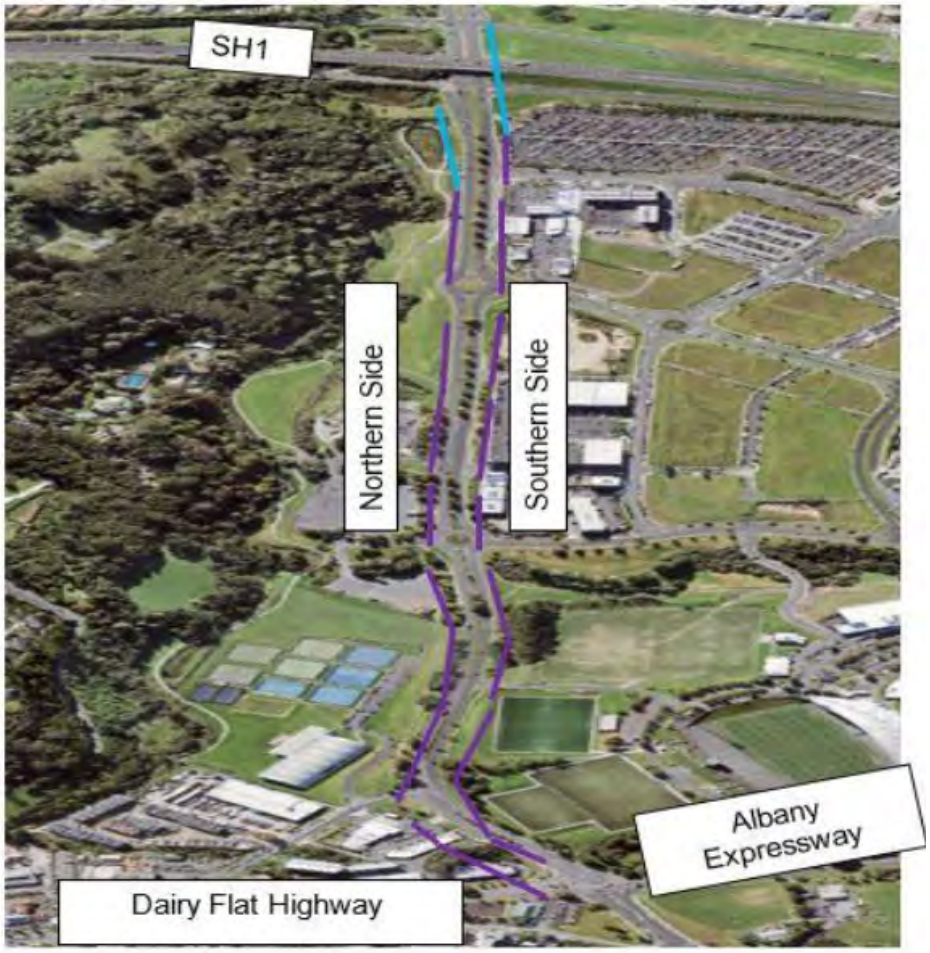


Figure 24: Upper Harbour Board Minutes 21 October 2021 -Allocation of 2021-2023 Local Board Transport Capital Fund[39]

[46] The Upper Harbour Board are exploring options to further improve the shared paths between the interchange on Oteha Valley Road as per Figure 24 (above).

[47] It is a short walk from 56 Fairview Avenue to the existing Mobil Station on Oteha Valley road from various parts of the NEIL land for convenience shopping, see Figure 25 (page 29). Post the completion of Medallion Drive Link and the Northern Corridor Improvement project there are extensive shared paths surrounding the site.

[39] Upper Harbour Board Minutes 21 October 2021 -Allocation of 2021-2023 Local Board Transport Capital Fund, pages 49 to 52

Walking distance from 56 Fairview Avenue to the Mobil Station to get a bottle of milk or other items.		210m
Walking distance from 56 Fairview Avenue (top end of FA) to the Mobil Station to get a bottle of milk or other items.		575m
Walking distance from 56 Fairview Avenue (near 97 OVR) to the Mobil Station to get a bottle of milk or other items.		430m

Figure 25: Walking distance from 56 Fairview Avenue to the Mobil Service Station.

[48] In April 2022 Auckland Council (AC) released its preliminary response to the NPS-UD and MDRS[40]. The viewer for 56 Fairview Avenue places the land at 56 Fairview Avenue within the black boundary of land walkable catchment up zoned and without qualifying matters on site as shown at Figure 26 below. NEIL agrees that AC should enable 6 stories on the land at 56 Fairview Avenue, Fairview Heights, Albany.

[49] NEIL agrees that there are no qualifying matters applicable relevant to its land at 56 Fairview Avenue that would prevent the Auckland Unitary Plan being amended to enable 6 stories on this land in accordance with the NPS-UD.

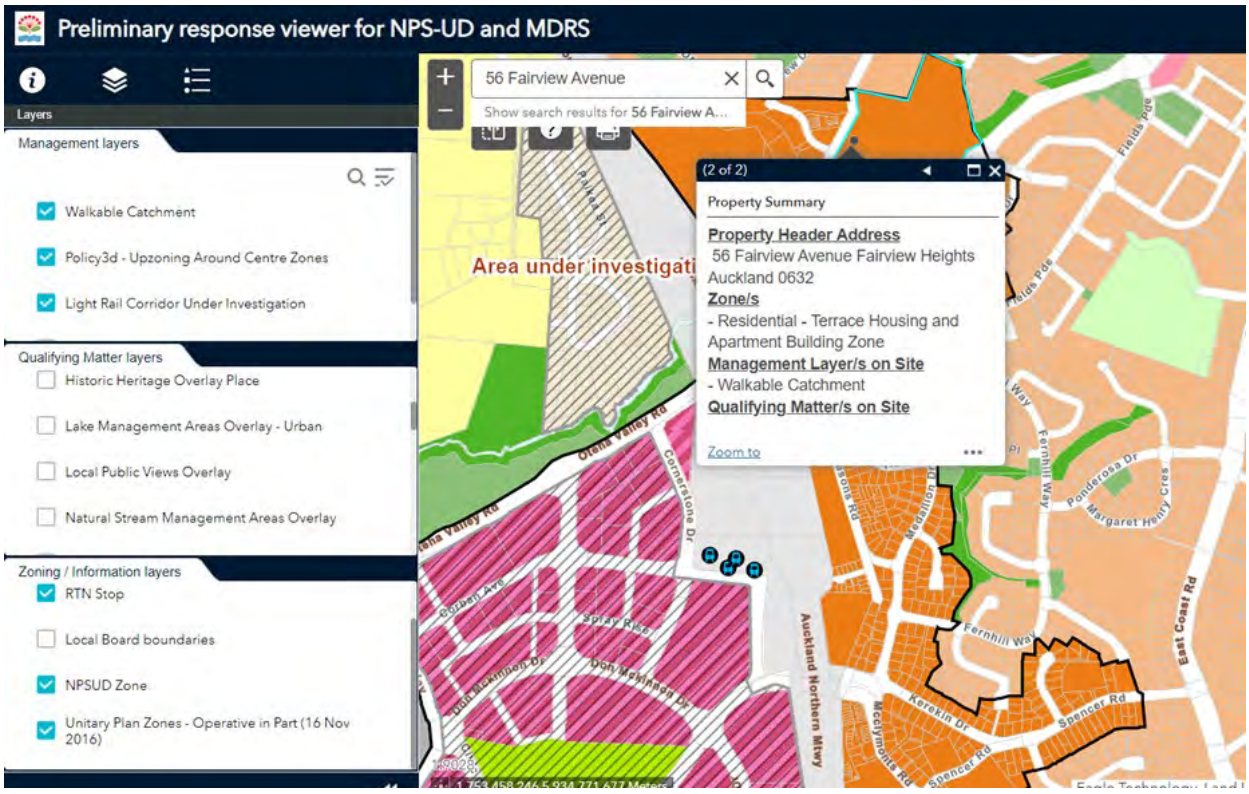


Figure 26: Screenshot of the AC Preliminary response viewer for the NPS-UD and MDRS

[50] The Auckland Council identified proposed qualifying matters which are tabulated below in Table 1 (page 31-32)[41]. It is noted that the proposed qualifying matters are not canvassed in the feedback sought by the Council today. Nevertheless, NEIL has assessed and considers none of the proposed qualifying matters apply to the NEIL land at 56 Fairview Avenue.

[40] Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
[41] Based on earlier AC and AC Planning Committee meeting minutes in 2021

TABLE 1: Assessment of NEIL's 56 Fairview Avenue land and proposed qualifying matters

Proposed qualifying matters of Auckland		
	Qualifying matters that may apply to the land	**Applicable to 56 Fairview Avenue (Yes/No)**
Matters of national importance	Areas in the following overlays:	
	• D3 High-use Stream Management Areas	**NO**
	• D4 Natural Stream Management Area	**NO**
	• D6 Urban Lake Management Area	**NO**
	• D8 Wetland Management Areas	**NO**
	• D9 Significant Ecological Areas	**NO**
	• D10 Outstanding Natural Features and Outstanding Natural Landscapes	**NO**
	• D11 Outstanding Natural Character and High Natural Character	**NO**
	• D12 Waitakere Ranges Heritage Area	**NO**
	• D14 Volcanic Viewshafts and Height Sensitive Areas	**NO**
	• D17 Historic Heritage	**NO**
	• D21 Sites and Places of significance to Mana Whenua	**NO**
	Significant natural hazards: controls for coastal inundation, coastal erosion, flooding, land instability	**NO**
	Areas providing public access to CMA, lakes and rivers	**NO**
	Areas within Precincts that protect matters of national importance	**NO**
Gives effect to other NPS	Areas in the following overlays:	
	• D1 High-use Aquifer Management Areas	**NO**
	• D2 Quality-sensitive Aquifer Management Areas	**NO**
	• D3 High-use Stream Management Areas	
	• D4 Natural Stream Management Area	**NO**
	• D6 Urban Lake Management Area	**NO**
	• D8 Wetland Management Areas	**NO**
	• D9 Significant Ecological Areas	**NO**
	• D10 Outstanding Natural Features and Outstanding Natural Landscapes	**NO**
	• D11 Outstanding Natural Character and High Natural Character	**NO**
	• D26 National Grid Corridor	**NO**
Nationally significant infrastructure	• D26 National Grid Corridor Overlay	**NO**
	• Emergency management areas for Wiri Oil Terminal and Wiri LPG Depot	**NO**
	• Strategic Transport Corridor zone	**NO**
	• Oil refinery pipeline	**NO**
	• Gas transmission pipelines	**NO**
	• Auckland International Airport	**NO**
	• Ports – Auckland, Onehunga	**NO**

Open space for public use	Open Space zoned land (except Open Space – Community zone): • Conservation zone • Informal Recreation zone • Sports and Active Recreation zone • Civic Spaces zone	 **NO** **NO** **NO** **NO**
Designations & heritage orders	Land subject to: • Designations • Heritage orders	 **NO** **NO**
Business land suitable for low density uses	Land in the following zones (to be confirmed by Housing and Business Assessment): • General Business • Heavy Industry • Light Industry	 **NO** **NO** **NO**
Any other matter	• D13 Notable Trees Overlay • D15 Ridgeline Protection Overlay • D16 Local Public Views Overlay • D18 Special Character Areas Overlay that is of high quality • D19 Auckland War Memorial Museum Viewshaft • D20A Stockade Hill Viewshaft • D23 Airport Approach Surface Overlay • Character buildings in City Centre zone and Queen Street Valley Precinct • Some of the existing built form controls in City Centre (e.g., Admission of sunlight into public places, Aotea Square height control) • Natural hazards that are less than significant if any • Areas with long-term significant infrastructure constraints	**NO** **NO** **NO** **NO** **NO** **NO** **NO** **NO** **NO** **NO**

[51] If Auckland Council fails to notify the land at 56 Fairview Ave and 129 Oteha Valley Road on or before the 20th of August 2022 with an enabled development potential of six storeys (because there are no applicable qualifying matters pertinent to this land and the land is within the 800m walkable edge of the metropolitan zone), then NEIL's feedback is that the Council will not have complied with the National Policy Statement Urban Development 2020 and its duties under the Local Government Act, Resource Management Act 1991 and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

[52] NEIL's Completed AC Feedback Form follows (in the AC format requested) and is in addition to NEILs Feedback above, both should be read together.

Requirements for Intensification

Intensification inside walkable catchments

A walkable catchment (required by the NPS-UD) is the area around a train or busway station, or a large urban centre within which an average person will walk to that location.

The government requires councils to identify walkable catchments around the city centre, metropolitan centres and rapid transit stops (train or busway stations) where buildings of six storeys or more must be enabled.

We are proposing:

- a 15-minute walk (around 1200 metres) from the edge of the city centre.
- a 10-minute walk (around 800 metres) from the edge of the metropolitan centres and around rapid transit stops, such as a train station or stop along the Northern and Eastern Busways.

These are subject to modifying factors such as landscape, for example steep hills, and physical barriers including motorways.

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

1. (●)

NEIL Supports a proposed walkable catchment of 1200 metres from the edge of the City Centre. This is essential for efficient use of land and infrastructure

2. ( )

Do not support - I think it should be further

3. ( )

Do not support - I think it should be closer

4. ( )

Other

5.

I don't know

Tell us why

As above

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

1.

Support

2.

NEIL does not support – NEIL considers the proposed walkable catchment of 800m from the edge of the metropolitan centres is too short and that it should be further as demonstrated in the 2013 Auckland Transport Study.

3.

Do not support - I think it should be closer

4.

Other

5.

I dont know

Tell us why

As above

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

1.

Support

2.

NEIL does not support – NEIL considers the proposed walkable catchment of 800m from the edge of the metropolitan centres is too short and that it should be further as demonstrated in the 2013 Auckland Transport Study.

3.

Do not support - I think it should be closer

4.

Other

5.

I dont know

Tell us why

see above

Intensification around town and local centres

Central government has told us that we need to enable building height and density (for example terrace housing and apartment buildings) in and around our neighbourhood, local and town centres that matches the level of commercial activity and community services in each centre (such as jobs, shops and businesses). This is achieved by applying the Residential – Terrace Housing and Apartment Buildings Zone.

Town centres are larger suburban centres in Auckland that provide for a wide range of shops, services and activities for their surrounding districts. They are often spread across a couple of city blocks, and along main roads. Some examples are Glenfield, Glen Eden, Parnell and Papatoetoe town centres.

Local centres include a larger number of smaller suburban centres that serve local areas and neighbourhoods. Local centres might have 20 or 30 shops and some small offices.

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?

1. (●)

NEIL Supports the efficient use of Land and Infrastructure

2. ( )

Do not support - I think it should be further

3. ( )

Do not support - I think it should be closer

4.

Other

5.

I dont know

Tell us why

See above

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?

1.

NEIL Supports the efficient use of land and infrastructure

2.

Do not support - I think it should be further

3.

Do not support - I think it should be closer

4.

Other

5.

I dont know

Tell us why

see above

Qualifying matters

The government allows for some qualifying matters - exemptions to modify three-storey and six-storey building heights. Qualifying matters are a characteristic which can be used to protect sites of cultural, historic, or ecological significance or to avoid development in areas with natural hazards.

The government has already identified a number of qualifying matters and allows us to include other qualifying matters relevant to our city.

To include our own qualifying matters, we must provide robust evidence to justify why it should reduce building heights and density in a particular area in light of the government's direction to enable more housing.

Special Character Areas

'Special character areas' are older parts of the city that have special architectural or other built character value. They are covered by the Special Character Area Overlay in the Auckland Unitary Plan.

Many of Auckland's older residential suburbs were built around the early public transport network and emerging town centres. This is where our special character areas are located. The government is now directing us to enable increased housing density (e.g. buildings of six-storeys or more) within walkable catchments of town centres and public transport networks, and up to three storey buildings elsewhere.

The government has not included special character areas as a qualifying matter. However, we are proposing to include identified areas of special character as a qualifying matter that reduces limits on building heights and density to ensure the character values of these areas are retained.

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

1. ○

Support

2. ○

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

3. ○

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

4. ○

Other

5. ◉

NEIL does not know and would like to consider more information before deciding about this.

Tell us why

see above

To answer the next two questions, you will need to view the draft planning maps shown in the NPS-UD map viewer.

The maps show areas of special character that are identified as a qualifying matter (in blue) and that are not a qualifying matter (in red).

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

1. ○

   Support

2. ○

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

3. ○

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

4. ○

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

5. ○

   Other

6. ◉

   NEIL is researching its understanding on these matters currently.

Tell us why

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

1. ○

Support

2. ○

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

3. ◉

NEIL does not support – NEIL considers that less areas should be identified as a qualifying matter

4. ○

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

5. ○

Other

6. ○

I dont know

Tell us why

Infrastructure constraints

We are looking to identify areas in Auckland with long-term significant infrastructure constraints as a qualifying matter. As with special character areas , this is not a qualifying matter that is listed in the NPS-UD or the Act.

This may include areas where water supply and wastewater networks may not be adequate to cope with more growth and are very costly and/or difficult to upgrade, or stormwater infrastructure is not adequate and very costly and/or difficult to provide, or where access to transport infrastructure is not adequate and very costly and/or difficult to provide.

By including this as a qualifying matter, it would reduce the limit on building heights and density that would otherwise be enabled.

We have not yet determined how we would apply this qualifying matter as the NPS-UD and the Act do not provide any specific support. At this stage, we want feedback on whether to consider this as a qualifying matter or not. If we include it as a qualifying matter, we will show the extent and location of any changes to height and density requirements in our plan change in August 2022.

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

1.

Support

2.

Do not support

3.

Other

4.

I dont know

Tell us why

Other qualifying matters

We are also proposing to include a number of other overlays and controls in the Auckland Unitary Plan as qualifying matters that limit the height and density of development on sites or across areas to retain the values they reflect. A description of these proposed qualifying matters and how they are proposed to be protected or kept is shown in the consultation document and information sheets available on akhaveyoursay.nz/housing.

These additional qualifying matters include:

- Ridgeline Protection Overlay
- Local Public Views Overlay
- Auckland War Memorial Museum Viewshaft
- Stockade Hill Viewshaft
- Character buildings in City Centre zone and Queen Street Valley Precinct
- Some of the existing built form controls in City Centre (e.g. allowing sunlight into public places, Aotea Square height control).

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

Upload any supporting information you have

If you have more files to attach, you can email them to unitaryplan@aucklandcouncil.govt.nz

All fields marked with an asterisk (*) are required.

Your details

Your name and feedback maybe included in public documents. **North Eastern Investments Limited and Heritage Estates (2000) Limited (NEIL).**

All other personal details will be kept private.

First name*

see above 0/50

Last name*

see above 0/50

Are you giving feedback on behalf of an organisation?

1. ◉

~~Yes - I am the official spokesperson for the organisation~~

The feedback is on behalf of North Eastern Investments Limited and Heritage Estates (2000) Limited (NEIL). The feedback has been prepared by Proarch Consultants Limited. We are not an official spokesperson for any organisation.

2. ○

No - these are my own personal views

Service Address Email* amanda@proarch.co.nz

Your Local board – Upper Harbour

Some more information about you

These questions will help us understand which groups of the community are engaging with us.

All questions are optional and this information will be kept private. **The remainder of the questions are not required and are optional and have not been completed.**

What gender are you? What age group do you belong to? Which ethnic group(s) do you feel you belong to? No feedback is supplied on these questions or on the experience of providing Auckland Council with feedback.

APPENDIX A – Auckland Council website information on Feedback requested

https://akhaveyoursay.aucklandcouncil.govt.nz/housing

Government's new housing rules: what it means for Auckland

Changing the way Auckland grows

Over the past few years, central government has taken a much stronger role in planning for the growth of New Zealand's largest and fastest growing cities.

This means new rules enabling more higher-density housing.

The government's changes will enable higher-density housing, such as apartments and townhouses, across our city including in areas close to public transport and urban centres with shops, jobs and community services.

In April, Auckland Council will be seeking feedback on several proposed changes to the Auckland Unitary Plan based on these new rules.

You can have your say from Tuesday 19 April until Monday 9 May 2022.

Understanding the new rules

There are two significant central government planning reforms that we are required to implement.

1. The National Policy Statement on Urban Development (NPS-UD) was introduced in August 2020. For Tāmaki Makaurau, it requires us to enable greater housing density – with buildings of six storeys or more within walkable distances to our city centre, our ten metropolitan centres, and rapid transit stops (train stations and rapid busway stops). Greater building heights and density is also required within and around neighbourhood, local and town centres across Auckland.
2. The government's Medium Density Residential Standards (MDRS) allow three homes of up to three storeys to be built on most residential sites without a resource consent. The MDRS changes are part of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The law requires us to enable a greater supply of housing. The Act also requires us to replace our design rules for developments, including height-to-boundary ratios and outdoor space provisions.

What these changes could mean for our city

While the NPS-UD focuses on housing of six storeys or more in and around our largest urban centres and rapid transit stops, the MDRS enables medium density housing (up to three storeys) to be built on most residential sites across the city.

The requirements from the MDRS and NPS-UD combined will mean much of Auckland's urban area will enable medium and high density housing and there will be changes to the rules for how properties can be developed (land zoning).

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.

What you can have your say on

We will be seeking feedback on the proposed changes to the Auckland Unitary Plan that we have scope to make limited decisions on.

We are not seeking feedback on the mandatory changes the Government has directed us to make, such as having walkable catchments or six-storey building heights.

When you can have your say

You can have your say in two separate ways:

1. In April 2022, we will be asking for feedback on the council's preliminary response to the NPS-UD and MDRS. This feedback will help inform our proposed changes to the Auckland Unitary Plan. You can have your say from Tuesday 19 April until **Monday 9 May 2022.**

2. In August 2022, you can make a submission on the publicly notified plan change, so that your views are considered during the statutory decision-making process. We must publicly notify the plan change by 20 August 2022.

What happens next

Once the submissions process has closed, an Independent Hearings Panel (IHP) will consider all submissions and hear directly from people who submitted. They will then make recommendations to us on the necessary changes to the Auckland Unitary Plan.

We must then decide to accept or reject the IHP recommendations. If a recommendation is rejected, the Minister for the Environment makes the final decision.

This statutory process does not allow for appeals to the Environment Court.

This website will be updated as the process detailed here progresses.

Tell us what you think of our preliminary response

Feedback must be received by midnight **Monday 9 May 2022**.

We recommend you read the consultation document and supporting information before having your say.

You can also view the information in Auckland Council's preliminary response viewer for NPS-UD and MDRS: view the draft planning maps. *We recommend you view the maps on a laptop and not a mobile device.*

Your name and feedback may be published in Auckland Council reports and online. All other personal details will remain private.

By using this platform, you have agreed to Auckland Council's Privacy Policy.

ATTACHMENT FIVE:

NEIL'S UNIMPLEMENTED CONSENTS (SUMMARY)

(a) **REG-2143619 & LUS60049673** to extend the lapse date and **REG – 2143624 & LUS60049850** to change condition 62 and Schedule 1 of 36086 (as previously granted by consent order ENV-2009-Akl-000460, 11 May 2011) and including Proarch Consultants Limited Drawing 5140-SK100-Z dated 24 May 2016 (as granted Land Use Consent for LT2011881 & LT20720891 NZEnvC139[57] -29 July 2016). These decisions from Auckland Council grant NEIL consent to enable the modification of approximately 300m of the main stem of the Waikahikatea Stream. The consent will lapse on the 29th of July 2026.

(b) **REG-2143618 & DIS60049608** to extend the lapse date and **REG – 2143623 & LUS60049786** to change condition 71 and Schedule 1 of 35005 (as previously granted by consent order ENV-2009-Akl-000460, 16 May 2011) and including Proarch Consultants Limited Drawing 5140-SK100-Z dated 24 May 2016 (as granted Land Use Consent for LT2011881 & LT20720891 NZEnvC139[58] -29 July 2016). These decisions from Auckland Council grant NEIL consent to enable approximately 140m of a stream works, reclamation, and associated diversion of surface water in the unnamed north-eastern tributary.[59] The modification works establish walkways within the unnamed north-eastern tributary of the Waikahikatea Stream and the Waikahikatea Stream. The consent will lapse on the 29th of July 2026.

(c) The **REG – 2143624 & LUS60049850** above s 127 decision records the following;

- *The pathway proposed …The addition of a bridge allows the site to be connected to the Lucas Creek cycleway[60] and the wider environment.*
- *The stream stablisation works form part of the works to enable the intensive housing and mixed-use development, as consented by the Environment Court[61], within the site.*

[57] Note: There is an AC typo in the reference to the NZEnvC139 decision.
[58] Note: There is an AC typo in the reference to the NZEnvC139 decision.
[59] Note: There is an AC error in the description of this consent, in that it refers to 'and south-western tributaries of the Waikahikatea Stream' however, that was not what was consented under the 35005 consent by the Environment Court.
[60] I have not been able to source what statutory or non-statutory document that the Council makes reference to in relation to the Lucas Creek cycleway and cannot locate that document as one incorporated by reference in the AUP operative in part.
[61] I understand this reference to reflect the Environment Court decision [2016] EnvC 139 NEIL v AC.

(d) The **REG – 2143623 & LUS60049786** above s 127 decision records the following;

- *The stream realignment proposed is very similar to that consented under the original consent[62]. The alterations will assist in providing for the intensive housing and mixed-use development, as approved by the Environment Court[63], within the site.*

(e) **REG-2143622 & DIS60049742** to extend the lapse date of 36088[64] to enable the diversion and discharge of stormwater associated with approximately 3.94ha of impervious area and 0.75ha of pervious pavement. The consent will lapse on the 29th of July 2026.

(f) **REG-2143619 & DIS60049673** to extend the lapse date of 36087[65] to enable the diversion and discharge of stormwater associated with approximately 4,500m of new impervious cover throughout the proposed land use consent. The consent will lapse on the 29th of July 2026.

(g) **LUC60068255** was granted on the 4th of April 2017 to realign the southwest tributary stream and locate piles within the stream bed to establish a bridge. The council assessed this proposal as being consistent with the objectives and policies contained within the AUP operative in part; Section E3 (Lakes, rivers, streams, and wetlands), E3.2 (Objectives), and E3.3 (Policies). This consent will lapse on the 4th of April 2027.

(h) **ENV-2019-AKL-000081, ENV-2019-AKL-000082, ENV-2019-AKL-000086 Kainga Ora v Auckland Counci**l.[66] The 2019 Environment Court consent order on the Auckland Council (Healthy Waters) stormwater Network Discharge Consent (**"NDC"**) included specific provisions for the management of the NEIL land at 56 Fairview Avenue and 129 Oteha Valley Road to protect the NEIL investment in

[62] We understand this reference to reflect the former ARC 2009-2010 decision modified by the Environment Court Consent Order ENV-2009-Akl-000460, 11 May 2011 (& the Environment Court Consent Orders [2011] ENV-2009-AKL-000452 PC22 of the same date).
[63] We understand this reference to reflect the Environment Court decision [2016] EnvC 139 NEIL v AC. (linked to and reliant on the Environment Court Consent Orders [2011] ENV-2009-AKL-000452 PC22 & [2012] ENV-2009-AKL-00052 and others).
[64] Environment Court consent order ENV-2009-Akl-000460, 11 May 2011.
[65] Environment Court consent order ENV-2009-Akl-000460, 11 May 2011.
[66] ENV-2019-AKL-000081, ENV-2019-AKL-000082, ENV-2019-AKL-000086 Kainga Ora (As Successor to Housing New Zealand Corporation) & Others (including NEIL s274 Party) v Auckland Council and Auckland Council (Healthy Waters) consent order, dated 30th of October 2019.

their resource consents[67] from the potential adverse effects of stormwater discharge into the upper catchment of Waikahikatea Stream as reflected at Schedule 10 inclusive of Maps 10.1.1 Map of Lots 1 and 3 DP208793 showing the location of the Medallion Drive Extension bridge, and the culvert under Fairview Avenue and 10.1.2 Map showing the catchments upstream of the Medallion Drive Extension bridge to which 10.1 applies. The Auckland Council (Auckland Council Healthy Waters) City Wide Network Discharge consent expires on 26 November 2052.

(i) [2020] ENG60360706 NEIL obtained approved engineering plans for services under Medallion Drive Link to connect and service the severed portions of land at 56 Fairview Avenue to ensure NEIL's granted consent could be implemented. In 2022 the As-Built information for the work undertaken by Dempsey Wood Limited being prepared for final signoff by WaterCare Services Limited and Auckland Council 2022.

[67] An investment of approximately 17 years at that point in time, now 18 years.

ATTACHMENT SIX:

AUCKLAND COUNCIL GIS INFORMATION FOR STORMWATER MANAGEMENT PLANS

Note: the following Disclaimer applies to the Auckland Council GeoMaps (accessed 28 September 2022).

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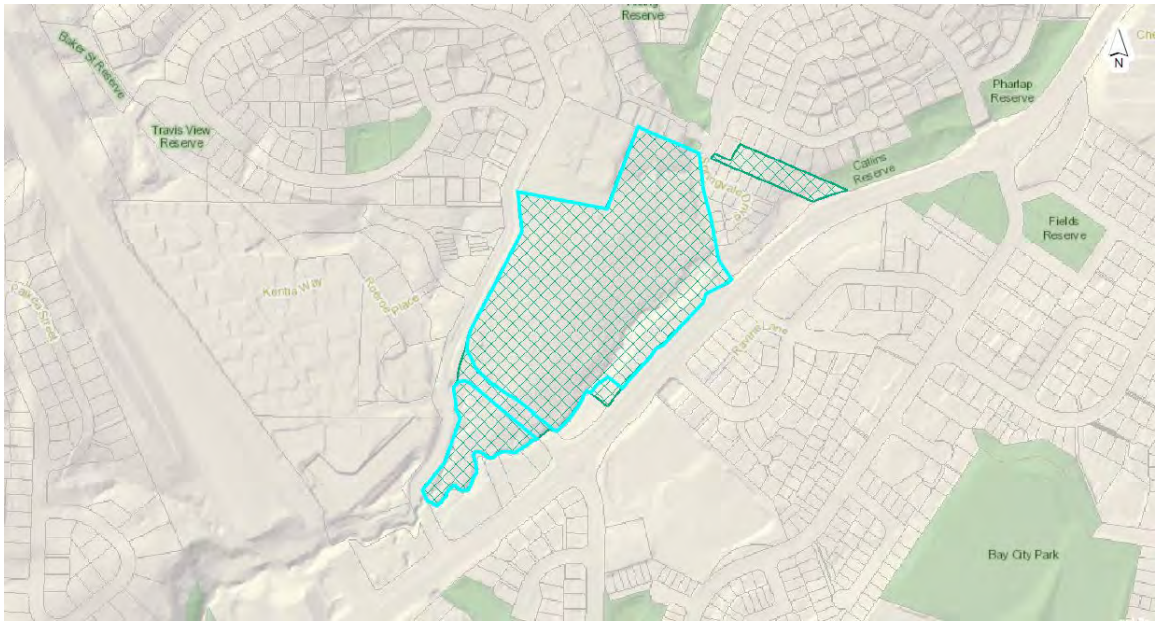
ENV-2019-AKL-000081, ENV-2019-AKL-000082, ENV-2019-AKL-000086 Kainga Ora v Auckland Council. The 2019 Environment Court consent order on the Auckland Council (Healthy Waters) stormwater Network Discharge Consent (**"NDC"**) included specific provisions for the management of the NEIL land at 56 Fairview Avenue and 129 Oteha Valley Road to protect the NEIL investment in their resource consents from the potential adverse effects of stormwater discharge into the upper catchment of Waikahikatea Stream as reflected at Schedule 10 inclusive of Maps 10.1.1 Map of Lots 1 and 3 DP208793 showing the location of the Medallion Drive Extension bridge, and the culvert under Fairview Avenue and 10.1.2 Map showing the catchments upstream of the Medallion Drive Extension bridge to which 10.1 applies. The Auckland Council (Auckland Council Healthy Waters) City Wide Network Discharge consent expires on 26 November 2052.

Also, refer to https://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc



Auckland Council

Stormwater Management Plans
- Adopted
- Provisional

Place Names

Place Name (25,000)
- Place Name (25,000)

Public Open Space Names (8,000)
- Public Open Space Names (8,000)

Place Name Search
- Place Name Search

Rail Stations

Rail Stations (8,000)
- Rail Stations (8,000)

Railway Lines

Railway (25,000)
- Railway (25,000)

Auckland Council Boundary
- Auckland Council Boundary

Roads

Roads (5,000)
- Motorway
- Motorway Under Construction
- Secondary Arterial Road
- Secondary Arterial Road Under Construction
- Primary Arterial Road
- Primary Arterial Road Under Construction
- Collector Road
- Collector Road Under Construction
- Local Road
- Local Road Under Construction

Property
- Property

Rate Assessment
- Rate Assessment

Parcels
- Parcels

Coastline

Base Region (CRS)
- Land Outside
- Water

Region Cache Public Open Space Extent
- Region Cache Public Open Space Extent

LIDAR2006 1m DEM Hillshade
- High : 254 - Low : 0

NZ Hillshade
- High : 254 - Low : 0

The image above is generated from the Auckland Council Geomaps.. The image taken from the GIS on 28 September 2022 above is **incorrect** in relation to the land at 56 Fairview Avenue and 129 Oteha Valley Road and the application of the Healthy Waters regionwide Network Discharge Consent (NDC). The NDC Schedule 10 is incorrectly applied on the Auckland Council GIS for the entire catchment where 56 Fairview Avenue and 129 Oteha Valley Road reside. The AC application of the NDC on the non-statutory layers of its GIS is contrary to the Consent Order of the Court agreed by NEIL and is likely to adversely affect NEIL if relied on by AC and others for land in the catchment as the catchment is not mapped as being subject to the NDC.

Title:

BUSEDIT. MASTER. Stormwater Management Plans

Description:

Healthy Waters holds a regionwide Network Discharge Consent (NDC) which authorises the diversion and discharge of stormwater from the public network across Auckland's urban area. Stormwater management plans (SMPs) are the key tool under the NDC for communicating and assessing the best practicable option for proposed stormwater management. This layer shows the extent of and information about SMPs that have been adopted into the regionwide NDC. The stormwater management requirements shown within any adopted SMP must be complied with at the time of any land development within the area of any adopted SMP. The dataset also shows provisionally approved and under review SMPs for internal information only. Provisionally approved SMPs have been agreed with Healthy Waters but the associated regulatory processes have yet to be completed (plan change or resource consent) so are still subject to change. Under Review, SMPs have been received for review by Healthy Waters but no decision has yet been made. More information about the NDC can be found on the Auckland Design Manual website:
http://www.aucklanddesignmanual.co.nz/regulations/technical-guidance/ndc
To request more information or a full copy of a specific SMP please email Healthy Waters at HWDevelopment@aucklandcouncil.govt.nz This dataset is updated by the Healthy Waters team on a regular basis as additional SMPs are adopted.

Credit:

Healthy Waters Department, Infrastructure and Environmental Services

Use Limitations:

Not Available

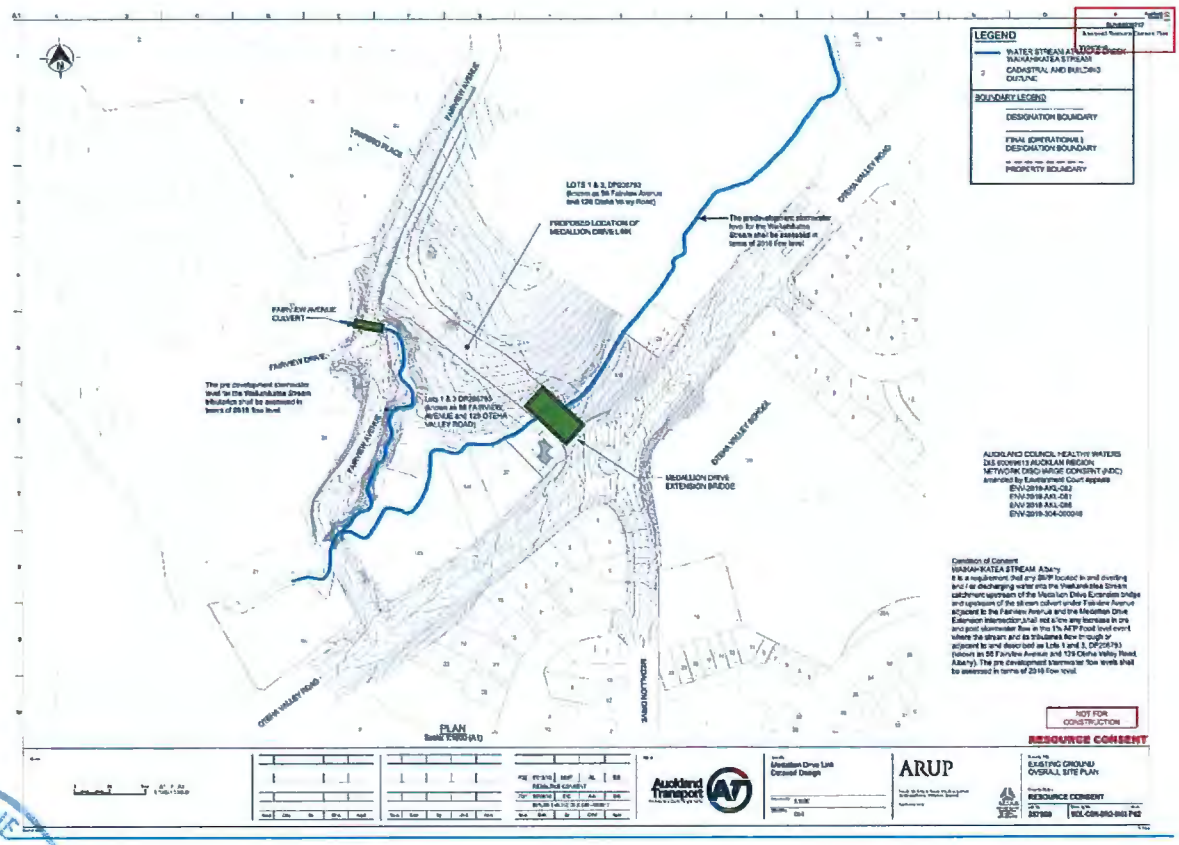
Schedule 10: Adopted or transferred stormwater management plans

10.1 Waikahikatea Stream, Albany: - Stormwater Management Plan in relation to 1% AEP flooding only (all other aspects of Schedule 4 apply).

It is a requirement that any ~~SMP~~Stormwater Management Plan located in and diverting and / or discharging water into the ~~Waiahiketea~~Waikahikatea stream catchment upstream of the Medallion Drive Extension bridge and upstream of the stream culvert under Fairview ~~Ave bridge~~Avenue adjacent to the Fairview Avenue and the Medallion Drive Extension intersection, shall not allow any increase in pre and post stormwater flow in the 1% AEP flood level event where the stream and its tributaries flow through or adjacent to land described as Lots 1 and 3 DP 208793 (known as 56 Fairview Avenue and 129 Oteha Valley Road, Albany). The pre development stormwater flow levels shall be assessed in terms of 2016 flow level.

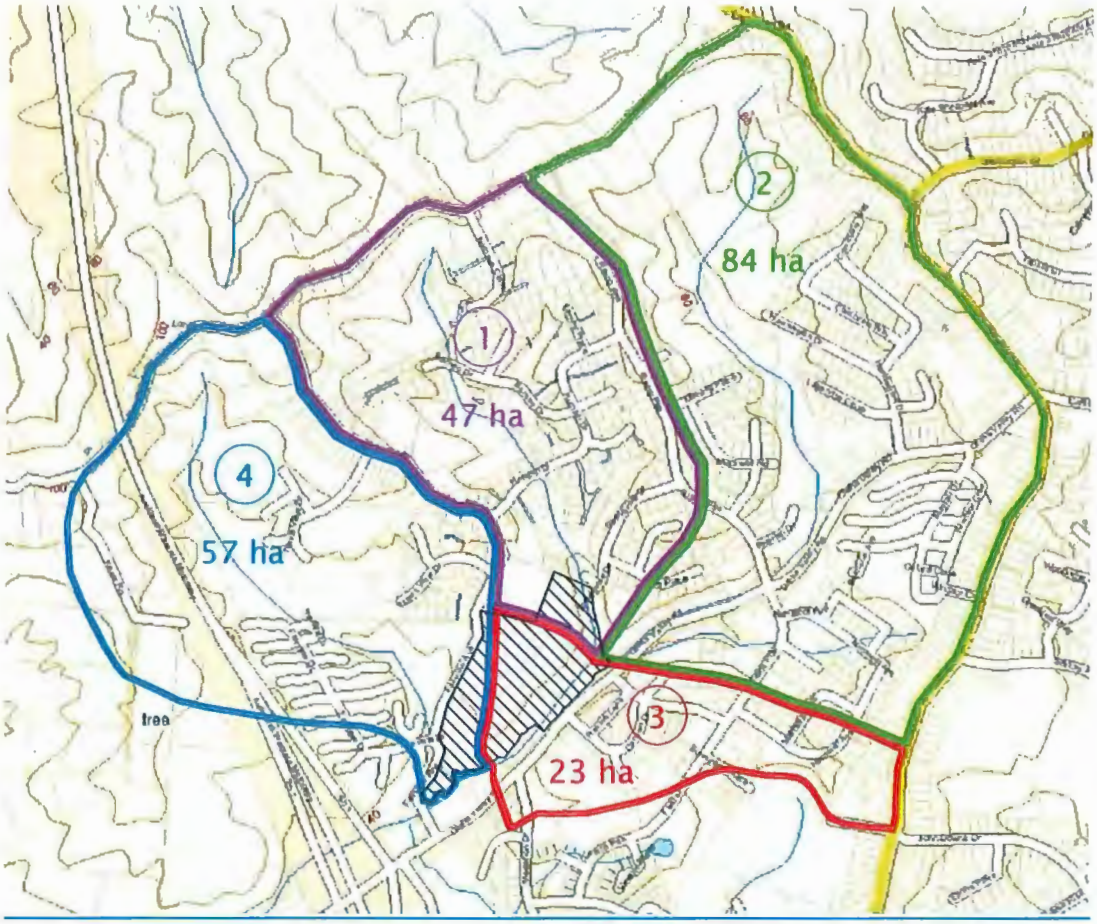
The Consent Holder cannot amend or remove this Stormwater Management Plan from this Schedule other than through a change to the conditions of this consent in accordance with s127 or s128 of the RMA.

Map 10.1.1: Map of Lots 1 and 3 DP 208793 showing the location of the Medallion Drive Extension bridge, and the culvert under Fairview Avenue.



THE SEAL OF THE ENVIRONMENT COURT NEW ZEALAND

Map 10.1.2: Map showing the catchments upstream of the Medallion Drive Extension bridge to which 10.1 applies.



THE SEAL OF THE ENVIRONMENT COURT NEW ZEALAND

ATTACHMENT SEVEN:

AUCKLAND COUNCIL GIS INFORMATION FOR CATCHMENT AND HYDROLOGY

FLOOD PRONE AREAS

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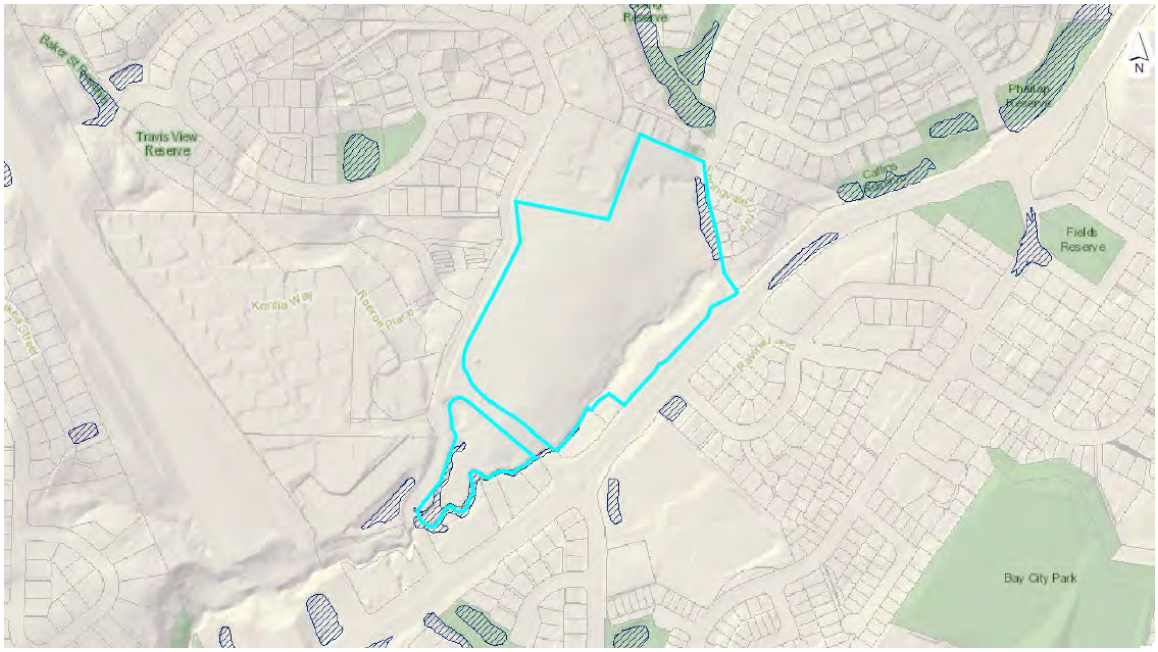

Flood Prone Areas

Flood Prone Areas

Place Names

Place Name (25,000)

Place Name (25,000)

Public Open Space Names (8,000)

Public Open Space Names (8,000)

Place Name Search

Place Name Search

Rail Stations

Rail Stations (8,000)

Rail Stations (8,000)

Railway Lines

Railway (25,000)

Railway (25,000)

Auckland Council Boundary

Auckland Council Boundary

Roads

Roads (5,000)

Motorway

Motorway Under Construction

Secondary Arterial Road

Secondary Arterial Road Under Construction

Primary Arterial Road

Primary Arterial Road Under Construction

Collector Road

Collector Road Under Construction

Local Road

Local Road Under Construction

Property

Property

Rate Assessment

Rate Assessment

Parcels

Parcels

Coastline

Base Region (CRS)

Land Outside

Water

Region Cache Public Open Space Extent

Region Cache Public Open Space Extent

LIDAR2006 1m DEM Hillshade

High : 254 - Low : 0

NZ Hillshade

High : 254 - Low : 0

Title:

BUSEDIT.MASTER.FloodProneAreas

Description:

Flood prone areas (FPA) are potential ponding areas that may flood and commonly comprise of topographical depression areas. The areas can occur naturally or as a result of constructed features which act as embankments when stormwater outlets are blocked. Flood prone areas typically include depressions formed by road/railway/motorway embankments which were built across natural gullies. Some of the depressions in the Auckland region are also from volcanic activity or sand dune depressions in coastal areas. FPAs are a flooding hazard that require particular consideration within assessments carried out under the Auckland Unitary Plan E36.9 Special information requirements. For Flood Prone Areas that can fill up in a 1% AEP rainfall event (large majority), the mapped extent is the area water will pond up to before starting to spill downstream (typically over a road), assuming the outlet is blocked. The FPA extent does not however consider the required flow depth and hydraulic head required above the spill level for water to flow downstream and therefore does not represent the potential maximum level (nor maximum ponding depth and stored volume) that may be experienced in a 1% AEP event. For Flood Prone Areas that cannot fully fill in a 1% AEP rainfall event, the mapped extent is the area water will pond up to assuming the outlet is blocked before the rainfall event. In this case the FPA extents are based on the 1% AEP rainfall event in accordance with TP108 (1999), the maximum probable development (MPD) as defined in the Auckland Unitary Plan (Operative in Part) in the catchment and a 2.1-degree climate change scenario – termed future scenario. The FPA layer was generated from Auckland Council LiDAR data, flown in 2016-2017 and available after processing in 2018. Flood Prone Areas were identified using GIS techniques and are not based on hydraulic modelling. The layer was updated in June 2021 and replaces the previous layer that was first published in 2013. The layer will be updated on an ad hoc basis to align with updates to Auckland Council's LiDAR data.Vertical Datum: NZVD1946A summary of the fields and their definitions is as follows: Field Name / AliasDescriptionFPA_ID / Flood prone area ID Unique identifier of the flood prone area. Can Fill / Can fill in a 100yr ARI rainfall event Can the depression area fill in a 100yr ARI future scenario rainfall event if the outlet is blocked - either Yes or No Catchment Area / Catchment Area (m2) Catchment area upstream of the most downstream point in the flood prone area. Minimum Level / Minimum elevation (m RL)Minimum identified (based on LiDAR) ground elevation in the flood prone area. Spill Elevation / Spill elevation (m RL) Lowest elevation where water will start to spill downstream. Max Depth / Spill ponding depth (m)Maximum ponding depth before the flood prone area starts to spill (spill elevation minus minimum elevation). VolumeM3 / Volume to spill elevation (m3) Volume that can be stored in the flood prone area up to the spill elevation, assuming the outlet is blocked. Rainfall Required / Rainfall required to fill flood prone area (mm)Rainfall depth required in the catchment to fill up the flood

prone area to the spill elevation. Rainfall Future / Rainfall depth 100yr ARI future scenario (mm)TP108 24hr 100yr ARI future scenario rainfall depth (existing rainfall depth multiplied by 16.8% to account for a 2.1 degree Celsius temperature rise due to climate change). Level100y / Flood prone elevation in 100yr ARI event (m RL)The elevation water will pond to in a 100yr ARI future scenario event assuming the outlet is blocked, and the flood prone area cannot fill.Depth100y / Flood prone depth in 100yr ARI event (m)Maximum water depth in the 100yr ARI future scenario rainfall event, assuming the outlet is blocked, and the flood prone area cannot fill (flood prone elevation minus minimum elevation).Vol100yrm3 / Flood prone volume stored in 100yr ARI event (m3)Volume stored in a 100yr ARI future scenario rainfall event assuming the outlet is blocked, and the flood prone area cannot fill. SHAPE.STArea() / Max. flooded area in the 100yr ARI Future Scenario (m2)Surface area of the flood prone area.

Credit:

WSP Opus / WSP

Auckland Council: Healthy Waters, Geospatial

Use Limitations:

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ATTACHMENT EIGHT:

AUCKLAND COUNCIL GIS INFORMATION FOR CATCHMENT AND HYDROLOGY

FLOOD SENSITIVE AREAS

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Auckland Council

Flood Sensitive Area

Flood Sensitive Area

Place Names

Place Name (25,000)

Place Name (25,000)

Public Open Space Names (8,000)

Public Open Space Names (8,000)

Place Name Search

Place Name Search

Rail Stations

Rail Stations (8,000)

Rail Stations (8,000)

Railway Lines

Railway (25,000)

Railway (25,000)

Auckland Council Boundary

Auckland Council Boundary

Roads

Roads (5,000)

Motorway

Motorway Under Construction

Secondary Arterial Road

Secondary Arterial Road Under Construction

Primary Arterial Road

Primary Arterial Road Under Construction

Collector Road

Collector Road Under Construction

Local Road

Local Road Under Construction

Property

Property

Rate Assessment

Rate Assessment

Parcels

Parcels

Coastline

Base Region (CRS)

Land Outside

Water

Region Cache Public Open Space Extent

Region Cache Public Open Space Extent

LIDAR2006 1m DEM Hillshade

High : 254 - Low : 0

NZ Hillshade

High : 254 - Low : 0

Title
BUSEDIT. MASTER. Flood Sensitive Areas

Description

Areas adjacent to the 100yr ARI floodplain that are within 0.5m of the predicted 100yr ARI flood level. These mapped areas are to ensure the appropriate planning rules are considered for properties developing adjacent to the floodplain Created by the Stormwater Hydraulic Modelling Team Last Update 23 May 2013

Credit
Created by the Stormwater Hydraulic Modeling team
Use Limitations
Not Available
Extent
West
174.595746
East
174.947129
North
-36.660010
South
-37.235160

ATTACHMENT NINE:

AUCKLAND COUNCIL GIS INFORMATION FOR CATCHMENT AND HYDROLOGY

FLOOD PLAINS

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Auckland Council

Flood Plains

Flood Plains

Place Names

Place Name (25,000)

Place Name (25,000)

Public Open Space Names (8,000)

Public Open Space Names (8,000)

Place Name Search

Place Name Search

Rail Stations

Rail Stations (8,000)

Rail Stations (8,000)

Railway Lines

Railway (25,000)

Railway (25,000)

Auckland Council Boundary

Auckland Council Boundary

Roads

Roads (8,000)

Motorway

Motorway Under Construction

Secondary Arterial Road

Secondary Arterial Road Under Construction

Primary Arterial Road

Primary Arterial Road Under Construction

Collector Road

Collector Road Under Construction

Local Road

Local Road Under Construction

Property

Property

Rate Assessment

Rate Assessment

Parcels

Parcels

Coastline

Title
BUSEDIT.MASTER. Flood Plains
Description

The flood plains indicate the area of land inundated by runoff in a storm event that has a 1 percent or greater probability of occurring in any given year, assuming maximum probable development (MPD) and future climate change.

The flood plains are mapped from hydraulic modelling results. Information specific to each flood plain is accessible using the Identify tool, including the flood report.

This dataset is continually updated at catchment scale to reflect the best information available.

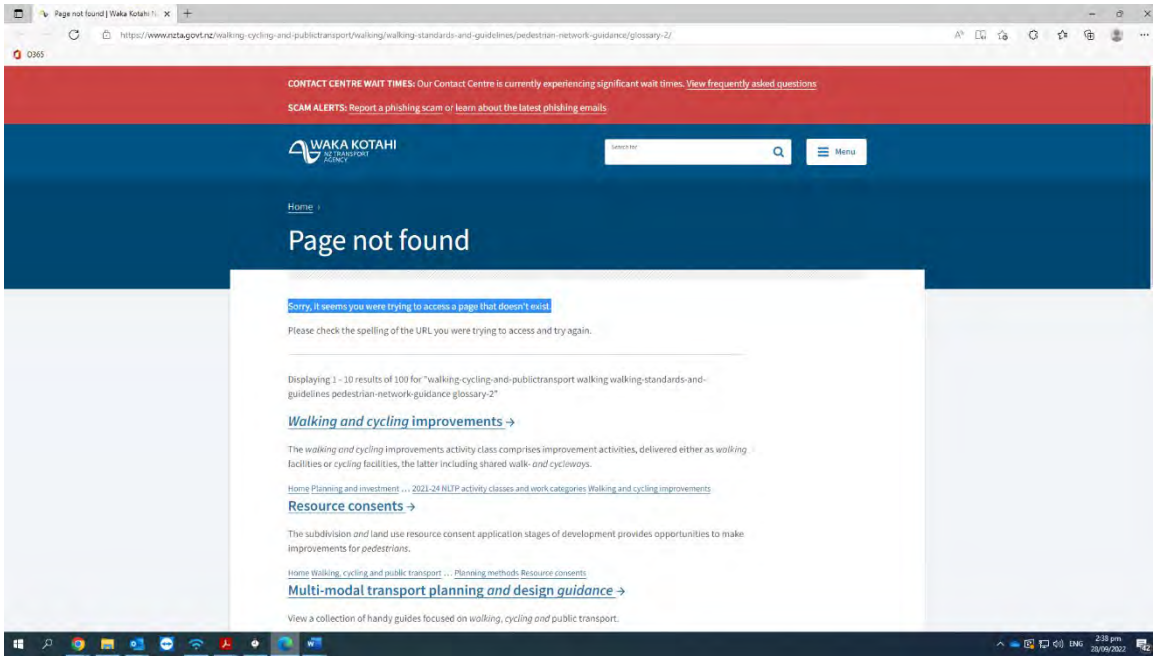
Credit

Created by the Stormwater Hydraulic Modelling Team

Use Limitations
Not Available
Extent
West
174.155817
East
175.581632
North
-36.047091
South
-37.289008

ATTACHMENT TEN:

S 32 Link to Waka Kotahi Website.



SUBMISSION ON PROPOSED PLAN CHANGES 78 (PUBLIC)

THAT IS SUBJECT TO FULL NOTIFICATION

PLAN CHANGE 78 – INTENSIFICATION

To: Auckland Council

Attention: Principal Policy Planner

By email: unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: (Russell Property Group) ('the Submitter')

1. This is a submission on public Plan Changes 78 (PC78) to the Auckland Unitary Plan – Operative in Part (the Unitary Plan) on behalf of Russell Property Group. PC78 was publicly notified by Auckland Council (Council) on 18 August 2022.

2. Russell Property Group could not gain an advantage in trade competition through this submission.

Wider statutory context

NPS-UD and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the RM Enabling Act)

3. The NPS-UD seeks to ensure councils better plan for growth and remove overly restrictive barriers to development to enable growth in locations that have good access to services, public transport networks and infrastructure. The associated intensification policies require councils to enable greater heights and residential densities in areas that are well-suited to growth, and specifically in and around urban centres and rapid transit stops.

4. The RM Enabling Act introduced the Intensification Streamlined Planning Process for tier 1 councils (which includes Auckland Council) as the mechanism by which to implement the NPS-UD intensification policies. It also introduced and required tier 1 councils to implement the Medium Density Residential Standards (MDRS).

5. The NPS-UD and RM Enabling Act collectively seek to ensure New Zealand's urban centres are well-functioning urban environments that support housing supply and affordability, accessibility to jobs and services, and the reduction of emissions.

Summary of Plan Change 78

6. PC78 seeks to:

   a. Change the allocation of residential zoning, and provisions within residential zones to enable:

      - More development in the City Centre and at least 6-storey buildings within walkable distance of the city centre, metropolitan centres and Rapid Transit Stops.
      - More intensive development in and around neighbourhood, local and town centres.
      - Incorporate MDRS that enable three storey housing in most residential areas.

   b. Changes to the City Centre Zone and other centre zones to give effect to the NPS-UD and MDRS.
   c. Implement qualifying matters that restrict development potential where there is a feature or value that should be protected or avoided.

7. Additional changes are proposed by Council that do not directly implement MDRS and which are as follows:

   a. Implement Council proposed qualifying matters (special character, ridgeline protection, viewshafts, infrastructure constraints, specific matters in precincts) that restrict development potential where there is a feature or value that should be protected or avoided.
   b. New Low Density Residential Zone applied across areas subject to specific qualifying matters.
   c. Implementation of a raft of additional changes to objectives, policies, rules and standards unrelated to MDRS throughout residential and business zones, numerous overlays and Auckland-wide chapters.

Background to this submission

8. This submission relates to land at the following properties:

a. 150 Marua Road and 168-170 Marua Road

b. These landholdings (outlined in black) and the surrounding environment are shown in the figure.

Figure: Properties forming part of submission (outlined in black)

c. The PC78 Maps outlining the underlying Business – Light Industry zones (purple) and the Floodplain on 150 Marua Road as an Spatially Identified Qualifying Matter are shown in the Figure below.

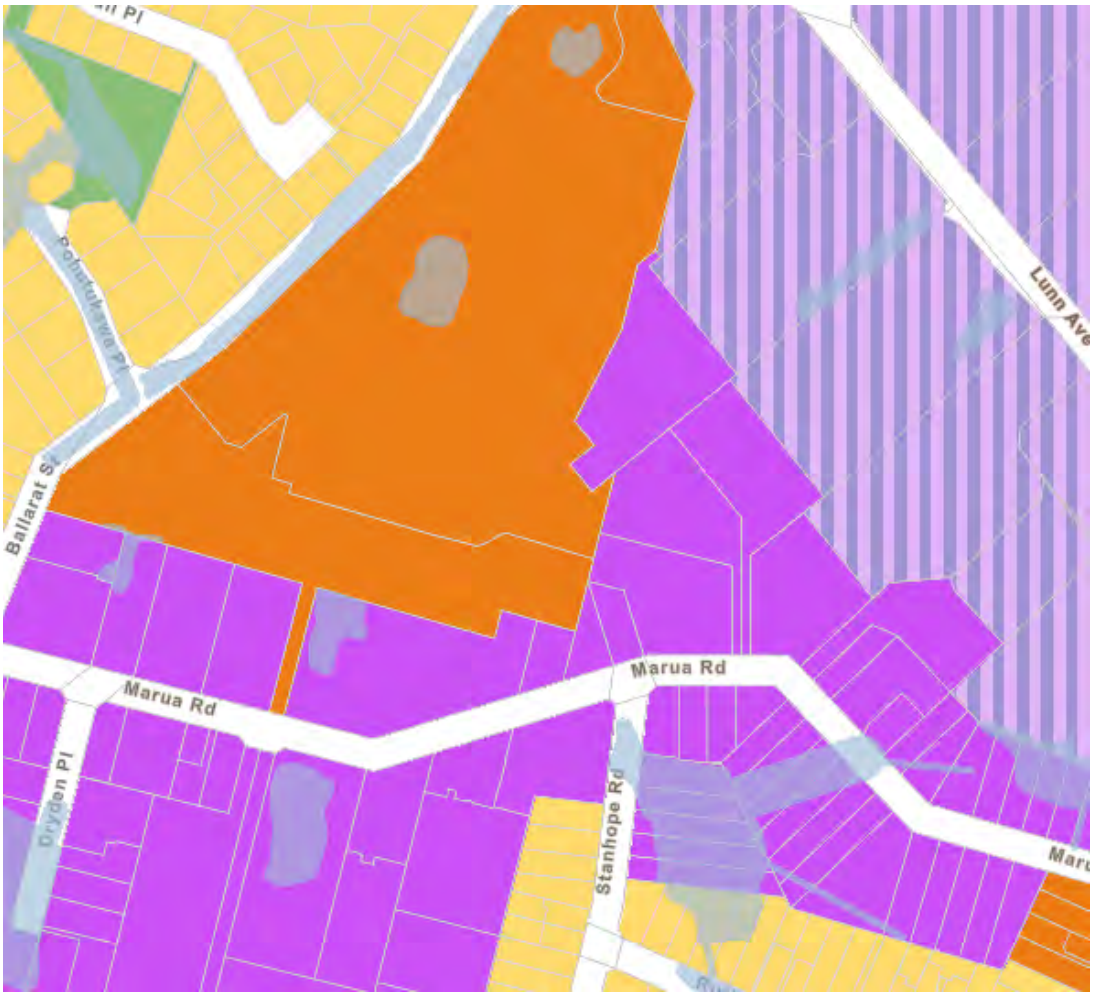


Figure: PC78 Zoning Map and Floodplain

Scope of Submission

9. This submission relates to PC78 in its entirety.

The Submission is:

10. The Submitter supports the zoning changes and provisions that seek to implement the NPS-UD and MDRS requirements for quality intensification in appropriate locations.

    a. Russell Property Group supports the broad application of the Mixed Housing Urban (**MHU**) zone and considers this to be an appropriate mechanism by which to incorporate the MDRS and to give effect to the objectives and policies of the NPS-UD. 839.131

    b. The Submitter supports the enhanced application of the Terrace Housing and Apartment Buildings (**THAB**) within walkable catchments and considers this to be an appropriate mechanism by which to give effect to the objectives and policies of the NPS-UD. 839.132

c. The Submitter supports the removal of 'intensity' from the matters of discretion and assessment criteria within the MHU and THAB zones for the assessment of 'four plus dwellings'.

11. Notwithstanding the above, Russell Property Group considers that amendments are required to provide a more effective planning framework that gives full effect to the directives of the legislation. The key overarching considerations and concerns are:

a. The proposed plan change is contrary to the NPS-UD and RM Enabling Act which seeks to enable greater intensification in Tier 1 districts.

b. The Submitter opposes the Council's approach to the relationship between Qualifying Matters and the underlying zoning. Qualifying Matters have been used to justify lower intensity zoning, rather than the zoning being applied on the basis of location and other mechanisms such as Overlays, Precincts and / or Auckland-wide provisions being relied upon to achieve the outcomes sought by the Qualifying Matter.

c. The Submitter opposes the introduction of the extensive suite of amendments proposed to the descriptions, objectives, policies, rules, development standards, matters of discretion, assessment criteria and information requirements of the MHU and THAB zones. The Submitter also opposes the introduction of Qualifying Matters into zones as these can be dealt with appropriately through other mechanisms such as Overlays, Precincts, Auckland-wide rules and assessment criteria. The provisions are overly complicated and restrictive, and the changes proposed in additional to those strictly required to give effect to the NPS-UD and RM Enabling Act provisions combine to reduce development yield and increase costs of compliance, and in the process undermine the outcomes envisaged by the statutory documents. These provisions have not been sufficiently justified under Section 32 of the RMA. 839.133

d. The Submitter oppose the introduction of those Council identified Qualifying Matters under sections 77I(j) of the RMA and the use of those Qualifying Matters to justify lower intensity zoning of land. The Submitter seeks the deletion of those matters as Qualifying Matters and the introduction of higher intensity zoning across those areas currently limited by spatially mapped Council identified Qualifying Matters. 839.134

e. The Submitter opposes the introduction of the Low Density Residential (LDR) zone. Its existence has been justified on the basis of those Qualifying Matters identified by Council under section 77I(j) of the RMA.

f. The level of detail required by the provisions is not appropriate in a district plan or necessary for a resource consent process and is more appropriately provided during detailed design for building consent / engineering plan approval.

12. The Submitter seeks to ensure that PC78 plan change provisions are amended so that they comply with the NPS-UD and RM Enabling Act and remove all provisions relating to unjustified qualifying matters and other provisions that will not achieve the purpose of NPS-UD or RM Enabling Act. Without limiting the generality of the above, the specific parts of the plan change that this submission relates to are set out in the main body of this submission and Attachment 1 and include the following:

a. Over complication of the structure of the Unitary Plan:

- There is a clear divergence in the drafting style of PC78 compared with the well-established approach to the operative Unitary Plan. The language is more negative and directive, assessment criteria can appear more like standards through the introduction of detailed requirements that do not exist elsewhere in the Plan, and a prescriptive 'one size fits all' approach has been taken through the introduction of significant new Special information Requirements.
- The clarity of zones has been compromised by the introduction of Qualifying Matters when they are (or can be) already dealt with via other mechanisms (i.e. Significant Ecological Areas are subject to Chapter D9 – Significant Ecological Area Overlay, but are now proposed to be addressed through zone provisions also).
- Qualifying Matters dealt with via Overlays, Precincts or Auckland-wide rules could (and in some cases already do) trump zone provisions, meaning a more intensive underlying zoning would be appropriately constrained by those mechanisms, where relevant. Accordingly, The Submitter considers that more intensive zoning should be applied in place of the LDR zone, with any applicable Qualifying Matters limiting development potential in specific response to that Qualifying Matter enabled through other Plan mechanisms where appropriate.
- While applied broadly across Qualifying Matters relating to infrastructure constraints, coastal inundation and SEAs, a key function of the LDR zone appears to be to sit across sites identified as being within the Special Character Overlay (Chapter D18). However, as the Special Character Overlay explicitly states that the underlying zone rules do not apply and that the rules within the Overlay apply, it is not clear what the need for a lower intensity underlying zone is.

b. LDR zone

- For the reasons set out above, the LDR zone is considered to be of little value and unnecessary. Russell Property Group submits that the LDR Zone should be deleted and all subject land zoned for higher intensity outcomes. Any relevant Qualifying Matters

can be applied via other Plan mechanisms and still achieve the intent of limiting development within certain areas.

c. MHU and THAB Zones

- The extensive suite of changes proposed to the MHU and THAB zones go well beyond what is needed to give effect to the MDRS and the NPS-UD. Russell Property Group considers that the operative provisions are clear, efficient and effective, having been evaluated through the robust Unitary Plan hearings process. The proposed amendments adopt a contrary drafting style and general approach that is far more prescriptive and creates inconsistency across the Unitary Plan.
- The proposed amendments to the MHU and THAB zones introduce far more prescriptive requirements for 'four plus dwellings' in the form of new and amended rules, development standards and assessment matters. The net result is a significant reduction in design flexibility, clear impacts on the development potential of land and the costs associated with obtaining and implementing resource consents. This sits in contrast to the current approach taken within the residential zones which requires compliance with those standards that seek to control the overall bulk and location of buildings (height, height in relation to boundary and yards), with all other standards referenced via assessment criteria as a means of guiding design while enabling flexibility.
- New standards are complex, detailed and will undermine the ability to achieve the intensification objectives of the NPS-UD.
- The submitter seeks that the site zoning for 150-170 Marua Road is amended to THAB given the frontage to the adjoining Edmund Hillary Retirement Village, as outlined in the Figure below.

839.135

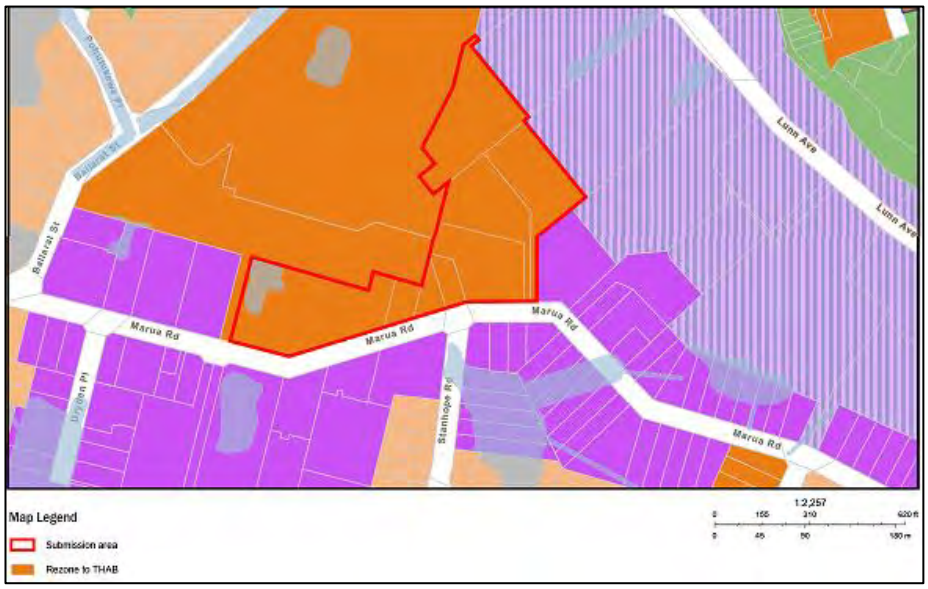


Figure: Amended Zoning to THAB shown for the properties at 150-170 Marua Road

d. Auckland-wide Chapters:

- E38 Subdivision – Urban

13. The Submitter opposes the proposed changes to Chapter E38 Subdivision – Urban, which are set out in full of Attachment 1 of this submission. The submitter opposes the proposed changes to Chapter E38 for the following reasons:

i. Remove reference to qualifying matters;

ii. Other mechanisms exists to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the plan to the extent proposed.

iii. Compliance with an approved land use consent should not require any broader assessment than consistency with the approved land use consent.

iv. Plan provisions (and maps) could become out of date very quickly in the event that infrastructure upgrades are undertaken.

e. Qualifying Matters:

- Qualifying matters identified by Central Government:

  i. Significant Natural Hazards

- Council proposed qualifying matters include:

i. Floodplain

14. Floodplain:

The Submitter opposes the inclusion of Floodplains as a qualifying matter in Plan Change 78 for the following reasons: 839.136

i. This is not a credible reason to prevent intensification and duplicates current Unitary Plan provisions and standards.

Decision Requested

15. The Submitter seeks the following decision from the Council on PC78:

a. Amend PC78 provisions so that they give effect to the NPS-UD and RM Enabling Act and remove all provisions relating to unjustified qualifying matters and other provisions that will undermine the ability to achieve the purpose of NPS-UD or RM Enabling Act.
b. In the alternative to the primary relief of approving PC78, amend PC78 and retain provisions as set out in Attachment 1 to this submission; and
c. Any other alternative or consequential relief, including in relation to PC78's objectives, policies, rules, methods and maps, that reflects or responds to the reasons for this submission.

Reasons for relief sought

16. The reasons for the relief sought are to ensure that PC78:

a. will give effect to the objectives and policies of the NPS-UD
b. will contribute to well-functioning urban environments
c. is consistent with the sustainable management of natural and physical resources and the purpose and principles of the RMA
d. Will meet the reasonably foreseeable needs of future generations
e. Will satisfy the requirements of section 32 of the RMA; and
f. Is consistent with sound resource management practice.

Appearance at hearing

17. The Submitter wishes to be heard in support of its submission.

18. The Submitter will consider presenting a joint case with others making a similar submission.

DATED at this day of 29 September 2022

Vijay Lala

On behalf of Russell Property Group Limited

Electronic address for service of Submitter: Vijay Lala

c/- Tattico

PO Box 91562, Victoria Street, Auckland 1142

Contact person: Vijay Lala

Telephone: 021411124

Email address: Vijay.lala@tattico.co.nz

Attachment 1 – Plan Change 78 submission table

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	**Outline of Proposed Change**	**Support / Oppose**	**Reasons**	**Relief Sought**
Whole of Plan Change 78				
Whole of Plan Change 78	PC78 (Intensification) seeks to: a. Change the allocation of residential zoning, and provisions within residential zones to enable: ▪ More development in the City Centre and at least 6-storey buildings within walkable distance of the city centre, metropolitan centres and Rapid Transit Stops. ▪ More intensive development in and around neighbourhood, local and town centres. ▪ Incorporate MDRS that enable three storey housing in most residential areas b. Changes to the City Centre Zone and other centre zones to give effect to the NPS-UD and MDRS. c. Implement qualifying matters that restrict development potential where there is a feature or value that should be protected or avoided. Additional changes are proposed by Council that do not directly implement MDRS and which are as follows: a. Implement Council proposed qualifying matters (special character, ridgeline protection, viewshafts, infrastructure constraints, specific matters in precincts) that restrict	Oppose	▪ The proposed changes are contrary to the NPS-UD and RM Enabling Act which seeks to enable greater intensification in Tier 1 districts. ▪ The provisions are overly complicated and restrictive and the additional non NPS-UD and RMA Enabling Act provisions reduce yield and increase costs of compliance while not meeting the outcomes envisaged by these documents. These provisions have not been justified under section 32 of the RMA.	Amend PC78 provisions so that they give effect to the NPS-UD and RM Enabling Act and remove all provisions relating to unjustified qualifying matters and other provisions that will not achieve the purpose of NPS-UD or RM Enabling Act.

839.1
839.2

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	development potential where there is a feature or value that should be protected or avoided. b. New Low Density Residential Zone applied across areas subject to specific qualifying matters. c. Implementation of a raft of additional changes to objectives, policies, rules and standards unrelated to MDRS throughout residential and business zones, numerous overlays and Auckland-wide chapters.				
Mapping	Application of zones, overlays, spatially represented qualifying matters	Oppose	▪ The proposed zoning / application of overlays and / or qualifying matters undermine the national direction afforded the NPS-UD and RM Enabling Act	▪ Apply zoning appropriate to give effect to the NPS-UD and RM Enabling Act ▪ Remove overlays / qualifying matters that inappropriately restrict the implementation of the NPS-UD and RM Enabling Act	839.3 839.4
Chapter C: General rules					
New Rule C1.6A	1. Where an activity is subject to a rule in an overlay, the overlay may specific whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. 2. Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	▪ The proposed rule clarifies the relationship overlays / precincts and other parts of the Unitary Plan	Retain proposed rule C1.6A	839.5
Chapter D16: Local Public Views Overlay	▪ The Local and Public Views Overlay is listed as a qualifying matter in accordance with section 77I(j) and 77O(J) of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021	Oppose	▪ Overlays are an appropriate method for acknowledging Qualifying Matters, although disagree that local views fall into that category.	▪ Remove local and public views as a Qualifying Matter	839.6

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	▪ Existing rule D16.4.1(A2) identified as a qualifying matter as per 77I(j) and 77O(J) of the RMA	Oppose	▪ Overlays are an appropriate method for acknowledging Qualifying Matters, although disagree that local views fall into that category.	▪ Remove local and public views as a Qualifying Matter	839.6
Chapter E – Auckland-wide					
Chapter E36: Natural Hazards and Flooding	▪ New statement inserted under heading E38. Natural hazards and flooding: *'The management of significant risks from natural hazards is a qualifying matter in accordance with sections 77I(a) and 77O(a) of the RMA.'* ▪ A number of rules identified as qualifying matters under sections 77I(a) and 77I(j) of the RMA.	Oppose	▪ Oppose identification of this is a Qualifying Matter and all associated changes	▪ Delete proposed provisions	839.7
	▪ Amendment to E36.1. Background: The Plan has defined criteria to identify land which may be subject to natural hazards and in some cases has applied the Residential - Low Density Residential Zone to this land. The Plan requires the use of the best information available to identify greenfield land or land which is proposed for redevelopment which may be subject to natural hazards. This includes hazard maps, databases and reports held by the Council. The level of detail and the quality of this information is variable. This affects the Council's ability to identify and map land that may be subject to natural hazards. At this time, the provisions in the Plan are focussed on the following hazards:	Oppose	▪ Oppose identification of this is a Qualifying Matter and all associated changes	▪ Delete proposed provisions	839.8
Chapter E38: Subdivision – Urban	▪ Amendment to E38.1. Introduction: This chapter incorporates Medium Density Residential Standards (MDRS). The subdivision outcomes anticipated by the RMA are provided for in this chapter except to the extent necessary to accommodate one or more qualifying matters.	Oppose	▪ Delete reference to Qualifying Matters. These are dealt with through out Plan mechanisms and do not need to be brought into the E38 Subdivision. This just creates duplication and unnecessary complexity ▪	▪ Remove reference to Qualifying Matters	839.9
	▪ Amendments to E38.2. Objectives:	Oppose	▪ Remove reference to Qualifying Matters, particularly the mapped Infrastructure Constraints	▪ Delete proposed provisions	

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	- New addition of E38.2(10)(d) that subdivision is '*provided for where the sites can be serviced by the water supply, wastewater and stormwater networks*'; - and E38.2(10)(e) that subdivision '*avoids the creation of vacant sites not complying with the minimum site size in areas where transport qualifying matters apply*'. - New addition of '*Medium Density Residential Standards Objectives*': (11) '*Provide for subdivision which enables the level of development anticipated by the RMA, except in circumstances where one or more qualifying matters are relevant'*.		▪ Other mechanisms exist to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the Plan to the extent proposed		839.10 839.11 839.12
	▪ Amendments to E38.3. Policies: (13) Require subdivision (except for subdivision around MDRS compliant development) to deliver sites that are of an appropriate size and shape for development intended by the zone by: *Subdivision in areas subject to the Infrastructure – Combined Wastewater Network Control, Infrastructure – Water and/or Wastewater Constraints Control, Infrastructure – Stormwater Disposal Constraints Control as identified in the planning maps* (31) Avoid subdivision in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints unless proposed subdivisions can be serviced by infrastructure and there is sufficient capacity. *Subdivision in areas subject to the Infrastructure – Beachlands Transport Constraints Control as identified in the planning maps* (32) Avoid vacant site subdivision that does not comply with the minimum site size in areas identified on the planning maps as subject to transport infrastructure constraints.	Oppose	▪ Remove reference to Qualifying Matters, particularly the mapped Infrastructure Constraints ▪ Other mechanisms exist to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the Plan to the extent proposed	▪ Delete proposed provisions	839.13

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Medium Density Residential Standards Policies (33) Provide for subdivision as a controlled activity in zones where the Medium Density Residential Standards apply except where: (a) there is significant risk from natural hazards; (b) sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision; (c) where a qualifying matter is relevant; or (d) where the proposed subdivision does not comply with any relevant subdivision standards. (34) Subdivision is enabled as required by the RMA except to the extent necessary to accommodate one or more qualifying matters. (35) Require subdivision around MDRS development to not compromise any qualifying matters located on the site.				839.13
	▪ Amendments to Table E38.4.2 Activity table - Subdivision in residential zones:	Oppose	▪ Remove reference to Qualifying Matters, particularly the mapped Infrastructure Constraints ▪ Other mechanisms exist to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the Plan to the extent proposed ▪ Plan provisions (and maps) could become out of date very quickly in the event infrastructure upgrades are undertaken	▪ Delete proposed provisions	839.14

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
				839.14

Activity		Activity status
Subdivision for the purpose of the construction or use of dwellings, which are provided for as either permitted or restricted discretionary activities in the Residential - Low Density Residential Zone, Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Buildings Zone		
Note 1 All applications for subdivision consent, including controlled activities A13A and A13B below, are subject to section 106 of the RMA		
(A13A)	Subdivision in accordance with an approved land use resource consent complying with Standard E38.8.1A.1	C
(A13B)	Subdivision around existing buildings and development complying with Standard E38.8.1A.2.	C
(A13C)	Subdivision around buildings and development with existing use rights where sites created results in non-compliance with the relevant overlay, Auckland-wide and zone rules and is not accompanied by a land use consent.	RD
(A13D)	Subdivision in accordance with an approved land use resource consent not meeting Standard E38.8.1A.1	RD
(A13E)	Subdivision around existing buildings and development not meeting the standards in E38.8.1A.2	RD
(A13F)	Any subdivision listed above not meeting Standards for subdivision in residential zones E38.8.1.1(1) and E38.8.1.2.	D
(A13G)	Any subdivision listed above not meeting General Standards E38.6.2 - E38.6.6	D
All other types of subdivision in residential zones		
(A29A)	Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control.	RD
(A29B)	Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control and/or the Infrastructure – Water and Wastewater Constraints Control.	RD
(A29C)	Vacant site subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Beachlands Transport Constraints Control complying with Standard 38.8.2.9.	D
(A29D)	Vacant site subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Beachlands Transport Constraints Control not complying with Standard 38.8.2.9.	NC

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	▪ New addition of E38.8.1A. Standards – residential controlled activities: **E38.8.1A. Standards – residential controlled activities** Subdivision listed as a controlled activity in Table E38.4.2 Subdivision in residential zones must comply with standards E38.6.2 - E38.6.6 listed in E38.6 General standards for subdivisions, standard E38.8.1.1(1) and standard E38.8.1.2 in E38.8.1 General standards in residential zones and standards listed in E38.8.1A Standards – residential controlled activities as relevant. **E38.8.1A.1. Subdivision in accordance with an approved land use resource consent** (1) Any subdivision relating to an approved land use consent must comply with that land use consent. (2) No vacant sites are created. **E38.8.1A.2. Subdivision around existing buildings and development** (1) Prior to subdivision occurring, all development must meet one of the following: (a) comply with the relevant overlay, Auckland-wide and zone rules; or (b) be in accordance with an approved land use resource consent. (2) No vacant sites are created.	Support	▪ Appropriate provision that streamlines subdivision around consented development ▪ Specify that for subdivision around approved land use resource consent or around existing building and development, Standard E38.8.1.2(1) "A single jointly owned access lot or right-of-way easement must not serve more than ten proposed rear sites" does not apply. ▪ Apply to restricted discretionary activity resource consent around approved land use resource consent or around existing building and development also.	▪ Retain proposed provisions except that E38.8.1.2(1) does not apply ▪ Expand to apply to restricted discretionary activity applications around approved land use resource consent or around existing building and development also.	839.15 839.16
	▪ Amendments to E38.8.2. Standards – residential restricted discretionary activities: **E38.8.2.7. Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control.** (1) An application must be accompanied by a technical report prepared by a suitably qualified and experienced person. (2) The technical report must demonstrate that sufficient stormwater disposal capacity exists.	Oppose	▪ Remove reference to Qualifying Matters, particularly the mapped Infrastructure Constraints ▪ Other mechanisms exist to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the Plan to the extent proposed ▪ Plan provisions (and maps) could become out of date very quickly in the event infrastructure upgrades are undertaken	▪ Delete proposed provisions	839.17

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	E38.8.2.8. Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and/or Wastewater Constraints Control. (1) Applications must be accompanied by a technical report prepared by a suitably qualified and experienced person. (2) The technical report must demonstrate that infrastructure and servicing can be achieved. **E38.8.2.9. Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Beachlands Transport Constraints Control.** (1) Proposed vacant sites identified in the Infrastructure – Beachlands Transport Constraints Control Overlay must comply with a minimum net site area of 600m².				839.17
	▪ Amendments to E38.11.1. Matters of control: The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application: (1) all controlled activities in Table E38.4.1: (a) compliance with an approved resource consent except for boundary adjustment subdivision; (b) the effect of the site design, ~~size, shape~~, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces; (c) the effects of infrastructure provision; and (d) the effects on historic heritage and cultural heritage items. (2) all controlled activities in Table E38.4.2: (a) compliance with an approved land use consent; (b) compliance with the relevant overlay, Auckland-wide and zone rules; and (c) the effects of infrastructure provision.	Oppose	▪ Compliance with an approved land use consent should not require any broader assessment that consistency with the approved land use consent.	▪ Delete proposed provisions	839.18
	▪ Amendments to E38.11.2. Assessment criteria for controlled activities:	Oppose	▪ Compliance with an approved land use consent should not require any broader assessment that consistency with the approved land use consent.	▪ Delete proposed provisions	839.19

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(2) All controlled activities in Table E38.4.2: (a) compliance with an approved resource consent: (i) refer to Policy E38.3(6); (b) compliance with the relevant overlay, Auckland-wide and zone rules; (i) refer to Policy E38.3(1) and (6); (c) whether there is appropriate provision made for infrastructure including; (ii) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and (iii) Whether appropriate management of effects of stormwater has been provided; (iv) refer to Policies E38.3(1), (6), (19) to (23).				839.19
	▪ Amendments to E38.12.1. Matters of discretion: (10) subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control: (a) the ability to provide for stormwater disposal. (11) subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and/or Wastewater Constraints Control: (a) the effect on the capacity of the existing public reticulated water supply and wastewater network; (b) the provision of access to water supplies for firefighting purposes; (c) the ability to provide for a connection between any dwelling(s) and a reticulated water supply and wastewater network in the future; and (d) the ability to provide for a connection to a separated stormwater pipe that is part of the public network, including in the future if separation is in progress.	Oppose	▪ Remove reference to Qualifying Matters, particularly the mapped Infrastructure Constraints ▪ Other mechanisms exist to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the Plan to the extent proposed ▪ Plan provisions (and maps) could become out of date very quickly in the event infrastructure upgrades are undertaken	▪ Delete proposed provisions	839.20
	▪ Amendments to E38.12.2. Assessment criteria:	Oppose	▪ Remove reference to Qualifying Matters, particularly the mapped Infrastructure Constraints	▪ Delete proposed provisions	839.21

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(10) subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control: (a) Whether there is the ability to adequately dispose of stormwater via a connection to the public stormwater network to service the proposed subdivision. (b) Whether stormwater can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice to service the proposed subdivision. (11) subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and/or Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and wastewater network to service the proposed subdivision. (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability connect the dwelling(s) to a reticulated water supply and/or wastewater network in the future. (d) If the site is an area subject to the Infrastructure – Combined Wastewater Network Control whether separation is in progress and whether the new site can connect to a separated stormwater pipe that is part of the public stormwater network.		▪ Other mechanisms exist to ensure that proposed sites are able to be serviced. Infrastructure does not need to permeate the Plan to the extent proposed ▪ Plan provisions (and maps) could become out of date very quickly in the event infrastructure upgrades are undertaken		839.21
Chapter H3A: Residential – Low Density Residential Zone	▪ This is a new zone proposed to be inserted into the AUP. ▪ This new zone ensures the existing amenity of a low-density built environment is maintained where the Council has decided it would not be appropriate to provide more intensive residential development. ▪ This new zone is proposed to be applied to residential sites where a lower density of residential development is required to provide for the qualifying matters that applies to the site.	Oppose the zone in full	▪ The LDR zone is unnecessary. Its stated description acknowledges its application to areas impacted by certain Qualifying Matters that result in a lower intensity of development. Some qualifying matters are subject to overlay provisions which act to limit development potential, accordingly, meaning the underlying zoning could be higher	▪ Delete LDR zone in its entirety	839.22

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	▪ Objectives and policies of the LDRZ (H3A.2 and H3A.3) seek the provision of lower intensity residential development limited to predominantly one to two storeys buildings that is in keeping with the identified qualifying matters' values within the area. ▪ Objectives and policies reference development that maintains the amenity value of established residential neighbourhoods and is in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood. ▪ Objectives and policies of the LDRZ place stronger restrictions on subdivision and development in order to manage effects on existing character and amenity. ▪ The protection and management of SEAs, natural hazards, and sites of significance to mana whenua is highlighted. ▪ References are made to the provision of high-quality amenity and a well-functioning urban environment. ▪ More intensive residential development including medium density residential development is enabled only to the extent necessary, ensuring development does not detract from qualifying matters' values accommodated by the purpose of the LDRZ.		intensity and still limited by the overlay. In such situations, the LDR zone is redundant. ▪ As an example to the above, the proposed Special Character Overlay rules explicitly states they replace the underlying zone in full. Therefore, LDR is redundant for sites subject to a Special Character QM. ▪ Other noted Qualifying Matters such as Infrastructure Constraints are self-policing. If there is not capacity to support intensive development, a developer will either need to provide upgrades to infrastructure, wait for it to be provided by Council / others. ▪ The limitation on development potential imposed should reflect the nature of the constraint, however that does not appear to be reflected in the LDR zone. If the constraint is infrastructural capacity, flooding, SEA, cultural values, etc then the zone provisions prescribing design outcomes are not actually related to the constraint and are therefore unnecessary. Rules prescribing activities that might be appropriate, standards limiting height, HiRB, yards, building coverage, etc, and assessment matters / criteria all fall into	

839.22

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
			this category. It is difficult to see a justification for the LDR zone when the limitations on development prescribed do not relate to the qualifying matters that have led to the distribution of the zone.		
Chapter H4: Residential – Mixed Housing Suburban Zone	▪ Mapping changes reflecting a reduced role across the region as the zone does not incorporate the MDRS as it is not a relevant residential zone ▪ Zone description and mapping amended such that it applies to 'existing residential neighbourhoods in areas with a suburban built character' and is 'applied in discrete areas in wastewater serviced rural and coastal towns and settlements with a residential population of less than 5,000 (as determined in the 2018 census). ▪ Small number of consequential deletions throughout the zone provisions	Support	▪ MHS is an appropriate zoning for those small peripheral settlements around the region	▪ Retain mapped extent of the MHS zone ▪ Retain the provisions of the MHS zone	839.23 839.24
Chapter H5: Residential – Mixed Housing Urban Zone	▪ Mapping changes reflecting that the MHU zone incorporates the MDRS. It is a relevant residential zone. The development outcomes anticipated under the RMA and enabled in the zone are restricted where one or more qualifying matters apply. ▪ The most widespread residential zone covering most of urban Auckland	Support Oppose	▪ General support for changes proposed to include additional sites within the zone outside walkable catchments. ▪ Oppose the qualifying matters and other limitations that the Council has identified to limit the further application of the zone to include sites within the Light Rail Corridor, Special Character Areas overlay, sites subject	▪ Extend the mapped extent of the MHU zone to take in the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs. ▪ Any constraints identified are dealt with through other mechanisms, and 'down-zoning' the underlying zone is not necessary to appropriately manage those constraints.	839.25 839.26 839.27 839.28

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
			to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs.	
	▪ Additional objectives inserted at H5.2: *(5) Development does not adversely affect the environmental values of adjoining water bodies including riparian, lakeside and coastal protection areas and does not increase the impact from natural hazard risks* *(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change* *(7) Development is enabled where it can be serviced by the water supply, wastewater and stormwater networks to manage adverse effects* *(8) Enable a safe street environment for pedestrians* *(9) Development is enabled on sites within SEAs where it provides for the protection and management of the significant ecological values* *(10) Intensification is avoided in areas with significant transport infrastructure constraints.*	Oppose	▪ These objectives open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This is simply duplication and completely unnecessary. ▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions	▪ Delete proposed provisions
	▪ Additional policies inserted at H5.3: *(6A) Require development to achieve a built form that contributes to high-quality built environment outcomes by:*	Oppose	▪ These policies open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural	▪ Delete proposed provisions

839.29

839.30

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(a) Maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site *(b) Providing for residents' safety and privacy while enabling passive surveillance on the street* *(c) Minimising visual dominance effects to adjoining sites* *(d) Maintaining a level of privacy, and sunlight and daylight access for adjoining sites* *(e) Minimising visual dominance effects of carparking and garage doors to streets and private accessways* *(f) Minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated* *(g) Requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees* *(h) Designing practical, sufficient space for residential waste management; and*		hazards and water quality). This duplication is unnecessary. ▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions. ▪ Policy (6A)(e) – development should not need to 'minimise' visual and dominance effects of carparking and garage doors to streets and private accessways ▪ Policy (12) – the requirement for infrastructure provisions should not fall to the zone. ▪ Policy (14) - a development should not need to 'improve' the adjacent road network. That is the Council's job. ▪ Council's Solid Waste Calculator is overly conservative and should not be relied upon to direct adequate space to serve development	

839.30

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(i) Designing practical, sufficient space for internal storage and living areas. *(7) [deleted]* *(11) Require buildings to be setback from water bodies to maintain and protect environmental, open space, amenity values of riparian margins of lakes, streams and coastal areas and water quality and to provide protection from natural hazards* *(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services* *(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, are provided with appropriate infrastructure* *(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network* *(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas* *(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints*			

839.30

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(17) Building height is restricted to respond to the relationship of Maori and their culture and traditions with their ancestral lands, water, sites wāhi tapu, and other taonga, where located adjacent to Pukekiwiriki Pā Historic Reserve, Red Hill.				839.30
	H5.4.1 Activity Table ▪ New clarifying statement: *'Applications for Activity (A2B) will be considered against objectives and policies in E15 Vegetation management and biodiversity in addition to the standards listed below and any other infringements.* ▪ New rules introduced: - *(A2A), One dwelling per site subject to a SEA overlay which complies with Standards E15.4.2(A29) and E15.6.5* - *(A2B), Two or more dwellings per site subject to a SEA overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5* - *(A14A), Two or more per site dwellings within the Infrastructure – Beachlands Constraints Control is a non-complying activity* - *(A14B), One dwelling per site in the Infrastructure – Water and Wastewater Constraints Control is a permitted activity* - *(A14C), Two or more dwellings per site in the Infrastructure – Water and Wastewater Constraints Control is a restricted discretionary activity*	Oppose	▪ Duplicates requirements of Chapter D9 (SEA Overlay) ▪ If they are retained, the rules should not refer to 'sites' subject to a SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.	▪ Delete proposed provisions	839.31

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	- *(A30A), Internal and external alterations to buildings for a development of four or more dwellings is a permitted activity where it complies with the listed standards* - *(A31A), Accessory buildings associated with development of four or more dwellings is a permitted activity where it complies with the listed standards* - *(A32A), Additions to an existing dwelling for a development of four or more dwellings is a permitted activity where it complies with the listed standards* - *(A32B), New buildings and additions and alterations to buildings in a SEA which do not comply with H5.6.10(2) Building coverage is a discretionary activity* ▪ A number of rules identified as qualifying matters under sections 77I(a) and 77I(j) of the RMA ▪ Introduction of extensive new 'standard to be complied with' against new and existing rules				839.31
	▪ Deletion of existing notification provisions at H5.5(1) as they are inconsistent with the MDRS requirements. New H5.5(4) introduced to align with those requirements: *(1) Unless the Council decides that special circumstances existing under section 95A(9) of the RMA, public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2 or 3 dwellings that do not comply with 1 or more of the following:*	Support	▪ Appropriate change	▪ Retain proposed provisions	839.32

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(i) Standard H5.6.4 Building height *(ii) Standard H5.6.5 HiRB* *(iii) Standard H5.6.8(1) Yards* *(iv) Standard H5.6.10 Building coverage* *(v) Standard H5.6.11(3) and (4) Landscape area* *(vi) Standard H5.6.12(A1) outlook space* *(vii) Standard H5.6.14(A1)-(B1) Outdoor living space; and* *(viii) Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways* *(2) Unless the Council decides that special circumstances exist under section 95A(9) of the RMA, public and limited notification of an application for resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards:* *(i) Standard H5.6.4 Building height* *(ii) Standard H5.6.5 HiRB* *(iii) Standard H5.6.8(1) Yards* *(iv) Standard H5.6.9 Maximum impervious area* *(v) Standard H5.6.10 Building coverage* *(vi) Standard H5.6.11(5), (6) and (7) Landscape area* *(vii) Standard H5.6.12(1)-(9) outlook space* *(viii) Standard H5.6.13 Daylight*			

839.32

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(ix) Standard H5.6.14(1)-(4) Outdoor living space; *(x) Standard H5.6.15 Front, side and rear fences and walls* *(xi) Standard H5.6.16 Minimum dwelling size* *(xii) Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways* *(xiii) Standard H5.6.19 Deep soil area and canopy tree* *(xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways; and* *(xv) Standard H5.6.21 Residential waste management* *(3) Any application for resource consent which is listed in H5.5(4) or H5.5(5) above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.*				839.32
	▪ New standard H5.6.3A 'Number of dwellings per site' *(1) There must be no more than three dwellings per site.*	Support	▪ MDRS requirement	▪ Retain proposed provision	839.33

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	▪ New standard H5.6.3B 'Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps' *Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network* *(1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network*	Oppose	▪ Unnecessary to bring this requirement into the zone to the extent it has been. This could be dealt with via a simple criterion ▪ What if infrastructure capacity in an area is upgraded? The Unitary Plan maps will be immediately out of date. Will the Council undertake a plan change process to update the plan in real time? This could unduly impact land values, development application, add time and cost to applications.	▪ Delete proposed provisions	839.34
	▪ New standard H5.6.3C 'Dwellings within the Infrastructure – Stormwater Disposal Constraints Control' *Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site.* ▪ *A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage must either be able to connect to the public*	Oppose	▪ Unnecessary to bring this requirement into the zone to the extent it has been. This could be dealt with via a simple criterion ▪ What if infrastructure capacity in an area is upgraded? The Unitary Plan maps will be immediately out of date. Will the Council undertake a plan change process to update the plan in real time? This could unduly impact land values, development application, add time and cost to applications.	▪ Delete proposed provisions	839.35

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	stormwater network or provide sufficient stormwater disposal by capacity on-site				
	▪ H5.6.5 HiRB amended to accord with MDRS ▪ Consequential amendments including deletion of AHiRB standard and HiRB adjoining lower intensity zone standard	Support	▪ MDRS requirement	▪ Retain MDRS provisions	839.36
	▪ Amendments to H5.6.8 Yards to accord with MDRS requirements ▪ Table H5.6.8.2 (riparian / lakeside / coastal protection yard) identified as a qualifying matter under section 77I(b) of the RMA	Support	▪ MDRS requirement ▪ Oppose identification of QM	▪ Retain MDRS provisions ▪ Delete QM	839.37 839.38
	▪ Amendments to H5.6.10 Building coverage to incorporate MDRS requirement ▪ Additional requirements identified as qualifying matter under s77I(a) relating to management of development within SEAs: *Purpose: …and to provide for the protection and management of SEAs* *(2) On a site subject to a SEA overlay:* *(a) The maximum building coverage must not exceed 50% of the net site area* *(b) Building coverage must not be located in any areas within 3m of vegetation within a SEA including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3(A29) and E15.6.5; and*	Support	▪ MDRS requirement ▪ Oppose identification of QM. SEAs are dealt with elsewhere in the Plan, don't duplicate provisions within residential zones	▪ Retain MDRS provisions ▪ Delete QM / SEA requirements from the zone	839.39 839.40

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(c) Other than provided for in H5.6.10(2)(b), building coverage must not be located within a SEA.			
	▪ Amendments to H5.6.11 Landscaped area to incorporate MDRS requirements *Developments containing up to three dwellings must comply with the following:* *(3) A dwelling at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them* *(4) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling* ▪ Additional amendments: *Development containing four or more dwellings and any other developments must comply with the following:* *(5) The minimum landscaped area must be at least 20% of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch.* *(6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m2 as shown below in Figure H5.6.19.1…*	Oppose	▪ Accept MDRS requirements ▪ Landscape provisions relating to four + dwellings are space hungry and reduce development potential	▪ Delete proposed provisions other than those required by MDRS

839.41

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(7) A minimum of 50% of the front yard must be landscaped				
	▪ Standard H5.6.12 Outlook space amended to accord with MDRS requirements for up to three dwellings per site -	Support	▪ MDRS requirement	▪ Retain MDRS provision	839.42
	▪ Existing H5.6.12 Outlook space standard otherwise amended to apply to four or more dwellings, with key amendments being: - Where the principal living room outlook is on the ground floor and defined by a boundary fence, outlook depth may be reduced to 5m - Outlook space is measured from the centreline of the façade with the largest window OR balcony edge, whichever is closest to the boundary or opposing building - Outlook space must align with private outdoor space except where of a public space or street	Oppose	▪ Support reduction of outlook requirement to 5m ▪ Oppose measurement from balcony edge ▪ Oppose requirement for outlook from 4+ dwellings to align with outdoor living space. The proposed provision applies to all outlook, not just principle living areas. Entirely unachievable for terrace housing and apartment typologies. Would only work for detached housing. Ridiculous rule. Ignores the purpose of the standard, which is to achieve a sense of space, not the quality space of the space. ▪ Inconsistent with MDRS requirement for up to three dwellings which allows outlook over driveways and footpaths within the site	▪ Delete proposed provisions or otherwise amend to address reasons identified	839.43
	▪ Standard H5.6.14 Outdoor living space amended to give effect to MDRS requirements for up to three dwellings	Support	▪ MDRS requirement	▪ Retain MDRS provision	839.44
	▪ Standard H5.6.14 Outdoor living space otherwise amended to achieve:	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements	▪ Delete proposed provisions	839.45

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	- Purpose statement expanded to specify IRDs and that living space must be separated from vehicle access and manoeuvring areas - That private outdoor living spaces are directly accessible from main dwelling areas - Communal outdoor living spaces are conveniently accessible for all occupants ▪ Standard H5.6.14 amended to apply to four or more dwellings and specify that it applies to IRDs ▪ Standard H5.6.14 further expanded to include specific outdoor living requirement for 20+ dwellings including IRDs: (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m^2 for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m^2 of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.		throughout the zone (and through Plan Change 79)		839.45
	▪ New Standard H5.6.18 'Windows to street and private vehicle and pedestrian accessways *Purpose: To provide for passive surveillance while maintaining privacy for residents and users*	Oppose	▪ Support the intention, but too prescriptive. What about south-facing façades? What about privacy to occupants? Likely to simply lead to blinds being closed a lot of the time.	▪ Delete proposed provisions	839.46

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Development containing up to three dwellings must comply with the following: *(1) Any dwelling facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.* [MDRS] *Development containing four or more dwellings and any other development must comply with the following:* *(2) Any dwelling, IRD, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20% of the relevant façade in glazing. This can be in the form of windows or doors.*				839.46
	▪ New standard H5.6.19 'Deep soil area and canopy tree' *Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater* *(1) Any site greater than 200m2 must provide a deep soil area that must comply with the following:* *(a) 10% of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions* *(b) Expect that sites 1,200m2 or greater may have more than 1 deep soil area provided that:*	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Limits development potential of sites – huge 'land' cost imposed ▪ Deep soil area should form part of dedicated private outdoor living space areas.	▪ Delete proposed provisions	839.47

<table>
<tr><th colspan="5">PLAN CHANGE 78 – INTENSIFICATION</th></tr>
<tr><th>Chapter</th><th>Outline of Proposed Change</th><th>Support / Oppose</th><th>Reasons</th><th>Relief Sought</th></tr>
<tr><td></td><td>
(i) each deep soil area is a minimum of 60,2 with 3m dimension; and
(ii) the combined total deep soil area is a minimum 10% of the site area
(c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscaped areas as shown in Figure H5.6.19.1; and
(d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements set out in Table H5.6.19.1; and
(2) Trees required by H5.69.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.6.19(3)
Table H5.6.19.1 Minimum requirements for canopy trees
<table>
<tr><th>Site Area (prior to development or re-development)</th><th>Minimum canopy tree requirements</th></tr>
<tr><td>200m² – 600m²</td><td>1 small canopy tree per 200m² of site</td></tr>
<tr><td>601m² – 1,500m²</td><td>1 medium canopy tree per 300m² of site</td></tr>
<tr><td>1,501m² or more</td><td>1 large canopy tree or 2 medium canopy trees per 500m² of site</td></tr>
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</td><td></td><td></td><td></td></tr>
<tr><td></td><td>▪ New standard H5.6.20 ‘Safety and privacy buffer from private pedestrian and vehicle accessways’</td><td>Oppose</td><td>▪ Overly prescriptive, and onerous when combined with other proposed requirements</td><td>▪ Delete proposed provisions</td></tr>
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839.48

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways *(1) A minimum 1m buffer area must be provided between a dwelling and private pedestrian and / or vehicle accessways as shown in Figure H5.6.19.1* *(2) The buffer area must be:* *(a) Free of buildings, parking spaces, servicing and manoeuvring areas* *(b) Planted with shrubs or ground cover*		throughout the zone (and through Plan Change 79).	
	▪ New standard H5.6.21 'Residential waste management' *Purpose: to provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings*	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Council's Solid Waste Calculator is overly conservative and should not be relied upon to direct adequate space to serve development	▪ Delete proposed provisions

839.49

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m² per dwelling.) Change 78 Intensification 38 H5 Residential – Mixed Housing Urban Zone (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m² per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.				839.49
	▪ New matters of control H5.7.1 relating to one dwelling per site in a SEA	Oppose	▪ The presence of an SEA on a piece of land is not reason to limit the development density as a matter of course	▪ Delete proposed provisions	839.50

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: *(1) For one dwelling per site subject to a Significant Ecological Area Overlay:* *(a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area;* *(b) The location, bulk and scale of built development relative to the surrounding ecological values.* ▪ Associated assessment criteria introduced at H5.7.2(1) *(1) For one or more dwellings in a Significant Ecological Area Overlay:* *(a) Refer to Policy H5.3(15)*		▪ Duplicates requirements of Chapter D9 (SEA Overlay), no need to include within the residential zone ▪ If they are retained, the rules and assessment matters should not refer to 'sites' subject to a SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.		839.50
	▪ Addition to matters of discretion for supported residential care up to 10 people, boarding houses accommodating more than 10 people, visitor accommodation, etc at H5.8.1(1) *(c) the effects of the development on the safe access for pedestrians on the adjacent road network.* ▪ Amendments to criteria for supported residential care up to 10 people, boarding houses accommodating more than 10 people, visitor accommodation, etc at H5.8.2(1)	Oppose	▪ Unnecessarily prescriptive, removes flexibility in design, too broadly applied	▪ Delete proposed provisions	839.51

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(b) building ~~intensity,~~ scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation:				
	▪ Substantial amendments to matters of discretion H5.8.1(2) relating to four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and	Oppose	▪ Far too broad. ▪ Will be administered as a standard, where no standard exists. Assessment becomes subjective / uncertain. ▪ Criterion H5.8.2(2)(ad) – implies that development potential / built form may be impacted by the presence of a Special Character building across the street. Completely unreasonable. ▪ Support the deletion of 'intensity' from matter of discretion H5.8.1(1)(b)(i) and H5.8.1(2)((a)(i)	▪ Retain the proposed the deletion of 'intensity' from matter of discretion H5.8.1(1)(b)(i) and H5.8.1(2)((a)(i) ▪ Delete 'intensity' from matter of discretion H5.8.1(3)(a)(i) relating to Integrated Residential Developments ▪ Retain the proposed the deletion of 'intensity' from criterion H5.8.2(1)(b) ▪ Delete 'intensity and' from criterion H5.8.2(1)(b)(i) ▪ Delete matters of discretion at H5.8.1(1)(c), H5.8.1(2)(c) and H5.8.1(3)(d) and assessment	839.52 839.53 839.54 839.55 839.56 839.57 839.58

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area. (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided).		▪ Oppose matters of discretion at H5.8.1(1)(c), H5.8.1(2)(c) and H5.8.1(3)(d) and assessment criteria at H5.8.2(1)(c), H5.8.2(d) and H5.8.2(3)(d) relating to the extent to which the adjacent road network provides for safe pedestrian movements	criteria at H5.8.2(1)(c), H5.8.2(d) and H5.8.2(3)(d) ▪ Delete other proposed provisions

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PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c) ~~I~~the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network. ▪ Amendments to criteria for four or more dwellings at H5.8.2(2):			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials.			

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ (i) ~~providing doors, windows and/or balconies facing the street and public open spaces~~ (ii) ~~minimising tall, visually impermeable fences~~ (iii) ~~designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ (iv) ~~optimising front yard landscaping~~ (v) ~~providing safe pedestrian access to buildings from the street~~			

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(vi) ~~minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ (i) ~~Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ (ii) ~~Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ (iii) ~~Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ (iv) ~~Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ (i) ~~Provides for access to sunlight~~ (ii) ~~Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ (iii) ~~When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); and			

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(h) infrastructure and servicing: (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development. (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed. (i) The extent to which the adjacent road network enables safe pedestrian movements.				
	▪ Changes to matters of discretion H5.8.1(3) relating to Integrated Residential Developments:	Oppose	▪ Matter (a)(i) – buildings to be designed to 'minimise visual dominance effects'. Potentially problematic depending on how this is administered. ▪ Prescriptive transport items at criterion (l) written like a standard	▪ Delete proposed provisions	839.63

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building intensity, scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network. ▪ Amendments to criteria at H5.8.2(3) for IRDs:			

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~ (iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~ (vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);~~			

839.63

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9): ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (jc) refer to Policy H5.3(14); and (k) infrastructure and servicing: (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development. (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at east 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving. iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.				839.63
	▪ New matters of discretion at H5.8.1 relating to applications for more than one dwelling on sites subject to identified infrastructure constraints: *(6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control:* *(a) Infrastructure and servicing.*	Oppose	▪ Remove from zone, this is managed through other processes (i.e. securing permission to connect to reticulated infrastructure at detailed design phase)	▪ Delete proposed provisions from zone	839.64

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control: *(a) Stormwater disposal.*			
	▪ Amendments / significant additions to H5.8.2(4) 'for building height': (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4);~~ and **Visual dominance** (c) The extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account: (i) the planned urban built character of the zone; and	Oppose	▪ Language too negative. Why is additional height viewed as a negative outcome? ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions

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	(ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development. **Character and Visual Amenity** (d) the extent to which the form and design of the building and any additional height responds to the planned form and existing character of the surrounding area, including natural landforms and features, and the coast (e) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account: (i) whether roof plant, services and equipment are hidden from views; and (ii) whether the expression of the top of the building provides visual interest and variation. **Relationship of Maori and their culture and traditions** (f) The extent to which proposed building heights as viewed both from and to Pukekiwiriki Pā Historic Reserve maintain the culture and traditions of Māori on this site, taking into account: (i) The site's historic function as an observation and defensive site. (ii) The site's contemporary function as an educational site and site of cultural importance.				839.65
	▪ Amendments / significant additions to criteria at H5.8.(6) 'for HiRB':	Support	▪ Generally considered appropriate for infringements to HiRB, and note the precedent in the Plan already relating to reliance on the Alternative HiRB standard.	▪ Retain proposed provisions	839.66

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:			

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	Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4; or (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a): (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development. **Visual dominance** (f) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.				839.66
	▪ Amendments to criteria at H5.8.2(9) 'for yards:	Oppose	▪ Very broad assessment opened up for what might be a small infringement.	▪ Delete proposed provisions	839.67

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(9) for yards: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1) (ca) refer to Policy H5.3(C1); (dc) refer to Policy H5.3(6A); and (ec) refer to Policy H5.3(11). (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~		▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope		
	▪ Amendments to criteria at H5.8.2(10) 'for maximum impervious areas: (10) for maximum impervious areas: (aa) refer to Policy H5.3.(6A); (a) [deleted]~~refer to Policy H5.3(7);~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.68
	▪ Amendments to criteria at H5.8.2(11) 'for building coverage': (11) for building coverage: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); and (a) ~~refer to Policy H5.3(2); and~~ (b) ~~refer to Policy H5.3(4);~~ (c) whether the non-compliance is appropriate to the context taking into account:	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.69

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(i) Whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the zone; (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas; (iii) The proportion of the building scale in relation to the proportion of the site.				
	▪ Amendments to criteria at H5.8.2(12) 'for landscaped area': (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.70
	▪ Amendments to criteria at H5.8.2(13) 'for outlook space':	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.71

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(13) for outlook space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(D1); (da) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.				
	▪ Amendments to criteria at H5.8.2(14) 'for daylight: (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.72
	▪ Amendments to criteria at H5.8.2(15) 'for outdoor living space':	Support	▪ Appropriate level of detail and targeted assessment required	▪ Retain proposed provisions	839.73

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.				
	▪ New criteria at H5.8.2(15A) 'for windows to street and pedestrian accessways': (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ (c) seems an appropriate assessment matter ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.74
	▪ Amendments to criteria at H5.8.2(16) 'for front, side and rear walls': (16) for front, side and rear fences and walls: (aa) refer to Policy H5.3(C1); (ba) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(3); and~~ (c) [deleted] ~~refer to Policy H5.3(4).~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	839.75

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	▪ Amendments to criteria at H5.8.2(17) 'for minimum dwelling size': (17) For minimum dwelling size: (aa) refer to Policy H5.3(A1) (ba) refer to Policy H5.3(D1) (ca) refer to Policy H5.3(6A); and (da) The extent to which each dwelling is designed to: (i) Provide simple and convenient internal access and circulation (ii) Include adequate storage; and (iii) Be large enough to allow the use of typical furnishings that meet the needs of the intended occupants. (a) ~~Policy H5.3(5)~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope ▪	▪ Delete proposed provisions	839.76
	▪ New criteria at H5.8.2(18) 'for deep soil area and canopy': (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	▪ Oppose standard in full, therefore specific criteria redundant	▪ Delete proposed provisions	839.77
	▪ New criteria at H5.8.2(19) 'for safety and privacy buffer from private pedestrian and vehicle accessways': (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	▪ Oppose standard in full, therefore specific criteria redundant	▪ Delete proposed provisions	839.78
	▪ New criteria at H5.8.2(20) 'for residential waste':	Oppose	▪ Oppose standard in full, therefore specific criteria redundant ▪ Council's Solid Waste Calculator is overly conservative and overstates the space	▪ Delete proposed provisions	839.79

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.		needed to provide for waste storage and collection		
	▪ New criteria at H5.8.2(21) 'for more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control': (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	▪ Remove from residential zones and deal with infrastructure constraints via other processes	▪ Delete proposed provisions	839.80
	▪ New criteria at H5.8.2(22) 'for more than one dwelling per site … subject to the Infrastructure – Stormwater Disposal Constraints Control':	Oppose	▪ Remove from residential zones and deal with infrastructure constraints via other processes	▪ Delete proposed provisions	839.81

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.				
	▪ New special information requirements at H5.9: **Landscape Plans as required by H5.6.11. Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and	Oppose	▪ Far too prescriptive and treats all applications the same, regardless of scale ▪ Adds cost up front to proposals even before resource consent is secure ▪ In combination with other Council proposed changes, adds cost and impacts development yield	▪ Delete proposed provisions	839.82

<table>
<tr><th colspan="5">PLAN CHANGE 78 – INTENSIFICATION</th></tr>
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Deep Soil Area and Canopy Tree

(2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:

(a) plant and tree species, number of each species to be planted and planting grades;

(b) location of existing trees to be retained;

(c) dimensions of individual mature tree canopy;

(d) any areas of grass; and

(e) Minimum tree canopy dimensions are specified in Table H5.9(3) below.

Table H5.9(3) Minimum tree canopy dimensions

	Minimum mature tree height	Minimum mature canopy diameter	Minimum tree height above ground when planted	Indicative tree planting grade
Small	8m	6m	2m	120L
Medium	10m	8m	2.5m	160L
Large	15m	12m	3m	200L

Residential waste management

(3) Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)).

(4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:

a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;

b) the frequency, location, access and on-site route of waste collection or transportation; and

c) the method of waste collection, transportation or disposal.

</td><td></td><td></td><td></td></tr>
<tr><td>Chapter H6 – THAB zone</td><td>▪ Mapping changes reflecting that the THAB zone incorporates the MDRS. It is a relevant residential zone. The development outcomes anticipated under the RMA and enabled in the zone are restricted where one or more qualifying matters apply. The most widespread residential zone inside Walkable Catchments</td><td>Oppose</td><td>▪ General support for changes proposed to include additional sites within the zone inside walkable catchments.
▪ Oppose the qualifying matters and other limitations that the Council has identified to limit the further application of the zone to</td><td>▪ Extend the mapped extent of the THAB zone to take in the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs</td></tr>
</table>

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			include sites within the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs.	where otherwise appropriately located close to centres, transport options, etc. ▪ Any constraints identified are dealt with through other mechanisms, and 'down-zoning' the underlying zone is not necessary to appropriately manage those constraints.	839.86
	▪ Amendments to H6.1 Zone description: ... The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, Bbuildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. ▪	Support	▪ Changes directly related to implementation of MDRS ▪ Enable at least six-storey development across the zone	▪ Retain MDRS provisions	839.87
	▪ New / amendments to objectives at H6.2: (1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment. (2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms. (3) Development provides high-quality amenity: (a) on-site ~~residential amenity~~ for residents; (b) to adjoining sites; and (c) to the street.	Oppose	▪ These objectives open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This is simply duplication and completely unnecessary.	▪ Delete proposed provisions	839.88

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change. (6) Development does not adversely affect the environmental values of adjoining water bodies including riparian, lakeside and coastal protection areas and does not ~~nor~~ increase the impact from their potential natural hazard risks. (7) Development is enabled where it can be serviced by the water supply, wastewater and stormwater networks to manage adverse effects. (8) Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to ~~the~~ rapid transport stops. (9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.		▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions ▪ Enable at least six-storey development across the zone	
	▪ New / amendments to policies at H6.3: (1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages. (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas. ~~, in a variety of forms.~~	Oppose	▪ These policies open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This duplication is unnecessary. ▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions. ▪ Policy (4A)(e) – development should not need to 'minimise' visual and dominance effects of carparking and garage doors to streets and private accessways ▪ Policy (12) – the requirement for infrastructure provisions should not fall to the zone.	▪ Delete proposed provisions

839.89

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	(A4) Require development to achieve a built form that contributes to high-quality built environment outcomes by: (a) maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site; (b) providing for resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on adjoining sites; (d) maintaining a level of privacy, and sunlight and daylight access for adjoining sites; (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways; (f) minimising the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated; (g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas. (4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (7) ~~Encourage~~ Require accommodation to have useable and accessible outdoor living space (8) [Deleted]~~Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.~~ (11) Require buildings to be set back from water bodies to maintain and protect environmental, open space, amenity values of riparian margins of lakes, streams and coastal areas and water quality and to provide protection from natural hazards. (12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.		▪ Policy (14) - a development should not need to 'improve' the adjacent road network. That is the Council's job. ▪ Enable at least six-storey development across the zone	

839.89

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	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure. (14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport. (15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.				
	▪ Significant additions to Activity Table H6.4.1 regarding standards to be complied with across the zone, within and outside walkable catchments. Changes include but are not limited to: - (A7) Integrated Residential Development - (A31) and (A31A) Internal and external alterations to buildings (up to three dwellings, and four + dwellings)	Oppose	▪ Unnecessarily restrictive given these sites will be comprehensively developed. ▪ Remove reference to infrastructure constraints ▪ Remove requirement to comply with numerous standards given the comprehensive nature of the design and development	▪ Delete proposed provisions	839.90
	▪ New rules in Activity table H6.4.1: - H6.4.1(A2A), one dwelling per site subject to SEA which complied with standards E15.4.2(A29) an E15.6.5 – Controlled activity - H6.4.1(A2B), two or three dwellings per site where located in a SEA E15.4.2(A49) and E15.6.5 -	Oppose	▪ Remove all reference to SEA from the residential zones, Overlay D9 already addresses that constraint in a more efficient manner ▪ If retained, remove reference to limiting development on 'sites' subject to an SEA, and focus on managing works 'within' the SEA.	▪ Delete proposed provisions	839.91
	▪ New rules in Activity table H6.4.1: - Duplication of rules / standards throughout A31/A31A/A32/A32A/A33/A33A	Oppose	▪ Way too complicated / too much duplication ▪ Don't make rules just for the sake of it. Look to streamline the Plan, not add complexity and volume to it.	▪ Delete proposed provisions	839.92

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
			▪ Way too many standards listed as relevant to A31/ A31A relating to internal and external alterations		
	▪ New notification exclusion at H6.5(5) Public and limited notification for 4+ dwellings precluded if standards met	Support	▪ Appropriate change	▪ Retain proposed provisions	839.93
	▪ New standards at H6.6 **H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps** Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network. (1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network. **H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control** Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site. (1) A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.	Oppose	▪ Unnecessary to bring these infrastructure constraints into the zone to the extent it has been. This could be dealt with via a simple criterion ▪ What if infrastructure capacity in an area is upgraded? The Unitary Plan maps will be immediately out of date. Will the Council undertake a plan change process to update the plan in real time? This could unduly impact land values, development application, add time and cost to applications.	▪ Delete proposed provisions	839.94
	▪ Amendment to standard H6.6.5 Height (1) Buildings must not exceed the height in metres specified in clauses H6.6.5.1(a) – H6.6.5.1(c) ~~16m in height~~ unless otherwise specified in the Height Variation Control on the planning maps: **Developments containing up to three dwellings must comply with the following standard:** (a) Buildings must not exceed 11m (3 storeys) in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H6.6.5.1 below: ...	Oppose	▪ It is overly complex to have three different height limits apply in the zone (plus Height Variation Control, and any actual Qualifying Matters), particularly a separate lower limit for 'up to three dwellings' and where the achievable height is dependant on the activity status of an application. This undermines the integrity of the zone.	▪ Delete the MDRS standard for 'up to three dwellings' and replace it with the standard zone height limits proposed inside / outside walkable catchments ▪ Enable at least six-storey development across the zone	839.95 839.96

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Any other development: (b) Buildings outside a walkable catchment must not exceed 16m (5 storeys) in height unless otherwise specified in the Height Variaton Control on the planning maps. (c) Buildings in a walkable catchment must not exceed 21m (6 storeys) in height unless otherwise specified in the Height Variation Control on the planning maps (2) [deleted] ~~If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for the site on the planning maps.~~ (3) ~~Standard H5.6.4 Building height applies to the site at 16 Spring Street, Freemans Bay (Lot 1 DP 85829) within a 10m setback area along Spring Street, England Street and adjoining the reserve at 10 England Street (Lot 1 DP 85953) as indicated on the planning maps. Outside of the setback area Buildings must not exceed 16m in height.~~ [deleted]		▪ Enable at least six-storey development across the zone ▪ Support increased height inside walkable catchments ▪ There will be numerous examples of where applications for three dwellings exceed 11m height limit and trigger assessment, when an application for 4+ dwellings may be able to build 10m+ taller as of right (subject to a consent around design)	
	▪ Amendments to standard H6.6.6 Height in relation to boundary **H6.6.6. Height in relation to boundary** Purpose: • For buildings containing no more than three dwellings, to minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels. • For buildings outside a walkable catchment, to enable 5 storeys, achieving a high-quality built environment whilst limiting the adverse effects of building height on neighbouring sites (i.e. dominance and shading) to acceptable levels and managing the overall visual dominance of buildings on the rear parts of adjoining sites. • For buildings in a walkable catchment, to enable 6 storeys that locate bulk and mass towards the street and achieving a high-quality built environment whilst limiting the adverse effects of building height on neighbouring sites (i.e. dominance and shading) to acceptable levels and reducing the overall visual dominance of buildings on the rear parts of adjoining sites. **Developments containing up to three dwellings must comply with the following:** (1) Buildings must not project beyond a ~~45~~60-degree recession plane measured from a point ~~34~~m vertically above ground level along the side and rear boundaries, as shown below in Figure H6.6.6.1 Height in relation to boundary for up to three dwellings.	Support	▪ These generous provisions will significantly aid the maximisation of development potential of appropriately located land	▪ Retain proposed provisions

839.97

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	Developments containing four or more dwellings and any other development outside a walkable catchment must comply with the following: (1A) Buildings must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side and rear boundaries, as shown in Figure H6.6.6.2 below. **Developments containing four or more dwellings and any other development in a walkable catchment must comply with the following:** (1B) Buildings within 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 19m vertically above ground level along the side boundaries as shown in Figure H6.6.6.3 Height in relation to boundary for four or more dwellings and any other development within walkable catchments below; and (1C) Buildings 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side boundaries as shown in Figure H6.6.6.3 Height in relation to boundary for four or more dwellings and any other development within walkable catchments below. H6.6.6.(2b) – DELETED. H6.6.6.(5)-(6) – DELETED.				839.97
	▪ Standard H6.6.7 Alternative height in relation to boundary – DELETED.	Support	▪ Support as long as proposed amendments to the HiRB standard H6.6.6 are retained	▪ Retain proposed provisions	839.98
	▪ H6.6.8. Height in relation to boundary adjoining lower intensity zones. - Standard applies to development located outside walkable catchments.	Support	▪ Appropriate to attend to the amenity of lower intensity zoned land outside walkable catchments	▪ Retain proposed provisions	839.99
	▪ Amendments to standard H6.6.11 Building coverage	Oppose	▪ Delete provisions relating to SEAs, these constraints are dealt with in Chapter D9 – SEA Overlay	▪ Delete proposed provisions	839.100

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space and to provide for the protection and management of significant ecological areas. (1) The maximum building coverage must not exceed 50 per cent of the net site area. (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H6.6.11(2)(b), building coverage must not be located within a significant ecological area.				
	▪ Amendments to standard H6.6.12 Landscaped area Purpose: • to provide for quality living environments consistent with the planned built character of buildings surrounded by ~~open space~~ vegetation; and • to create a ~~landscaped~~ vegetated urban streetscape character within the zone; **Developments containing four or more dwellings and any other development must comply with the following:** (1) The minimum landscaped area must be at least ~~30~~20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (2) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m² as shown below in Figure H6.6.20.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer. (3) A minimum 50 per cent of the front yard must be a landscaped area.	Oppose	▪ Reference to Deep Soil area and Safety and privacy buffer standards is concerning. The relationship between those provisions is not clear across the zone ▪ Benefits of Deep Soil standard not proven	▪ Delete proposed provisions	839.101
	▪ Amendments to standard H6.6.13 Outlook space	Oppose	▪ Support reduction of outlook requirement to 5m ▪ Oppose measurement from balcony edge	▪ Delete proposed provisions	839.102

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space as shown in Figure H6.6.13.1 Required outlook space for four or more dwellings and any other development, with a minimum dimension of: i 6m in depth and 4m in width; ~~and~~ ii Except for buildings greater than 3 storeys where the minimum dimension is 8m depth and 4m in width and, or iii Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m. (4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies where outlook depth is reduced to 5m as provided for under H5.6.13(2)(a)(iii) above; or (b) the centre line of the façade of the largest window or balcony edge whichever is closer to the boundary or opposing building. (9) Outlook spaces must: (a) be clear and unobstructed by buildings and servicing area; (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H6.6.13(6) above; ~~and~~ (c) not extend over an outlook spaces or outdoor living space required by another dwelling; and (d) must align with private outdoor living space, except for where the outlook space is over a public street or public open space as required in H6.6.13(6) above.		▪ Oppose requirement for outlook from 4+ dwellings to align with outdoor living space. The proposed provision applies to all outlook, not just principle living areas. Entirely unachievable for terrace housing and apartment typologies. Would only work for detached housing. Ridiculous rule. Ignores the purpose of the standard, which is to achieve a sense of space, not the quality space of the space. ▪ Inconsistent with MDRS requirement for up to three dwellings which allows outlook over driveways and footpaths within the site	839.102
	▪ Amendments to standard H6.6.15 Outdoor living space	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements	▪ Delete proposed provisions	839.103

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure: • private outdoor living spaces are ~~is~~ directly accessible from the principal living room, dining room or kitchen ~~and is separated from vehicle access and manoeuvring areas.~~; • communal outdoor living spaces are conveniently accessible for all occupants. **Developments containing four or more dwellings and any other development must comply with the following:** (1) A dwelling, integrated residential development, supported residential care or boarding house at ground floor level, must have ~~an~~ private outdoor living space that is at least 20m² that comprises ground floor, patio ~~and~~/or balcony/roof terrace space that: (2) A dwelling, integrated residential development, supported residential care or boarding house located above ground floor level must have ~~an~~ private outdoor living space in the form of a balcony, patio or roof terrace that: (4) In addition to H6.6.6.15 (1) and H6.6.6.15(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more, must provide a communal outdoor living space that: a) is located in a communally accessible location; b) is at least 10m² for every five dwellings it serves; c) has a minimum dimension of 4m; d) is free of buildings, parking spaces, and servicing and manoeuvring areas; e) for an area of at least 20m² of the total communal outdoor living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; and f) has a gradient not exceeding 1 in 20; and g) may be split into no more than two outdoor communal living spaces per development.		throughout the zone (and through Plan Change 79)		839.103
	▪ Amendments to standard H6.6.19 Windows to street and private vehicle and pedestrian accessways	Oppose	▪ Support the intention, but too prescriptive. What about south-facing façades? What about privacy to occupants? Likely to simply lead to blinds being closed a lot of the time.	▪ Delete proposed provisions	839.104

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Purpose: To provide for passive surveillance while maintaining privacy for dwellings. **Development containing up to three dwellings must comply with the following:** (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors. **Developments containing four or more dwellings and any other development must comply with the following:** (2) Any dwelling, integrated residential development, supported residential care, boarding house, and visitor accommodation facing the street or private vehicle or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.				
	▪ Amendments to standard H6.6.20 Deep soil area and canopy tree Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any sites greater than 200m² must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m² or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m² with 3m dimensions; and (ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided in communal outdoor living spaces and landscaped areas as shown in Figure H6.6.20.1 Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer below; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H6.6.20.1 below; and (2) Trees required by H6.6.20(1) can be existing canopy trees or new canopy trees in accordance with Table H6.9(3).	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Limits development potential of sites – huge 'land' cost imposed	▪ Delete proposed provisions	839.105
	▪ Amendments to standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements	▪ Delete proposed provisions	839.106

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown above in Figure H6.6.20.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) planted with shrubs or ground cover plants.		throughout the zone (and through Plan Change 79) ▪	
	▪ Amendments to standard H6.6.22 Residential waste management Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings.	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Council's Solid Waste Calculator is overly conservative and should not be relied upon to direct adequate space to serve development	▪ Delete proposed provisions

839.107

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m² per dwelling (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H6.6.22(3) and either H6.6.22(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m² per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.				839.107
	▪ Amendments to H6.7.1. Matters of control for controlled activities	Oppose	▪ The presence of an SEA on a piece of land is not reason to limit the development density as a matter of course ▪ Duplicates requirements of Chapter D9 (SEA Overlay), no need to include within the residential zone ▪ If they are retained, the rules and assessment matters should not refer to 'sites' subject to a	▪ Delete proposed provisions	839.108

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	~~There are no controlled activities in this zone.~~ **H6.7.1 Matters of control** The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a ~~located within a~~ Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values.		SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA. ▪		
	▪ Amendments to H6.7.2. Assessment criteria for controlled activities The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one dwelling per site subject to a ~~located within a~~ Significant Ecological Area Overlay (a) refer to Policy H6.3(15)	Oppose	▪ The presence of an SEA on a piece of land is not reason to limit the development density as a matter of course ▪ Duplicates requirements of Chapter D9 (SEA Overlay), no need to include within the residential zone ▪ If they are retained, the rules and assessment matters should not refer to 'sites' subject to a SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.	▪ Delete proposed provisions	839.109
	▪ Amendments to H6.8.1. Matters of discretion for restricted discretionary activities	Oppose	▪ Unnecessarily prescriptive, removes flexibility in design, too broadly applied ▪ Oppose matters of discretion H6.8.1(6) and (7) relating to mapped infrastructure constraints	▪ Oppose matters of discretion H6.8.1(6) and (7) relating to mapped infrastructure constraints ▪ Retain assessment criteria relating to infrastructure capacity to serve a development supported if mapped	839.110 839.111

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following: (i) ~~building intensity,~~ building scale, location, form and appearance; (ii) traffic; (iii) location and design of ~~parking and~~ access and parking (if provided); and (iv) noise, lighting and hours of operation. (c) the effects of the development on the safe access and walkability of the immediate urban road environment to frequent public transport stops. (2) for four or more dwellings per site:		▪ Assessment criteria relating to infrastructure capacity to serve a development supported if mapped Infrastructure Constraints removed from the Planning Maps and zones ▪ Oppose introduction of criterion H6.8.2(2)(ad) relating to the extent to which a building are designed to respect the prevailing character of an area or key historic heritage design when opposite or adjoining special character or historic heritage items ▪ Support the deletion of 'intensity' from matter of discretion H6.8.1(1)(b)(i), H6.8.1(2)((a)(i) and H6.8.1(3)(a)(i) and criteria at H6.8.2(1)(b) ▪ Oppose matters of discretion at H6.8.1(1)(c), H6.8.1(2)(d) and H6.8.1(3)(d) and assessment criteria at H6.8.2(1)(f), H6.8.2(d) and H5.8.2(3)(d) relating to the effects of development on the safe access and walkability of the immediate urban road environment to frequent public transport stops	Infrastructure Constraints removed from the Planning Maps and zones ▪ Delete criterion H6.8.2(2)(ad) ▪ Retain the proposed deletion of 'intensity' from matter of discretion H6.8.1(1)(b)(i), H6.8.1(2)((a)(i) and H6.8.1(3)(a)(i) and criteria at H6.8.2(1)(b) ▪ Delete matters of discretion at H6.8.1(1)(c), H6.8.1(2)(d) and H6.8.1(3)(d) and assessment criteria at H6.8.2(1)(f), H6.8.2(d) and H5.8.2(3)(d) ▪ Delete other proposed provisions	839.112 839.113 839.114 839.115 839.116 839.117

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area. (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between a reasonable standard of privacy and opportunities for passive surveillance, and D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. (i) traffic; and (ii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). H6.8.1(2b) – DELETED.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(c) the effects on infrastructure, and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access and walkability on the immediate urban road environment to frequent public transport stops. (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance; including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. H6.8.1(3b) – DELETED. H6.8.1(5) – DELETED. (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Residential Single Dwelling and Subdivision Stormwater Disposal Constraints Control. (a) Stormwater disposal.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	▪ Amendments to H6.8.2. Assessment criteria for restricted discretionary activities (b) building ~~intensity,~~ scale, location, building form and appearance: (i) whether the ~~intensity and~~ scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area; (d) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and parking areas are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or vegetation. (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development.	Oppose	▪ Unnecessarily prescriptive, removes flexibility in design, too broadly applied ▪ Infrastructure matter supported if Infrastructure Constraints mapping removed from the Planning Maps and zones ▪ Inappropriate to covertly include footpath upgrades within criteria – some of these are written like standards and come across as public infrastructure upgrade requirement. In many cases, including for smaller developments, this is what development contributions are for. Likely to lead to appalling piecemeal outcomes if incremental and uncoordinated upgrades are coerced through resource consents. ▪ The criteria relating to the above point are so broad that a small developer could have to upgrade hundred of meters of footpath, provide pram crossings, etc, only because they're the first cab off the rank. Council needs to use its Development Contributions for what they're intended. This smacks of double-dipping at developers' (and ultimately purchasers') expense	▪ Delete proposed provisions

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PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(f) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians. (2) For four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specified and identified in Table H6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted] ~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H6.6.11 Building coverage;~~ (iii) [deleted] ~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted] ~~Standard H6.6.13 Outlook space;~~ (v) [deleted] ~~Standard H6.6.14 Daylight;~~ (vi) [deleted] ~~Standard H6.6.15 Outdoor living space; and~~ (vii)[deleted] ~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H6.6.17 Minimum dwelling size~~ (aa) the extent to which the building location, scale, form and appearance is of a high-quality and compatible with the planned urban built character		▪ Criterion (2)(ad) - Inappropriate to limit the development potential of a site across the road from a Special Character building.	

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PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportion and arrangements of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, balconies, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces between the breaks in buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontages contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies. (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings that directly front, align and orientate to public streets. (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance.			

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PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible, attractive, safe and well-lit connections between dwellings and the street. (m) Safe walkability and accessibility of route to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians. (l) Safe walkability and accessibility of route to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development the nearest frequent public transport stop by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians. **Visual dominance** (f) The extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, ~~infringements~~ taking into account: (i) the planned urban built character of the zone; and			839.118

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Character and Visual Amenity (g) The extent to which the form and design of the building and any additional height ~~infringement~~ responds to the planned form and existing character of the surrounding area, including natural landforms and features, and the coast. (h) The way in which buildings as viewed from the street or public places are designed to appear against the skyline, taking into account: (i) whether roof plant, services and equipment are hidden from views; and (ii) whether the expression of the top of the building provides visual interest and variation. **Visual dominance** (f) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Attractiveness and safety of the street** (g) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by: (i) providing doors, windows and balconies facing the street; (ii) optimising front yard landscaping; (iii) providing safe pedestrian access to buildings from the street; and (iv) minimising the visual dominance of garage doors as viewed from the street. **Overlooking and privacy** (h) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.			

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PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(11) for building coverage: (f) whether the non-compliance is appropriate to the context taking into account: (i) Whether the balance of private open space and buildings is high-quality and consistent with the planned urban character anticipated for the zone; (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas; (iii) The proportion of the building scale in relation to the proportion of the site. (12) for landscaped area: (e) the extent to which existing trees are retained; and (13) for outlook space: (f) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be reasonably minimised through the placement and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design. (15) for outdoor living space:			

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PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(f) The extent to which residential units provide private open space and communal open space that is useable, accessible and attractive for occupants. (15A) For windows to street and private ways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(A4); and (b) The extent to which the glazing: i. allows views to the street and/or accessways to ensure passive surveillance; and ii. provides a good standard of privacy for occupants. (17) For minimum dwelling size (d) The extent to which each residential unit is designed to: (i) provide simple and convenient access and circulation; (ii) include adequate storage; and (iii) be large enough to allow the use of typical furnishings that meet the needs of the intended number of occupants. (18) For deep soil area and canopy tree (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and (19) For safety and privacy buffer from private pedestrian and vehicle accessways: (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; and (ii) planted with suitable and low level plants. (20) For residential waste management			

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PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(e) The extent to which the development provides sufficient space for residential waste management that is suitably located for ease of movement to collection points; (f) The extent to which the waste management area is designed to minimise visibility; (g) How the development intends to ensure the on-going management and maintenance of any communal waste management area; (h) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (i) Whether waste management vehicle can safely undertake collection. (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future. (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control (a) Whether there is the ability to adequately dispose of stormwater from the site via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.				839.118
	▪ Additions to H6.9. Special information requirements	Oppose	▪ Far too prescriptive and treats all applications the same, regardless of scale ▪ Adds cost up front to proposals even before resource consent is secure	▪ Delete proposed provisions	839.119

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	~~There are no special information requirements in this zone.~~ **Landscape Plans for all other developments as required by H6.6.12, Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area. **Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; (e) Minimum tree canopy dimensions are specified in Table H6.9(3) below. **Residential waste management** (3) Applications where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H6.6.22(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided as a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.		▪ In combination with other Council proposed changes, adds cost and impacts development yield		839.119
Chapter H13: Business – Mixed Use Zone	▪ Amendments to H13.1. Zone description:	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters	839.120

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	The Business – Mixed Use Zone is typically located around centres and along corridors served by public transport and may be located in walkable catchments. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone. It also applies to areas where there is a need for a compatible mix of residential and employment activities. There is a range of possible building heights depending on the context. Provisions typically enable heights up to four storeys. Greater height may be enabled in areas close to the city centre, metropolitan centres and larger town centres. Within walkable catchments, as identified on the planning maps, building heights of at least six storeys are enabled, unless qualifying matters apply that reduce height. Some street frontages within the zone are subject to a General Commercial Frontage Control.		▪ Enable development of at least six-storeys across the zone	▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	839.121
	▪ New / amendments to objectives at H13.2: (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place. (4) Business activity is distributed in locations, and is of a scale and form, that: (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and (d) accommodates qualifying matters. (10) Building height of at least of six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height.	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	839.122 839.123
	▪ New / amendments to policies at H13.3 (12A) Enable building height of at least six storeys (21m) within walkable catchments unless a qualifying matter applies that modifies height.	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	839.124 839.125

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(13) Enable greater building height than the standard height ~~i~~in locations identified ~~locations~~ within the Height Variation Control~~, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height~~, having regard to whether the greater height: (za) is commensurate with the level of commercial activities and community services; (a) is an efficient use of land; (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy; (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; ~~and~~ (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre~~.~~; and (e) supports the role of centres. (14) I Reduce building height below the standard zone height ~~i~~in locations identified ~~locations~~ within the Height Variation Control~~, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height~~, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, ~~or~~ amenity, or other qualifying matters.				839.125
	▪ Amendment to purpose of Standard H13.6.1. Building height • enable greater height in areas identified for intensification including within walkable catchments, unless a qualifying matter applies; and	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	839.126 839.127
Chapter J1 - Definitions					
	▪ Amended definition: Landscaped area	Oppose	▪ The proposed changes to this definition erode the existing exclusions provided, and further limit the development potential of land	▪ Delete the proposed definition	839.128

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Landscaped area In relation to any site, means an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level. Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area. Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area. This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS.			

839.128

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include: (1) One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area: (a) ornamental pools; (b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm; (c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below; (2) non permeable pathways not exceeding 1.5m in width; (3) permeable artificial lawn in the residential zones, except: (a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard; (b) Permeable artificial lawn must: • be permeable; • resembles grass in colour including a mix of natural looking green tones; • have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass; • is resistant to ultra violet degradation, weathering and ageing during its normal service life; and • is recyclable. (4) Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage. Excludes any area which: • falls within the definition of building coverage; • is part of a non permeable pathway that is greater than 1.5m in width; • is used for the parking, manoeuvring or loading of motor vehicles.				839.128
	▪ New definition: Service Area Relevant to outlook space requirements in MHU and THAB zones	Oppose	▪ In conjunction with how this definition is being used within the MHU and THAB zones, it has the potential to severely limit the development potential of land.	▪ Delete the proposed definition	839.129

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Servicing area The area used to accommodate facilities necessary for the day to day needs of residential occupants, including: • Storage sheds • External hot water cylinders • Waste storage areas • Bicycle parking and storage • Heat pump or air conditioning external units • Washing lines (excludes where these can be fully retracted or folded down) • Rainwater tanks (excludes where the tank is entirely underground or otherwise permitted by the Plan) Servicing facilities excludes: • Letterboxes • Water meters • Freestanding lights • Solar Panel Batteries				839.129
	▪ New definition: Urban Heat Island **Urban heat island** Heat islands are urbanized areas that experience higher temperatures than outlying areas. Structures such as buildings, roads, and other infrastructure absorb and re-emit the sun's heat more than natural landscapes such as forests and water bodies. In these areas where these structures are highly concentrated and greenery is limited, these become "islands" of higher temperatures relative to outlying areas.	Oppose	▪ In conjunction with how this definition is being used within the MHU and THAB zones, it has the potential to severely limit the development potential of land. ▪ There should be more science around this definition, as it is simply being broadly applied to development within residential areas.	▪ Delete the proposed definition	839.130

Adam Haycock

From: Noelene Buckland <nbuckland@xtra.co.nz>
Sent: Thursday, 29 September 2022 9:46 am
To: Unitary Plan
Subject: Submission on Auckland Councils response to the NPSUD
Attachments: CCRG Submission to IHP on AC's NPSUD implementation V4. .docx

Please find attached a submission from the Auckland City Centre Residents Group on Auckland Councils response to the NPSUD.

Nga mihi
Noelene Buckland
Chair CCRG
www.ccrg.org.nz
021 449995

Auckland City Centre Residents' Group

Submission to the Independent Hearing Panel on Auckland Council's Plan Change 78 to accommodate the National Policy Statement Urban Development

According to the Ministry for the Environment, the purpose of the NPSUD is about -

> ***Ensuring New Zealand's towns and cities are well-functioning urban environments that meet the changing needs of our diverse communities. It removes overly restrictive barriers to development to allow growth 'up' and 'out' in locations that have good access to existing services, public transport networks and infrastructure.***

CCRG's submission will be built around how effectively Auckland Council's decisions on changes to their Unitary Plan deliver what the RMA and the NPSUD were designed to achieve.

To measure this, we will focus our submission on achieving the **Purpose** of the Resource Management Act, the **Purpose** of the Local Government Act 2002 and delivery off the **well-functioning urban environments** defined in Policy 1 of the NPSUD.

Resource Management Act 1991 : Purpose

> *(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*
>
> *(2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
>
> *(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
>
> *(b safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
>
> *(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

National Policy Statement : Policy 1

> *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*
>
> (a) *have or enable a variety of homes that:*
>
> *(i) meet the needs, in terms of type, price, and location, of different households; and*
>
> *(ii) enable Māori to express their cultural traditions and norms; and*
>
> (a) *have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
>
> (b) *have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
>
> (c) *support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*

(d) *support reductions in greenhouse gas emissions; and*

(e) *are resilient to the likely current and future effects of climate change.*

Local Government Act 2002 : Purpose

The purpose of this Act is to provide for democratic and effective local government that recognises the diversity of New Zealand communities; and, to that end, this Act—

(a) states the purpose of local government; and
(b) provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them; and
(c) promotes the accountability of local authorities to their communities; and
(d) provides for local authorities to play a broad role in promoting the social, economic, environmental and cultural well-being of their communities, taking a sustainable development approach.

As the Auckland city centre is a relatively small space, we will also confine our comments to this area and the surrounding suburbs. We want to start with some scholarly articles about other world cities/research in order to provide perspective to our submission, and to show that urban densification is not a New Zealand government one-off knee jerk reaction – it is happening all over the world!

The World Bank has this to say about Urban Development –

Globally, over 50% of the population lives in urban areas today. By 2045, the world's urban population will increase vy 1.5 times to 6 billion. City leaders must move quickly to plan for growth and provide the basic services, infrastructure, and affordable housing their expanding populations need. With more than 80% of global GDP generated in cities, urbanization can contribute to sustainable growth if managed well by increasing productivity, allowing innovation and new ideas to emerge. However, the speed and scale of urbanization brings challenges, including meeting accelerated demand for affordable housing, well-connected transport systems, and other infrastructure, basic services, as well as jobs, particularly for the nearly 1 billion urban poor who live in informal settlements to be near opportunities.

From The Building & Cities website - https://journal-buildingscities.org/articles/10.5334/bc.123

*Infill development is promoted by the European Commission through the no-net land take goal adopted in 2011 (**Science for Environment Policy 2016**). In practice, it means all developments on non-previously urbanised land should be offset by returning brownfield sites back to a natural state before 2050. It acknowledges the need to limit the urban encroachment on land to ensure sufficient land is provided for other purposes (*e.g. *agriculture, forestry, ecosystem services, biodiversity,* etc.*). This constitutes an important paradigm shift in the field of urban planning: land is now considered as a non-renewable resource, and therefore needs to be processed in a circular, closed-cycle approach, rather than in a linear, open-cycle one (**Preuß & Ferber 2008**). This no-net land take policy has been gradually adopted by several member states and/or European regions, with different thresholds, time horizons and trajectories. Its implementation will require the densification of existing urban areas to accommodate new households, new economic activities and new infrastructures.*

From the International Journal of Justice and Sustainability : Volume 22 : Issue 22 - https://www.tandfonline.com/doi/full/10.1080/13549839.2022.2034769.

In this paper, we will delve into a somewhat unexplored element of urban densification – namely, people's emotional responses to physically and socially densified neighbourhoods. Undoubtedly, there is a vast amount of scholarship on the advantages of dense and compact environments over urban sprawl. While scholars tend to highlight the environmental benefits, few studies scrutinise how people living in areas marked for intense urban development respond emotionally to densification strategies. Interviews with residents from urban neighbourhoods in Oslo demonstrate that densification can evoke emotions like insecurity, fear, anger and sadness over lost homes or altered place identity. This gap in scholarship calls for stronger academic and political engagement with people's feelings about their urban surroundings, also when discussing the social dimension of sustainability.

A second article from the Buildings and Cities website - https://www.buildingsandcities.org/journal-content/special-issues/urban-densification2.html https://doi.org/10.5334/bc.70
Urban densification and social capital: neighbourhood restructuring in Jinan, China
X. Li & M. Sunikka-Blank- https://doi.org/10.5334/bc.70

Policy relevance: *This research reveals the unintended impacts of urban densification on neighbourhood social capital and the division between 'stayers' and 'newcomers', underlying the importance of social sustainability when planning urban restructuring projects in China. Three recommendations are made for policymakers. First, residents' lived experiences and social impacts are vital for planning urban restructuring. The utility of urban spaces can generate social capital, which improves the social sustainability of the project. The courtyard house typology encourages more outdoor activities and social interaction than the high-rise typology. Decisions made at the neighbourhood level and about density will impact the local residents. Second, the categories of 'stayers' and 'newcomers' can be used to better understand the diversity of practices and neighbourhood social capital, instead of limiting to demographic indicators, e.g. income levels. Third, residents' appreciation of the gated communities makes it more difficult to implement the current government policy of opening the gates.*

Walkable Catchments:

Auckland has one of the most favourable climates and landscape for walking. The average midday winter temperature in July is 14c and at night 7c. In summer the average midday temperature is 24c and nights 16c.
This indicates that active transport modes need to be promoted by central government and local authorities for sustainability, health and climate benefits.

To support this, walkable catchments need to be the same distance all over Auckland and be considerably larger than cities like London, whose climate is far less favourable for active transport. Compared to Auckland the average London midday winter temperature in July is 7 degrees and at night 2c. Summer is very similar to Auckland at 23 during the day and 15 at night. As a comparison, for transport purposes the walkable catchments in London is 8 minutes/640 metres walk for buses and for trains 12 minutes and 960 metres.

We note Auckland Councils comment that '*A larger walkable catchment for the city centre is proposed because it has the greatest number of jobs and the greatest concentration of activities and amenities'.* To be as polite as possible, CCRG can only describe this statement as nonsense. The length of a walkable catchment for transport purposes has nothing whatsoever to do with the number of jobs,

activities or amenities that exist in a particular area – all citizens capable of walking should be treated in exactly the same manner in terms of the distance they are expected to walk.

For simplicity and consistency, CCRG are of the view that standard Walking Catchment distances should be applied across all of Auckland. Based on the comparison with London's climate, we believe the recommended 1,200m from the city centre zone, 800m from a Metropolitan zone is far too short. In a city of just 1.7m people, there is no justification for three different walkable catchments with three different walkable distances.

CCRG consider that a standard 2,000 metres is a more appropriate walkable catchment length applied across all areas of Auckland. This requires an average walking time of just 20 minutes and, for benefits related to health, the environment and accessibility to public transport we believe this is a more appropriate, and defendable distance, for Auckland. 840.1

CCRG recommend to the IHP that walkable catchments be a standard 2,000 metres across all of Auckland including the city centre.

Auckland City Centre Zone – proposed Unitary Plan Changes

From Auckland Councils website, we are advised that the following Unitary Plan changes will be made to the city centre zone to accommodate the NPSUD requirements. For ease of reference, our comments will follow each of the proposed changes.

> • Removal of the Floor Area Ratio (FAR) standards. These standards currently manage site intensity and the scale of development in the city centre. FAR varies throughout the city centre but typically allows for greater development capacity in key areas. Removing the standards will provide developers with more flexibility in building design but still within the constraints of other standards such as tower dimensions and set back controls.

CCRG understand the need for these changes and agree that the FAR's are contrary to the NPSUD objectives so should be removed in their present form. We note, and congratulate Auckland Council, for the constructive manner that the FAR provisions have been implemented in the city centre which has resulted in a very large number of public benefits to residents, visitors and workers who use our city centre streets daily. In particular, the shortcuts between streets, and particularly those of different heights, has made navigating the city centre much easier for pedestrians, and more specifically the young, disabled, parents with prams and the elderly.

CCRG would recommend to the IHP that provisions be made in the Unitary Plan for future developments in the city centre that provide for Resource Consent conditions to include public benefits within, and beyond, the envelope of a particularly building and that this process/methodology be used for negotiation with developers in terms of the type and extent of a particular development. 840.2

> • Amendment of the general height control. This will enable:
> ♣ unlimited building heights in the core city centre except where special height controls apply;
> ♣ heights up to 72.5 metres across the city centre, except where special height controls or other qualifying matters apply.

CCRG are supportive of unlimited height limits in the city centre but we would recommend to the IHP that specific changes are incorporated into the Unitary Plan so as to facilitate Auckland Council having the decision making authority as to the height, dimensions and form of different buildings, in different 840.3

locations, spread across the city centre space, and including public benefits/space, sustainability and climate change initiatives together with traffic/transport considerations as considered appropriate by Council on a site by site basis. 840.4

• Changes to current standards (and some new standards) to ensure that tall buildings are of a form that fits the context of our city.

As with the previous proposed change, CCRG are supportive of this approach BUT we are not convinced that there is any general consensus or understanding of what the 'context of the city' means. These are not descriptions found in any of the key documents referred to at the start of this submission so we would recommend to the IHP that the phrase **'…are of a form that contributes to a well-functioning urban environment as determined on a site by site basis'** is more appropriate phrasing. 840.5

• Removal of the FAR bonus standards. These standards allow transfer of additional floor space between sites and buildings. However, all sites will have greater height and/or development capacity and so the transfer of floor space is no longer needed. What is proposed to stay?

Supported. 840.6

• The need for all new buildings in the city centre to go through the resource consent process. This process enables good design outcomes to be achieved for city centre buildings.

Totally supported. This provides for Council to give effect to the Purpose of the Local Government Act (d) "*provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach".* Auckland Council utilising this provision to its maximum extent will ensure that the very best outcomes are achieved for our city centre *as suggested in the previous two comments.* This is also particularly critical in terms of all residential properties having balcony/patio provisions to ensure a very high quality living environment for residents.

• The special height controls. These controls are important for limiting building height where certain things need to be protected. For example, a special height control is in place around Albert Park to ensure sunlight into the park.

CCRG supports this statement on the basis that it provides for special height controls within the entire city centre. We would expect to see for instance, the highest buildings located along the SH1 corridor so as to minimise shading to other city centre and surrounding properties. In addition, podium developments, narrowing as the height increases, also ensures maximum sunlight to all residential homes in the city centre. However, it needs to be Auckland Council who makes these decisions on a site by site basis given that Placemaking is the key means of achieving the Purposes of the Local Government Act 2002. 840.7

• Controls that set minimum dwelling size and minimum floor to ceiling ratio. It is important that we maintain these controls to ensure that dwellings are of an acceptable size for residents.

Supported. CCRG are of the view that previous standards for apartments in our city centre are totally inadequate so, to achieve the purpose of the NPSUD Policy 1, we expect that high quality natural ventilation is also provided to all dwellings within the city centre. 840.8 840.9

• The outlook control, to ensure light, outlook and privacy for dwellings.

Supported. We expect automatically that sunlight is included in these outlook controls as Council has advised it intends to enforce for areas surrounding the city centre. We all know that New Zealand law does not provide for some individuals to have more rights to sunlight, daylight, outlook and privacy than others. City Centre residents expect their council, and governments, to ensure that the same rights apply to every residential area across all of Auckland and that Council will ensure this is respected through adherence to, and application of, Policy 1 of the NPSUD. 840.10

• The maximum tower dimension, setbacks from the street, and tower separation distances are being kept and extended.

Supported subject to comments provided above in terms of ensuring a quality living environment for city centre residents. 840.11

• City centre precincts will continue to be managed with area specific outcomes, including height and development capacity.

Supported subject to earlier comments. 840.12

Special Character Areas : https://charactercoalition.org.nz

CCRG are aware of, and concerned with, the enormous amounts of time, effort and ratepayer funds that have been allocated by Council for the purpose of protecting what is essentially a Unitary Plan myth – Special Character Areas. We all know that some of these would, and probably should, have qualified for listed heritage protection had the properties been in a heritage state. Instead, the vast majority of them have been heavily modified and no longer bear any resemblance to something that qualifies for heritage protection.

In a similar vein, there is ample research across the globe to prove that a reliable and affordable public transport system is heavily dependent on the density of population in the suburbs surrounding a city centre. This is exactly the same spaces that Auckland Council suggests we should be protecting from development, and, where development is proposed, it be limited to terrace housing. Surely these are also the areas where we need to incorporate mixed-use developments into the catchments, i.e. allowing light commercial developments like shops and cafes underneath new apartment developments.

Auckland does not need 1,400 hectares of land surrounding our city centre closed off as some sort of reservation – it is an anathema to good planning and is contrary to the Purpose of the Resource Management Act 1996, the Local Government Act 2010, Objective 1 and Policy 1 of the NPSUD and Council's own Transport Emissions Reduction Plan (TERP) document - https://ourauckland.aucklandcouncil.govt.nz/news/2022/09/terp-auckland-s-drive-to-drive-less.

As the Auckland Character Coalition website advises –

> *It is clear that many more homes need to be built for our people but it is the how and where that is crucial. There are three things that make Auckland a unique city – the Waitemata harbour, the volcanic cones, and the old kauri suburbs. These give the city its identity, they make it different from every other city in the world.*

While CCRG respect the rights of all citizens to hold differing views, and to be engaged with decisions councils and governments make, we have very rarely seen comments referring to Auckland's *identity and uniqueness* without reference to Tangata Whenua. This suggests either historical ignorance or a very high level of interest associated with asset protection rather than any concern over genuine heritage protection.

We also bring to the IHP's attention, that Policy 1 of the NPSUD makes specific reference to the standards quoted as being MINIMUM REQUIREMENTS. What Auckland Council are proposing in Plan Change 78 related to the protection of SCA's, are not MINIMUM REQUIREMENTS by any measurement – they are, from every perspective, in breach of most Objectives and Policies of the NPSUD. This is particularly concerning given that SCA's are not a requirement of any urban planning or heritage legislationThey are instead the epitomy of NIMBYism – a well-known phobia that is largely responsible for the current lack of proper, quality housing for all New Zealand citizens. Every New Zealand property owners, include the above, has the option of selling or retaining their property. If a group of property owners on one street decide that they want to keep their street like it is, they are free to do so. Nobody needs a special area created for those decisions – New Zealand law already provides this freedom of choice.

It needs to be noted that there are some 85,000 villas in New Zealand and a vast number of bungalows. Very few of the houses within the SCA's are unique, they are common all over Auckland and New Zealand. In addition to the somewhat abbreviate[840.6]ry of Auckland in the above quote from the Character Coalition, reflection also needs to be made in terms of where the land came from for these SCA homes to be built in the first place in terms of Objective 5 of the NPSUD. We also want to make it clear that we are totally supportive of genuine heritage protection as outlined in the Heritage New Zealand Pouhere Taonga Act 2014 and implemented by Heritage NZ – www.heritagenz.org.nz

Our recommendation to the IHP is that Auckland Council be required to accommodate maximum MDRS and mixed use developments in all of the surrounding suburbs of our city centre and that, for the purposes of giving effect to the NPSUD Objectives, Special Character Areas are not a Qualifying Matter under clause 3.32 or 3.33 of the NPSUD. 840.13 840.14

Qualifying Matters

Auckland Councils work to accommodate the NPSUD requirements, along with amendments to its Unitary Plan, are been heavily influenced by the 'out' clauses contained in various sections e.g. 3.32 (h) of the Qualifying Matters references in the NPSUD. CCRG have been informed, unofficially, that these clauses were purposefully incorporated into the NPSUD legislative changes to accommodate the 'protection' of Special Character interests.

Be that as it may, clause (33.2 (1) (h) in particular has created a constant New Zealand wide battle field between governments statutory intentions and councils willingness to accommodate them. Non-specific, open ended legislation is not helpful to anyone and, in this case, mitigates against achieving the outcomes and intent of the NPSUD.

CCRG would recommend to the IHP that Auckland Council relying on Section 3.32 (h) as a means of preventing developments in SCA's is in breach of both the objectives and intention of the NPSUD i.e. ***Council has failed to remove overly restrictive barriers to development to allow growth 'up' and 'out' in locations that have good access to existing services, public transport networks and infrastructure.*** 840.15

All current SCA's have access to existing services, public transport networks and infrastructure so exactly the right conditions exist for various MDRS options depending on location. CCRG accept, and understand, that at any given time there may be limitations placed on where/when development takes place, in terms of the timing of various infrastructure limitations/upgrades. However, this is never a reason to not build houses, it is only a reason to plan for when housing development takes place.

Auckland Light Rail Corridor

CCRG are surprised and disappointed that Auckland Council have chosen to not incorporate the proposed ALR area into their deliberations and decisions required under the NPSUD. CCRG are of the view that this is a serious omission on behalf of Auckland Council and needs to be rectified. Irrespective of whether/what/where/when/if this project proceeds, Council still has an absolute duty to include all land within their boundary in their current NPSUD response decisions.

CCRG recommend to the IHP that Auckland Council be required to incorporate the land in Map 1 showing the Auckland Light Rail corridor (white area) into their current NPSUD so that decisions related to progress on the ALR corridor are supported by appropriate area maps showing intensification, zoning, walkable catchments and the required level of intensification around city, metropolitan and local centres. We accept that the ALR project may change some of these but that is the case with all land – very few things remain unchanged consequent to urban developments. 840.16

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Noelene Buckland
Chair CCRG
www.ccrg.org.nz
nbuckland@xtra.co.nz
021 449995

SUBMISSION ON PROPOSED PLAN CHANGES 78 (PUBLIC)

THAT IS SUBJECT TO FULL NOTIFICATION

PLAN CHANGE 78 – INTENSIFICATION

To: Auckland Council

Attention: Principal Policy Planner

By email: unitaryplan@aucklandcouncil.govt.nz

Name of Submitter: (Villages of New Zealand Limited) ('the Submitter')

1. This is a submission on public Plan Changes 78 (PC78) to the Auckland Unitary Plan – Operative in Part (the Unitary Plan) on behalf of Villages of New Zealand. PC78 was publicly notified by Auckland Council (Council) on 18 August 2022.

2. Villages of New Zealand Limited could not gain an advantage in trade competition through this submission.

Wider statutory context

NPS-UD and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 (the RM Enabling Act)

3. The NPS-UD seeks to ensure councils better plan for growth and remove overly restrictive barriers to development to enable growth in locations that have good access to services, public transport networks and infrastructure. The associated intensification policies require councils to enable greater heights and residential densities in areas that are well-suited to growth, and specifically in and around urban centres and rapid transit stops.

4. The RM Enabling Act introduced the Intensification Streamlined Planning Process for tier 1 councils (which includes Auckland Council) as the mechanism by which to implement the NPS-

UD intensification policies. It also introduced and required tier 1 councils to implement the Medium Density Residential Standards (MDRS).

5. The NPS-UD and RM Enabling Act collectively seek to ensure New Zealand's urban centres are well-functioning urban environments that support housing supply and affordability, accessibility to jobs and services, and the reduction of emissions.

Summary of Plan Change 78

6. PC78 seeks to:

   a. Change the allocation of residential zoning, and provisions within residential zones to enable:

      - More development in the City Centre and at least 6-storey buildings within walkable distance of the city centre, metropolitan centres and Rapid Transit Stops.
      - More intensive development in and around neighbourhood, local and town centres.
      - Incorporate MDRS that enable three storey housing in most residential areas.

   b. Changes to the City Centre Zone and other centre zones to give effect to the NPS-UD and MDRS.
   c. Implement qualifying matters that restrict development potential where there is a feature or value that should be protected or avoided.

7. Additional changes are proposed by Council that do not directly implement MDRS and which are as follows:

   a. Implement Council proposed qualifying matters (special character, ridgeline protection, viewshafts, infrastructure constraints, specific matters in precincts) that restrict development potential where there is a feature or value that should be protected or avoided.
   b. New Low Density Residential Zone applied across areas subject to specific qualifying matters.
   c. Implementation of a raft of additional changes to objectives, policies, rules and standards unrelated to MDRS throughout residential and business zones, numerous overlays and Auckland-wide chapters.

Background to this submission

8. The submission relates to land at the following property:

   a. 37A Stanniland Street, Sunnyhills

   b. This landholding (outlined in blue) and the surrounding environment are shown in the figure below.

Figure: properties forming part of submission (outlined in black)

   c. The PC78 Maps outlining the underlying MHU Zone (orange), and the Floodplain and Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay as Spatially Identified Qualifying Matters are shown in the figure below.

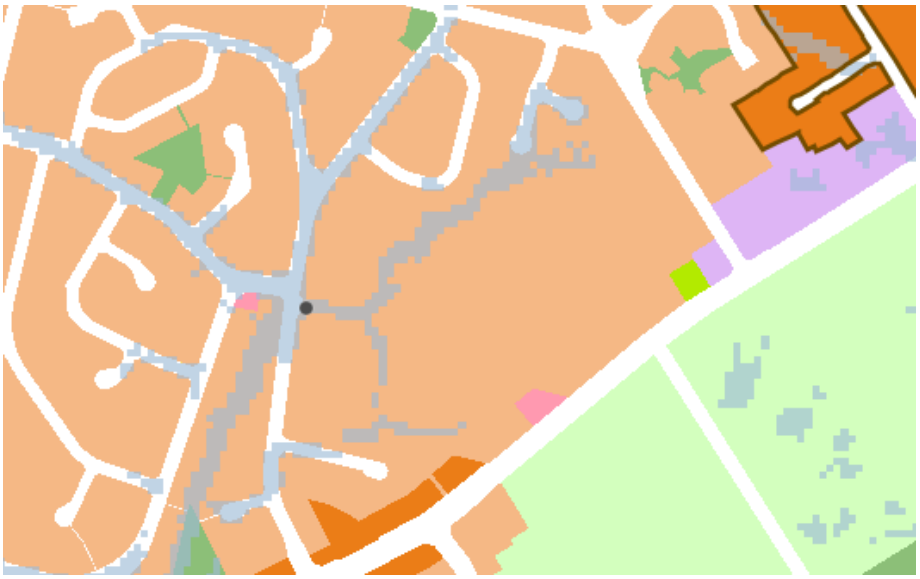

Figure: PC78 Zoning Map, Floodplain and Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay and catchment for the Highland Park Metropolitan Centre indicating upzoning around Local Centres and Metropolitan Centres is outlined in brown

Scope of Submission

9. This submission relates to PC78 in its entirety.

The Submission is:

10. The Submitter supports the zoning changes and provisions that seek to implement the NPS-UD and MDRS requirements for quality intensification in appropriate locations.

    a. Villages of New Zealand Limited supports the broad application of the Mixed Housing Urban (**MHU**) zone and considers this to be an appropriate mechanism by which to incorporate the MDRS and to give effect to the objectives and policies of the NPS-UD. 841.111
    b. Villages of New Zealand Limited supports the enhanced application of the Terrace Housing and Apartment Buildings (**THAB**) within walkable catchments and considers this to be an appropriate mechanism by which to give effect to the objectives and policies of the NPS-UD. 841.112
    c. Villages of New Zealand Limited supports the removal of 'intensity' from the matters of discretion and assessment criteria within the MHU and THAB zones for the assessment of 'four plus dwellings'.

11. Notwithstanding the above, the Submitter considers that amendments are required to provide a more effective planning framework that gives full effect to the directives of the legislation. The key overarching considerations and concerns are:

    a. The proposed plan change is contrary to the NPS-UD and RM Enabling Act which seeks to enable greater intensification in Tier 1 districts.
    b. Villages of New Zealand Limited oppose the Council's approach to the relationship between Qualifying Matters and the underlying zoning. Qualifying Matters have been used to justify lower intensity zoning, rather than the zoning being applied on the basis of location and other mechanisms such as Overlays, Precincts and / or Auckland-wide provisions being relied upon to achieve the outcomes sought by the Qualifying Matter.
    c. Villages of New Zealand Limited oppose the introduction of the extensive suite of amendments proposed to the descriptions, objectives, policies, rules, development standards, matters of discretion, assessment criteria and information requirements of the MHU and THAB zones. The Submitter also opposes the introduction of Qualifying Matters into zones as these can be dealt with appropriately through other mechanisms such as Overlays, Precincts, Auckland-wide rules and assessment criteria. The provisions are overly complicated and restrictive, and the changes proposed in additional to those strictly required 841.113

to give effect to the NPS-UD and RM Enabling Act provisions combine to reduce development yield and increase costs of compliance, and in the process undermine the outcomes envisaged by the statutory documents. These provisions have not been sufficiently justified under Section 32 of the RMA.

d. Villages of New Zealand Limited oppose the introduction of those Council identified Qualifying Matters under sections 77I(j) of the RMA and the use of those Qualifying Matters to justify lower intensity zoning of land. The Submitter seeks the deletion of those matters as Qualifying Matters and the introduction of higher intensity zoning across those areas currently limited by spatially mapped Council identified Qualifying Matters. 841.114

e. Villages of New Zealand Limited opposes the introduction of the Low Density Residential (LDR) zone. Its existence has been justified on the basis of those Qualifying Matters identified by Council under section 77I(j) of the RMA. 841.115

f. The level of detail required by the provisions is not appropriate in a district plan or necessary for a resource consent process and is more appropriately provided during detailed design for building consent / engineering plan approval.

12. The Submitter seeks to ensure that PC78 plan change provisions are amended so that they comply with the NPS-UD and RM Enabling Act and remove all provisions relating to unjustified qualifying matters and other provisions that will not achieve the purpose of NPS-UD or RM Enabling Act. Without limiting the generality of the above, the specific parts of the plan change that this submission relates to are set out in the main body of this submission and Attachment 1 and include the following:

a. Over complication of the structure of the Unitary Plan:

- There is a clear divergence in the drafting style of PC78 compared with the well-established approach to the operative Unitary Plan. The language is more negative and directive, assessment criteria can appear more like standards through the introduction of detailed requirements that do not exist elsewhere in the Plan, and a prescriptive 'one size fits all' approach has been taken through the introduction of significant new Special information Requirements.
- The clarity of zones has been compromised by the introduction of Qualifying Matters when they are (or can be) already dealt with via other mechanisms (i.e. Significant Ecological Areas are subject to Chapter D9 – Significant Ecological Area Overlay, but are now proposed to be addressed through zone provisions also).
- Qualifying Matters dealt with via Overlays, Precincts or Auckland-wide rules could (and in some cases already do) trump zone provisions, meaning a more intensive underlying zoning would be appropriately constrained by those mechanisms, where relevant.

Accordingly, the Submitter considers that more intensive zoning should be applied in place of the LDR zone, with any applicable Qualifying Matters limiting development potential in specific response to that Qualifying Matter enabled through other Plan mechanisms where appropriate.

- While applied broadly across Qualifying Matters relating to infrastructure constraints, coastal inundation and SEAs, a key function of the LDR zone appears to be to sit across sites identified as being within the Special Character Overlay (Chapter D18). However, as the Special Character Overlay explicitly states that the underlying zone rules do not apply and that the rules within the Overlay apply, it is not clear what the need for a lower intensity underlying zone is.

b. MHU and THAB Zones

- The extensive suite of changes proposed to the MHU and THAB zones go well beyond what is needed to give effect to the MDRS and the NPS-UD. Villages of New Zealand Limited considers that the operative provisions are clear, efficient and effective, having been evaluated through the robust Unitary Plan hearings process. The proposed amendments adopt a contrary drafting style and general approach that is far more prescriptive and creates inconsistency across the Unitary Plan.
- The proposed amendments to the MHU and THAB zones introduce far more prescriptive requirements for 'four plus dwellings' in the form of new and amended rules, development standards and assessment matters. The net result is a significant reduction in design flexibility, clear impacts on the development potential of land and the costs associated with obtaining and implementing resource consents. This sits in contrast to the current approach taken within the residential zones which requires compliance with those standards that seek to control the overall bulk and location of buildings (height, height in relation to boundary and yards), with all other standards referenced via assessment criteria as a means of guiding design while enabling flexibility.
- New standards are complex, detailed and will undermine the ability to achieve the intensification objectives of the NPS-UD.

13. The Submitter seeks that the site zoning is amended to THAB zoning for the following reasons:

- Whilst separated by Pakuranga Road, the landholding fronts onto Lloyd Elsmere Park which is zoned Open Space – Active Sport and Recreation and is also located within walking distance of the Pakuranga Town Centre.

- Upzoning the 12-hectare site THAB is more enabling of comprehensive development of the landholding. The trust has prepared a conceptual high-level masterplan for further development of the site. A four-level apartment complex has been constructed in the northeastern part of the site adjoining Fortunes Road which exceeds the maximum building height limit for the zone. In the past, The Trust have been encouraged by Council to enable increased building height along the Papakura Road Highway. The Mixed Housing Urban zone provisions are not enabling of achieving higher than three storey buildings and the Trust would prefer to rezone the site through this process rather than apply for a series of non-complying resources or progress a private plan change.
- To the west of the site, the vast majority of properties located along the Pakuranga Road corridor are zoned THAB. Land to the east adjacent to Pigeon Road and also fronting Pakuranga Road has also been up zoned from Mixed Housing Urban to THAB. It is logical to rezone this site to complete the THAB corridor along Papakura Road. This also enables an appropriate transition between the Pakuranga Road corridor and the established residential development to the north which has been up zoned to Mixed Housing Urban from Mixed Housing Suburban.
- Whilst not located in a defined 'walkable catchment', the above-mentioned properties are located in close proximity to bus stops and with Pakuranga Road being an arterial warrants increased residential intensification directly adjacent.
- The site and immediately adjoining properties 320, 330 and 334S Pakuranga Road are proposed to be rezoned THAB as indicated in the below figure. 841.116

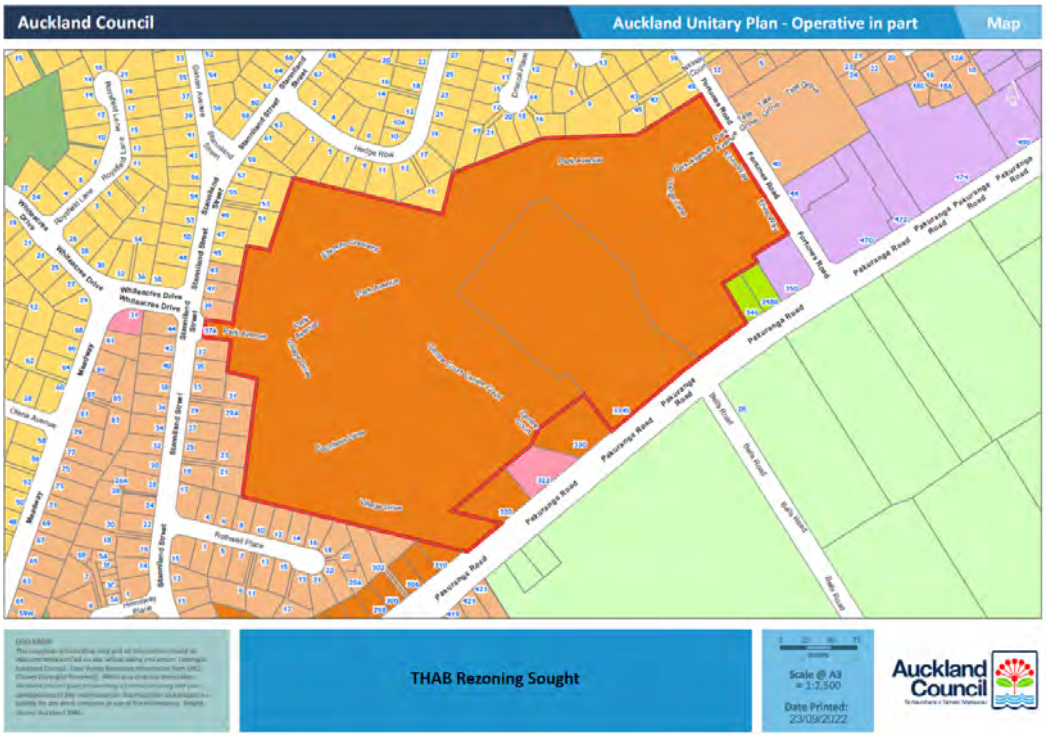

Figure: Properties where THAB Zone sought (outlined in red).

c. Walkable catchments

14. In our view, the Council has taken an arbitrary approach to the application of the 800m walkable catchment. A more appropriate zone boundary would be to follow a road boundary, rather than cadastral boundaries between sites. This results in a poor planning outcome where there is a large difference in the scale of development permitted on adjoining sites. Notwithstanding that, at its closest point to the Highland Park Business Town Centre Zone land, Pakuranga Park Village is 388m away. There is also a clear and dedicated walkable route to the Town Centre from Pakuranga Park Village in the form of footpaths on both sides of Pakuranga Road and a flat gradient and also traffic lights and signalized intersections. 841.117

15. In terms of enabling intensification outside of these arbitrary limits, it is logical to ensure that the land on the periphery/edge is able to be up zoned if this is the most appropriate outcome, as opposed to further urban sprawl. On this basis, the catchment for the Highland Park metropolitan centre for Upzoning around Local Centre and Town Centres in line with NPS-UD Policy 3d should be extended to include Pakuranga Park Village and other above-mentioned properties located along Pakuranga Road, including Business Mixed Use Zone land. As outlined in Attachment 1, the submission also supports enabling six storey development across the Business-Mixed Use Zone to the east of the site. 21m high buildings in the Business Mixed Use zone, particularly in this location, will assist in providing a transition from the Pakuranga Park Village to the Highland Park Town Centre to the east which has a 27m high building height limit. 841.1

16. Notwithstanding that, this submission supports the identification of the above-mentioned properties within an identified walkable catchment.

d. Qualifying Matters:

- Qualifying matters identified by Central Government:

  i. Ridgelines, Viewshafts, Waitakere Ranges

- Council proposed qualifying matters include:

  i. Regional Maunga Viewshafts and Height and Building Sensitive Areas Overlay
  ii. Flood Plains

Decision Requested

17. The Submitter seeks the following decision from the Council on PC78:

    a. Amend PC78 provisions so that they give effect to the NPS-UD and RM Enabling Act and remove all provisions relating to unjustified qualifying matters and other provisions that will undermine the ability to achieve the purpose of NPS-UD or RM Enabling Act.
    b. In the alternative to the primary relief of approving PC78, amend PC78 and retain provisions as set out in [Attachment 1] to this submission; and
    c. Any other alternative or consequential relief, including in relation to PC78's objectives, policies, rules, methods and maps, that reflects or responds to the reasons for this submission.

Reasons for relief sought

18. The reasons for the relief sought are to ensure that PC78:

    a. will give effect to the objectives and policies of the NPS-UD
    b. will contribute to well-functioning urban environments
    c. is consistent with the sustainable management of natural and physical resources and the purpose and principles of the RMA
    d. Will meet the reasonably foreseeable needs of future generations
    e. Will satisfy the requirements of section 32 of the RMA; and
    f. Is consistent with sound resource management practice.

Appearance at hearing

19. The Submitter wishes to be heard in support of its submission.

20. The Submitter will consider presenting a joint case with others making a similar submission.

DATED at this day of 29 September 2022

Tom Morgan

On behalf of Villages of New Zealand Limited

Electronic address for service of Submitter: Tom Morgan

c/- Tattico

PO Box 91562, Victoria Street, Auckland 1142

Contact person: Tom Morgan

Telephone: 0276343936

Email address: Tom.Morgan@Tattico.co.nz

Attachment 1 – Plan Change 78 submission table

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	**Outline of Proposed Change**	**Support / Oppose**	**Reasons**	**Relief Sought**
Whole of Plan Change 78				
Whole of Plan Change 78	PC78 (Intensification) seeks to: a. Change the allocation of residential zoning, and provisions within residential zones to enable: ▪ More development in the City Centre and at least 6-storey buildings within walkable distance of the city centre, metropolitan centres and Rapid Transit Stops. ▪ More intensive development in and around neighbourhood, local and town centres. ▪ Incorporate MDRS that enable three storey housing in most residential areas b. Changes to the City Centre Zone and other centre zones to give effect to the NPS-UD and MDRS. c. Implement qualifying matters that restrict development potential where there is a feature or value that should be protected or avoided. Additional changes are proposed by Council that do not directly implement MDRS and which are as follows: a. Implement Council proposed qualifying matters (special character, ridgeline protection, viewshafts, infrastructure constraints, specific matters in precincts) that restrict	Oppose	▪ The proposed changes are contrary to the NPS-UD and RM Enabling Act which seeks to enable greater intensification in Tier 1 districts. ▪ The provisions are overly complicated and restrictive and the additional non NPS-UD and RMA Enabling Act provisions reduce yield and increase costs of compliance while not meeting the outcomes envisaged by these documents. These provisions have not been justified under section 32 of the RMA.	Amend PC78 provisions so that they give effect to the NPS-UD and RM Enabling Act and remove all provisions relating to unjustified qualifying matters and other provisions that will not achieve the purpose of NPS-UD or RM Enabling Act.

841.2
841.3

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	development potential where there is a feature or value that should be protected or avoided. b. New Low Density Residential Zone applied across areas subject to specific qualifying matters. c. Implementation of a raft of additional changes to objectives, policies, rules and standards unrelated to MDRS throughout residential and business zones, numerous overlays and Auckland-wide chapters.				
Mapping	Application of zones, overlays, spatially represented qualifying matters	Oppose	▪ The proposed zoning / application of overlays and / or qualifying matters undermine the national direction afforded the NPS-UD and RM Enabling Act	▪ Apply zoning appropriate to give effect to the NPS-UD and RM Enabling Act ▪ Remove overlays / qualifying matters that inappropriately restrict the implementation of the NPS-UD and RM Enabling Act	841.4 841.5
Chapter C: General rules					
New Rule C1.6A	1. Where an activity is subject to a rule in an overlay, the overlay may specific whether the overlay rule replaces a zone rule, a precinct rule or an Auckland-wide rule. 2. Where an activity is subject to a rule in a precinct, the precinct may specify whether the precinct rule replaces an overlay rule or a zone rule, or an Auckland-wide rule.	Support	▪ The proposed rule clarifies the relationship overlays / precincts and other parts of the Unitary Plan	Retain proposed rule C1.6A	841.6
Chapter E – Auckland-wide					
Chapter E36: Natural Hazards and Flooding	▪ New statement inserted under heading E38. Natural hazards and flooding: *'The management of significant risks from natural hazards is a qualifying matter in accordance with sections 77I(a) and 77O(a) of the RMA.'*	Oppose	▪ Oppose identification of this is a Qualifying Matter and all associated changes	▪ Delete proposed provisions	841.7

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	▪ A number of rules identified as qualifying matters under sections 77I(a) and 77I(j) of the RMA.			
	▪ Amendment to E36.1. Background: The Plan has defined criteria to identify land which may be subject to natural hazards and in some cases has applied the Residential - Low Density Residential Zone to this land. The Plan requires the use of the best information available to identify greenfield land or land which is proposed for redevelopment which may be subject to natural hazards. This includes hazard maps, databases and reports held by the Council. The level of detail and the quality of this information is variable. This affects the Council's ability to identify and map land that may be subject to natural hazards. At this time, the provisions in the Plan are focussed on the following hazards:	Oppose	▪ Oppose identification of this is a Qualifying Matter and all associated changes	▪ Delete proposed provisions
Chapter G: Rural Urban Boundary				
Chapter G: Rural Urban Boundary and Walkable Catchments	▪ No change to G1. Rural Urban Boundary. ▪ Insertion of new section G2. Walkable Catchments: **G2. Walkable Catchments** Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones. Auckland is a tier 1 urban environment. A walkable catchment of around 1,200m is applied from the edge of the Business – City Centre Zone. A walkable catchment of around 800m is applied from both the edge of the Business – Metropolitan Centre Zones and from the pedestrian access points to existing or planned rapid transit stops. Edge and route modifying factors such as property boundaries, road boundaries, severance, topography, block sizes, the walking environment and the mix of land use activities can affect these general walkable catchment distances. The depiction of walkable catchments in the planning maps is a district plan method pursuant to section 75(2) of the Resource Management Act 1991 for implementing the policies of the district and giving effect to the National Policy Statement on Urban Development 2020, updated May 2022. The planning maps show the location and extent of walkable catchment boundaries, many of which overlap with each other. The location or extent of a walkable catchment can only be amended by way of a plan change pursuant to Schedule 1 of the Resource Management Act 1991. Any amendment to the location or extent of a walkable catchment must give effect Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022.	Neutral		

841.8

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
Chapter H5: Residential – Mixed Housing Urban Zone	▪ Mapping changes reflecting that the MHU zone incorporates the MDRS. It is a relevant residential zone. The development outcomes anticipated under the RMA and enabled in the zone are restricted where one or more qualifying matters apply. ▪ The most widespread residential zone covering most of urban Auckland	Support Oppose	▪ General support for changes proposed to include additional sites within the zone outside walkable catchments. ▪ Oppose the qualifying matters and other limitations that the Council has identified to limit the further application of the zone to include sites within the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs.	▪ Extend the mapped extent of the MHU zone to take in the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs. ▪ Any constraints identified are dealt with through other mechanisms, and 'down-zoning' the underlying zone is not necessary to appropriately manage those constraints.	841.9 841.107 841.108 841.10
	▪ Additional objectives inserted at H5.2: *(5) Development does not adversely affect the environmental values of adjoining water bodies including riparian, lakeside and coastal protection areas and does not increase the impact from natural hazard risks* *(6) Development contributes to a high-quality built environment that is resilient to the effects of climate change* *(7) Development is enabled where it can be serviced by the water supply, wastewater and stormwater networks to manage adverse effects* *(8) Enable a safe street environment for pedestrians* *(9) Development is enabled on sites within SEAs where it provides for the protection and management of the significant ecological values*	Oppose	▪ These objectives open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This is simply duplication and completely unnecessary. ▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions	▪ Delete proposed provisions	841.11

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(10) Intensification is avoided in areas with significant transport infrastructure constraints.			
	▪ Additional policies inserted at H5.3: *(6A) Require development to achieve a built form that contributes to high-quality built environment outcomes by:* *(a) Maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site* *(b) Providing for residents' safety and privacy while enabling passive surveillance on the street* *(c) Minimising visual dominance effects to adjoining sites* *(d) Maintaining a level of privacy, and sunlight and daylight access for adjoining sites* *(e) Minimising visual dominance effects of carparking and garage doors to streets and private accessways* *(f) Minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated*	Oppose	▪ These policies open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This duplication is unnecessary. ▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions. ▪ Policy (6A)(e) – development should not need to 'minimise' visual and dominance effects of carparking and garage doors to streets and private accessways ▪ Policy (12) – the requirement for infrastructure provisions should not fall to the zone. ▪ Policy (14) - a development should not need to 'improve' the adjacent road network. That is the Council's job.	▪ Delete proposed provisions

841.12

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(g) Requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees *(h) Designing practical, sufficient space for residential waste management; and* *(i) Designing practical, sufficient space for internal storage and living areas.* *(7) [deleted]* *(11) Require buildings to be setback from water bodies to maintain and protect environmental, open space, amenity values of riparian margins of lakes, streams and coastal areas and water quality and to provide protection from natural hazards* *(12) Require dwellings to be provided with access to safe and reliable drinking water, wastewater and stormwater disposal services* *(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, are provided with appropriate infrastructure* *(14) Require development of four or more dwellings per site to contribute to a safe urban road environment for pedestrians through improvements to the adjacent road network*		▪ Council's Solid Waste Calculator is overly conservative and should not be relied upon to direct adequate space to serve development	

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas *(16) Avoid developments of more than one dwelling per site in areas identified on the planning maps as subject to significant transport infrastructure constraints* *(17) Building height is restricted to respond to the relationship of Maori and their culture and traditions with their ancestral lands, water, sites wāhi tapu, and other taonga, where located adjacent to Pukekiwiriki Pā Historic Reserve, Red Hill.*			
	H5.4.1 Activity Table ▪ New clarifying statement: *'Applications for Activity (A2B) will be considered against objectives and policies in E15 Vegetation management and biodiversity in addition to the standards listed below and any other infringements.* ▪ New rules introduced: - *(A2A), One dwelling per site subject to a SEA overlay which complies with Standards E15.4.2(A29) and E15.6.5* - *(A2B), Two or more dwellings per site subject to a SEA overlay (refer to Vegetation management and biodiversity E15.4.2(A43) and E15.6.5* - *(A14A), Two or more per site dwellings within the Infrastructure – Beachlands Constraints Control is a non-complying activity*	Oppose	▪ Duplicates requirements of Chapter D9 (SEA Overlay) ▪ If they are retained, the rules should not refer to 'sites' subject to a SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.	▪ Delete proposed provisions

841.13

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	- *(A14B), One dwelling per site in the Infrastructure – Water and Wastewater Constraints Control is a permitted activity* - *(A14C), Two or more dwellings per site in the Infrastructure – Water and Wastewater Constraints Control is a restricted discretionary activity* - *(A30A), Internal and external alterations to buildings for a development of four or more dwellings is a permitted activity where it complies with the listed standards* - *(A31A), Accessory buildings associated with development of four or more dwellings is a permitted activity where it complies with the listed standards* - *(A32A), Additions to an existing dwelling for a development of four or more dwellings is a permitted activity where it complies with the listed standards* - *(A32B), New buildings and additions and alterations to buildings in a SEA which do not comply with H5.6.10(2) Building coverage is a discretionary activity* ▪ A number of rules identified as qualifying matters under sections 77I(a) and 77I(j) of the RMA ▪ Introduction of extensive new 'standard to be complied with' against new and existing rules			
	▪ Deletion of existing notification provisions at H5.5(1) as they are inconsistent with the MDRS requirements. New H5.5(4) introduced to align with those requirements:	Support	▪ Appropriate change	▪ Retain proposed provisions

841.14

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(1) Unless the Council decides that special circumstances existing under section 95A(9) of the RMA, public notification of an application for resource consent is precluded if the application is for the construction and use of 1, 2 or 3 dwellings that do not comply with 1 or more of the following: *(i) Standard H5.6.4 Building height* *(ii) Standard H5.6.5 HiRB* *(iii) Standard H5.6.8(1) Yards* *(iv) Standard H5.6.10 Building coverage* *(v) Standard H5.6.11(3) and (4) Landscape area* *(vi) Standard H5.6.12(A1) outlook space* *(vii) Standard H5.6.14(A1)-(B1) Outdoor living space; and* *(viii) Standard H5.6.18(1) Windows to street and private vehicle and pedestrian accessways* *(2) Unless the Council decides that special circumstances exist under section 95A(9) of the RMA, public and limited notification of an application for resource consent is precluded if the application is for the construction and use of four or more dwellings that comply with the following standards:* *(i) Standard H5.6.4 Building height* *(ii) Standard H5.6.5 HiRB* *(iii) Standard H5.6.8(1) Yards*			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(iv) Standard H5.6.9 Maximum impervious area *(v) Standard H5.6.10 Building coverage* *(vi) Standard H5.6.11(5), (6) and (7) Landscape area* *(vii) Standard H5.6.12(1)-(9) outlook space* *(viii) Standard H5.6.13 Daylight* *(ix) Standard H5.6.14(1)-(4) Outdoor living space;* *(x) Standard H5.6.15 Front, side and rear fences and walls* *(xi) Standard H5.6.16 Minimum dwelling size* *(xii) Standard H5.6.18(2) Windows to street and private vehicle and pedestrian accessways* *(xiii) Standard H5.6.19 Deep soil area and canopy tree* *(xiv) Standard H5.6.20 Safety and privacy buffer from private vehicle and pedestrian accessways; and* *(xv) Standard H5.6.21 Residential waste management* *(3) Any application for resource consent which is listed in H5.5(4) or H5.5(5) above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.*			
	▪ New standard H5.6.3A 'Number of dwellings per site'	Support	▪ MDRS requirement	▪ Retain proposed provision

841.15

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(1) There must be no more than three dwellings per site.			
	▪ New standard H5.6.3B 'Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps' *Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network* *(1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network*	Oppose	▪ Unnecessary to bring this requirement into the zone to the extent it has been. This could be dealt with via a simple criterion ▪ What if infrastructure capacity in an area is upgraded? The Unitary Plan maps will be immediately out of date. Will the Council undertake a plan change process to update the plan in real time? This could unduly impact land values, development application, add time and cost to applications.	▪ Delete proposed provisions
	▪ New standard H5.6.3C 'Dwellings within the Infrastructure – Stormwater Disposal Constraints Control' *Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site.* ▪ *A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage must either be able to connect to the public*	Oppose	▪ Unnecessary to bring this requirement into the zone to the extent it has been. This could be dealt with via a simple criterion ▪ What if infrastructure capacity in an area is upgraded? The Unitary Plan maps will be immediately out of date. Will the Council undertake a plan change process to update the plan in real time? This could unduly impact land values, development application, add time and cost to applications.	▪ Delete proposed provisions

841.16

841.17

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	stormwater network or provide sufficient stormwater disposal by capacity on-site				
	▪ H5.6.5 HiRB amended to accord with MDRS ▪ Consequential amendments including deletion of AHiRB standard and HiRB adjoining lower intensity zone standard	Support	▪ MDRS requirement	▪ Retain MDRS provisions	841.18
	▪ Amendments to H5.6.8 Yards to accord with MDRS requirements ▪ Table H5.6.8.2 (riparian / lakeside / coastal protection yard) identified as a qualifying matter under section 77I(b) of the RMA	Support	▪ MDRS requirement ▪ Oppose identification of QM	▪ Retain MDRS provisions ▪ Delete QM	841.19 841.20
	▪ Amendments to H5.6.10 Building coverage to incorporate MDRS requirement ▪ Additional requirements identified as qualifying matter under s77I(a) relating to management of development within SEAs: *Purpose: …and to provide for the protection and management of SEAs* *(2) On a site subject to a SEA overlay:* *(a) The maximum building coverage must not exceed 50% of the net site area* *(b) Building coverage must not be located in any areas within 3m of vegetation within a SEA including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3(A29) and E15.6.5; and*	Support	▪ MDRS requirement ▪ Oppose identification of QM. SEAs are dealt with elsewhere in the Plan, don't duplicate provisions within residential zones	▪ Retain MDRS provisions ▪ Delete QM / SEA requirements from the zone	841.21 841.22

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(c) Other than provided for in H5.6.10(2)(b), building coverage must not be located within a SEA.			
	▪ Amendments to H5.6.11 Landscaped area to incorporate MDRS requirements *Developments containing up to three dwellings must comply with the following:* *(3) A dwelling at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them* *(4) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling* ▪ Additional amendments: *Development containing four or more dwellings and any other developments must comply with the following:* *(5) The minimum landscaped area must be at least 20% of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch.* *(6) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m2 as shown below in Figure H5.6.19.1…*	Oppose	▪ Accept MDRS requirements ▪ Landscape provisions relating to four + dwellings are space hungry and reduce development potential	▪ Delete proposed provisions other than those required by MDRS

841.23

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(7) A minimum of 50% of the front yard must be landscaped				
	▪ Standard H5.6.12 Outlook space amended to accord with MDRS requirements for up to three dwellings per site -	Support	▪ MDRS requirement	▪ Retain MDRS provision	841.24
	▪ Existing H5.6.12 Outlook space standard otherwise amended to apply to four or more dwellings, with key amendments being: - Where the principal living room outlook is on the ground floor and defined by a boundary fence, outlook depth may be reduced to 5m - Outlook space is measured from the centreline of the façade with the largest window OR balcony edge, whichever is closest to the boundary or opposing building - Outlook space must align with private outdoor space except where of a public space or street	Oppose	▪ Support reduction of outlook requirement to 5m ▪ Oppose measurement from balcony edge ▪ Oppose requirement for outlook from 4+ dwellings to align with outdoor living space. The proposed provision applies to all outlook, not just principle living areas. Entirely unachievable for terrace housing and apartment typologies. Would only work for detached housing. Ridiculous rule. Ignores the purpose of the standard, which is to achieve a sense of space, not the quality space of the space. ▪ Inconsistent with MDRS requirement for up to three dwellings which allows outlook over driveways and footpaths within the site	▪ Delete proposed provisions or otherwise amend to address reasons identified	841.25
	▪ Standard H5.6.14 Outdoor living space amended to give effect to MDRS requirements for up to three dwellings	Support	▪ MDRS requirement	▪ Retain MDRS provision	841.26
	▪ Standard H5.6.14 Outdoor living space otherwise amended to achieve:	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements	▪ Delete proposed provisions	841.27

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	- Purpose statement expanded to specify IRDs and that living space must be separated from vehicle access and manoeuvring areas - That private outdoor living spaces are directly accessible from main dwelling areas - Communal outdoor living spaces are conveniently accessible for all occupants ▪ Standard H5.6.14 amended to apply to four or more dwellings and specify that it applies to IRDs ▪ Standard H5.6.14 further expanded to include specific outdoor living requirement for 20+ dwellings including IRDs: (4) In addition to H5.6.14(1) and H5.6.14(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more dwellings, must provide a communal outdoor living space that: (a) is located in a communally accessible location; (b) is at least 10m² for every five dwellings it serves; (c) is a minimum dimension of 4m; (d) free of buildings, parking spaces and servicing and manoeuvring areas; (e) for at least 20m² of the communal living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; (f) has a gradient not exceeding 1 in 20; and (g) may be split into no more than two outdoor communal living spaces per development.		throughout the zone (and through Plan Change 79)	
	▪ New Standard H5.6.18 'Windows to street and private vehicle and pedestrian accessways *Purpose: To provide for passive surveillance while maintaining privacy for residents and users*	Oppose	▪ Support the intention, but too prescriptive. What about south-facing façades? What about privacy to occupants? Likely to simply lead to blinds being closed a lot of the time.	▪ Delete proposed provisions

841.28

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Development containing up to three dwellings must comply with the following: *(1) Any dwelling facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.* [MDRS] *Development containing four or more dwellings and any other development must comply with the following:* *(2) Any dwelling, IRD, supported residential care, boarding house and visitor accommodation facing the street or private vehicle accessway or private pedestrian accessway, must have a minimum of 20% of the relevant façade in glazing. This can be in the form of windows or doors.*			
	▪ New standard H5.6.19 'Deep soil area and canopy tree' *Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater* *(1) Any site greater than 200m2 must provide a deep soil area that must comply with the following:* *(a) 10% of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions* *(b) Expect that sites 1,200m2 or greater may have more than 1 deep soil area provided that:*	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Limits development potential of sites – huge 'land' cost imposed ▪ Deep soil area should form part of dedicated Outdoor Living Space areas.	▪ Delete proposed provisions

841.29

<table>
<tr><th colspan="5">PLAN CHANGE 78 – INTENSIFICATION</th></tr>
<tr><th>Chapter</th><th>Outline of Proposed Change</th><th>Support / Oppose</th><th>Reasons</th><th>Relief Sought</th></tr>
<tr><td></td><td>
(i) each deep soil area is a minimum of 60,2 with 3m dimension; and
(ii) the combined total deep soil area is a minimum 10% of the site area
(c) Deep soil areas must not be provided in private outdoor living spaces but can be provided as part of communal outdoor living spaces and landscaped areas as shown in Figure H5.6.19.1; and
(d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements set out in Table H5.6.19.1; and
(2) Trees required by H5.69.19(1) can be existing canopy trees or new canopy trees in accordance with Table H5.6.19(3)
Table H5.6.19.1 Minimum requirements for canopy trees
<table>
<tr><th>Site Area (prior to development or re-development)</th><th>Minimum canopy tree requirements</th></tr>
<tr><td>200m² – 600m²</td><td>1 small canopy tree per 200m² of site</td></tr>
<tr><td>601m² – 1,500m²</td><td>1 medium canopy tree per 300m² of site</td></tr>
<tr><td>1,501m² or more</td><td>1 large canopy tree or 2 medium canopy trees per 500m² of site</td></tr>
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<tr><td></td><td>▪ New standard H5.6.20 ‘Safety and privacy buffer from private pedestrian and vehicle accessways’</td><td>Oppose</td><td>▪ Overly prescriptive, and onerous when combined with other proposed requirements</td><td>▪ Delete proposed provisions</td></tr>
</table>

841.30

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways *(1) A minimum 1m buffer area must be provided between a dwelling and private pedestrian and / or vehicle accessways as shown in Figure H5.6.19.1* *(2) The buffer area must be:* *(a) Free of buildings, parking spaces, servicing and manoeuvring areas* *(b) Planted with shrubs or ground cover*		throughout the zone (and through Plan Change 79)	
	▪ New standard H5.6.21 'Residential waste management' *Purpose: to provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings*	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Council's Solid Waste Calculator is overly conservative and should not be relied upon to direct adequate space to serve development	▪ Delete proposed provisions

841.31

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m² per dwelling.) Change 78 Intensification 38 H5 Residential – Mixed Housing Urban Zone (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H5.6.21(3) and either H5.6.21(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m² per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.			
	▪ New matters of control H5.7.1 relating to one dwelling per site in a SEA	Oppose	▪ The presence of an SEA on a piece of land is not reason to limit the development density as a matter of course	▪ Delete proposed provisions

841.32

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: *(1) For one dwelling per site subject to a Significant Ecological Area Overlay:* *(a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area;* *(b) The location, bulk and scale of built development relative to the surrounding ecological values.* ▪ Associated assessment criteria introduced at H5.7.2(1) *(1) For one or more dwellings in a Significant Ecological Area Overlay:* *(a) Refer to Policy H5.3(15)*		▪ Duplicates requirements of Chapter D9 (SEA Overlay), no need to include within the residential zone ▪ If they are retained, the rules and assessment matters should not refer to 'sites' subject to a SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.	
	▪ Addition to matters of discretion for supported residential care up to 10 people, boarding houses accommodating more than 10 people, visitor accommodation, etc at H5.8.1(1) *(c) the effects of the development on the safe access for pedestrians on the adjacent road network.* ▪ Amendments to criteria for supported residential care up to 10 people, boarding houses accommodating more than 10 people, visitor accommodation, etc at H5.8.2(1)	Oppose	▪ Unnecessarily prescriptive, removes flexibility in design, too broadly applied	▪ Delete proposed provisions

841.33

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(b) building ~~intensity,~~ scale, location, form and appearance: (i) whether the intensity and scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area. (c) traffic: (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads. (d) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and accessways are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or landscaping (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development. (e) noise, lighting and hours of operation:				
	▪ Substantial amendments to matters of discretion H5.8.1(2) relating to four or more dwellings per site: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and	Oppose	▪ Far too broad. ▪ Will be administered as a standard, where no standard exists. Assessment becomes subjective / uncertain. ▪ Criterion H5.8.2(2)(ad) – implies that development potential / built form may be impacted by the presence of a Special Character building across the street. Completely unreasonable. ▪ Support the deletion of 'intensity' from matter of discretion H5.8.1(1)(b)(i) and H5.8.1(2)((a)(i)	▪ Retain the proposed the deletion of 'intensity' from matter of discretion H5.8.1(1)(b)(i) and H5.8.1(2)((a)(i) ▪ Delete 'intensity' from matter of discretion H5.8.1(3)(a)(i) relating to Integrated Residential Developments ▪ Retain the proposed the deletion of 'intensity' from criterion H5.8.2(1)(b) ▪ Delete 'intensity and' from criterion H5.8.2(1)(b)(i) ▪ Delete matters of discretion at H5.8.1(1)(c), H5.8.1(2)(c) and H5.8.1(3)(d) and assessment	841.34 841.35 841.36 841.37 841.38

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area. (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between resident's privacy and opportunities for passive surveillance; D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management (ii) traffic; and (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided).		▪ Oppose matters of discretion at H5.8.1(1)(c), H5.8.1(2)(c) and H5.8.1(3)(d) and assessment criteria at H5.8.2(1)(c), H5.8.2(d) and H5.8.2(3)(d) relating to the extent to which the adjacent road network provides for safe pedestrian movements	criteria at H5.8.2(1)(c), H5.8.2(d) and H5.8.2(3)(d) ▪ Delete other proposed provisions

841.39

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size~~ (c) ~~I~~the effects on infrastructure and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access for pedestrians on the adjacent road network. ▪ Amendments to criteria for four or more dwellings at H5.8.2(2):			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(2) for four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards identified in Table 5.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted]~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted]~~Standard H5.6.10 Building coverage;~~ (iii) [deleted]~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted]~~Standard H5.6.12 Outlook space;~~ (v) [deleted]~~Standard H5.6.13 Daylight;~~ (vi) [deleted]~~Standard H5.6.14 Outdoor living space;~~ (vii) [deleted]~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted]~~Standard H5.6.16 Minimum dwelling size.~~ (aa) the extent to which the scale of the activity, the building location, form and appearance is of a high-quality and compatible with the planned urban built character and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportions and arrangement of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii) locating deep soil areas and/or communal outdoor spaces around and between buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontage contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies . (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings on the site that directly front, align and orientate to public streets . (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance. (v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible attractive, safe and well-lit connections between dwellings and the street. (b) [deleted]~~The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.~~ (c) [deleted]~~The extent to which development achieves attractive and safe streets and public open space by:~~ (i) ~~providing doors, windows and/or balconies facing the street and public open spaces~~ (ii) ~~minimising tall, visually impermeable fences~~ (iii) ~~designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.~~ (iv) ~~optimising front yard landscaping~~ (v) ~~providing safe pedestrian access to buildings from the street~~			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(vi) ~~minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings a viewed from streets or public open spaces~~ (d) [deleted]~~The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;~~ (e) [deleted]~~The extent to which dwellings:~~ (i) ~~Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling~~ (ii) ~~Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space~~ (iii) ~~Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.~~ (iv) ~~Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.~~ (f) [deleted]~~The extent to which outdoor living space:~~ (i) ~~Provides for access to sunlight~~ (ii) ~~Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.~~ (iii) ~~When provided at ground level, is located on generally flat land or otherwise functional~~ (fa) refer to Policy H5.3(A1); (fb) refer to Policy H5.3(C1); (fc) refer to Policy H5.3(D1); (fd) refer to Policy H5.3(E1); (fe) refer to Policy H5.3(6A) (g) [deleted]~~refer to Policy H5.3(7); and~~ (ga) refer to Policy H5.3(10); (gb) refer to Policy H5.3(11); (gc) refer to Policy H5.3(12); (gd) refer to Policy H5.3(14); and			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(h) infrastructure and servicing: (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development. (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed. (i) The extent to which the adjacent road network enables safe pedestrian movements.			
	▪ Changes to matters of discretion H5.8.1(3) relating to Integrated Residential Developments:	Oppose	▪ Matter (a)(i) – buildings to be designed to 'minimise visual dominance effects'. Potentially problematic depending on how this is administered. ▪ Prescriptive transport items at criterion (l) written like a standard	▪ Delete proposed provisions

841.40

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building intensity, scale, location, form and appearance including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. (b) [deleted] ~~all of the following standards:~~ ~~(i) Standard H5.6.9 Maximum impervious areas;~~ ~~(ii) Standard H5.6.10 Building coverage;~~ ~~(iii) Standard H5.6.11 Landscaped area;~~ ~~(iv) Standard H5.6.12 Outlook space;~~ ~~(v) Standard H5.6.13 Daylight;~~ ~~(vi) Standard H5.6.14 Outdoor living space;~~ ~~(vii) Standard H5.6.15 Front, side and rear fences and walls; and~~ ~~(viii) Standard H5.6.16 Minimum dwelling size.~~ (c) Infrastructure and servicing (d) the effects of the development on the safe access for pedestrians on the adjacent road network. ▪ Amendments to criteria at H5.8.2(3) for IRDs:			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(3) for integrated residential development: (a) the extent to which or whether the development achieves the purpose outlined in the ~~following~~ relevant standards and identified in Table H5.4.1 or what alternatives are provided that result in the same or a better outcome: (i) [deleted] ~~Standard H5.6.9 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H5.6.10 Building coverage;~~ (iii) [deleted] ~~Standard H5.6.11 Landscaped area;~~ (iv) [deleted] ~~Standard H5.6.12 Outlook space;~~ (v) [deleted] ~~Standard H5.6.13 Daylight;~~ (vi) [deleted] ~~Standard H5.6.14 Outdoor living space;~~ (vii)[deleted] ~~Standard H5.6.15 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H5.6.16 Minimum dwelling size (excluding retirement villages).~~ (aa) refer to Policy H5.3(C1) (ab) refer to Policy H5.3(D1) (ac) refer to Policy H5.3(E1) (b) [deleted] ~~refer to Policy H5.3(1);~~ (c) [deleted] ~~refer to Policy H5.3(2);~~ (d) [deleted] ~~refer to Policy H5.3(3);~~ (e) [deleted] ~~refer to Policy H5.3(4);~~ (f) [deleted] ~~refer to Policy H5.3(5);~~ (g) refer to Policy H5.3(6A); (h) [deleted] ~~refer to Policy H5.3(7);~~			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(i) refer to Policy H5.3(8); (j) refer to Policy H5.3(9): ~~and~~ (ja) refer to Policy H5.3(11); (jb) refer to Policy H5.3(12); (jc) refer to Policy H5.3(14); and (k) infrastructure and servicing: (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development. (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed. (l) The extent to which the adjacent road network enable safe pedestrian movements, including: i. Footpaths of at east 1.8m in width ii. Facilities to safely and conveniently cross the road including pram crossings, and tactile paving. iii. Narrowed pedestrian crossing distances of vehicle carriageways iv. Front berms to separate pedestrians from traffic.			
	▪ New matters of discretion at H5.8.1 relating to applications for more than one dwelling on sites subject to identified infrastructure constraints: *(6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control:* *(a) Infrastructure and servicing.*	Oppose	▪ Remove from zone, this is managed through other processes (i.e. securing permission to connect to reticulated infrastructure at detailed design phase)	▪ Delete proposed provisions from zone

841.41

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control: *(a) Stormwater disposal.*			
	▪ Amendments / significant additions to H5.8.2(4) 'for building height': (4) for building height: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1); (ca) refer to Policy H5.3(E1); (da) refer to Policy H5.3(6A); (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4);~~ and **Visual dominance** (c) The extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account: (i) the planned urban built character of the zone; and	Oppose	▪ Language too negative. Why is additional height viewed as a negative outcome? ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions

841.42

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(ii) the location, orientation and design of development. (iii) the effect of the proposed height on the surrounding and neighbouring development. **Character and Visual Amenity** (d) the extent to which the form and design of the building and any additional height responds to the planned form and existing character of the surrounding area, including natural landforms and features, and the coast (e) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account: (i) whether roof plant, services and equipment are hidden from views; and (ii) whether the expression of the top of the building provides visual interest and variation. **Relationship of Maori and their culture and traditions** (f) The extent to which proposed building heights as viewed both from and to Pukekiwiriki Pā Historic Reserve maintain the culture and traditions of Māori on this site, taking into account: (i) The site's historic function as an observation and defensive site. (ii) The site's contemporary function as an educational site and site of cultural importance.			
	▪ Amendments / significant additions to criteria at H5.8.(6) 'for HiRB':	Support	▪ Generally considered appropriate for infringements to HiRB, and note the precedent in the Plan already relating to reliance on the Alternative HiRB standard.	▪ Retain proposed provisions

841.43

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(6) for height in relation to boundary: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(E1); (ba) refer to Policy H5.3(6A) and (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~ **Sunlight access** (d) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September): (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4; or (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14. (e) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a): (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development. **Visual dominance** (f) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Overlooking and privacy** (g) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.			
	▪ Amendments to criteria at H5.8.2(9) 'for yards:	Oppose	▪ Very broad assessment opened up for what might be a small infringement.	▪ Delete proposed provisions

841.44

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(9) for yards: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(B1) (ca) refer to Policy H5.3(C1); (dc) refer to Policy H5.3(6A); and (ec) refer to Policy H5.3(11). (a) ~~refer to Policy H5.3(2);~~ (b) ~~refer to Policy H5.3(4); and~~ (c) ~~refer to Policy H5.3(5).~~		▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	
	▪ Amendments to criteria at H5.8.2(10) 'for maximum impervious areas: (10) for maximum impervious areas: (aa) refer to Policy H5.3.(6A); (a) [deleted]~~refer to Policy H5.3(7);~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions
	▪ Amendments to criteria at H5.8.2(11) 'for building coverage': (11) for building coverage: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); and (a) ~~refer to Policy H5.3(2); and~~ (b) ~~refer to Policy H5.3(4);~~ (c) whether the non-compliance is appropriate to the context taking into account:	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions

841.45

841.46

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(i) Whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the zone; (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas; (iii) The proportion of the building scale in relation to the proportion of the site.			
	▪ Amendments to criteria at H5.8.2(12) 'for landscaped area': (12) for landscaped area: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(6A); (da) refer to Policy H5.3(10); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which existing trees are retained.	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions
	▪ Amendments to criteria at H5.8.2(13) 'for outlook space':	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions

841.47

841.48

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(13) for outlook space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(C1); (ca) refer to Policy H5.3(D1); (da) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~ (d) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.				
	▪ Amendments to criteria at H5.8.2(14) 'for daylight: (14) for daylight: (aa) refer to Policy H5.3(D1); (ab) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4); and~~ (c) [deleted] ~~refer to Policy H5.3(5).~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	841.49
	▪ Amendments to criteria at H5.8.2(15) 'for outdoor living space':	Support	▪ Appropriate level of detail and targeted assessment required	▪ Retain proposed provisions	841.50

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(15) for outdoor living space: (aa) refer to Policy H5.3(A1); (ba) refer to Policy H5.3(D1); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(4);~~ (c) [deleted] ~~refer to Policy H5.3(5); and~~ (d) [deleted] ~~refer to Policy H5.3(6). and;~~ (e) The extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.				
	▪ New criteria at H5.8.2(15A) 'for windows to street and pedestrian accessways': (15A) For windows to street and private vehicle and pedestrian accessways (a) refer to Policy H5.3(C1) (b) refer to Policy H5.3(6A); and (c) The extent to which the glazing: (i) allows views to the street and/or accessways to ensure passive surveillance; and (ii) provides a good standard of privacy for occupants.	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ (c) seems an appropriate assessment matter ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	841.51
	▪ Amendments to criteria at H5.8.2(16) 'for front, side and rear walls': (16) for front, side and rear fences and walls: (aa) refer to Policy H5.3(C1); (ba) refer to Policy H5.3(6A); and (a) [deleted] ~~refer to Policy H5.3(2);~~ (b) [deleted] ~~refer to Policy H5.3(3); and~~ (c) [deleted] ~~refer to Policy H5.3(4).~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	841.52

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	▪ Amendments to criteria at H5.8.2(17) 'for minimum dwelling size': (17) For minimum dwelling size: (aa) refer to Policy H5.3(A1) (ba) refer to Policy H5.3(D1) (ca) refer to Policy H5.3(6A); and (da) The extent to which each dwelling is designed to: (i) Provide simple and convenient internal access and circulation (ii) Include adequate storage; and (iii) Be large enough to allow the use of typical furnishings that meet the needs of the intended occupants. (a) ~~Policy H5.3(5)~~	Oppose	▪ Very broad assessment opened up for what might be a small infringement. ▪ Standard matters at C1.9(3) are appropriate to retain and provide sufficient scope	▪ Delete proposed provisions	841.53
	▪ New criteria at H5.8.2(18) 'for deep soil area and canopy': (18) for deep soil area and canopy tree (a) refer to Policy H5.3(6A); (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and	Oppose	▪ Oppose standard in full, therefore specific criteria redundant	▪ Delete proposed provisions	841.54
	▪ New criteria at H5.8.2(19) 'for safety and privacy buffer from private pedestrian and vehicle accessways': (19) for safety and privacy buffer from private pedestrian and vehicle accessways: (a) refer to Policy H5.3(6A); and (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; (ii) planted with suitable and low level plants.	Oppose	▪ Oppose standard in full, therefore specific criteria redundant	▪ Delete proposed provisions	841.55
	▪ New criteria at H5.8.2(20) 'for residential waste':	Oppose	▪ Oppose standard in full, therefore specific criteria redundant ▪ Council's Solid Waste Calculator is overly conservative and overstates the space	▪ Delete proposed provisions	841.56

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(20) For residential waste management: (a) refer to Policy H5.3(D1) (b) refer to Policy H5.3(6A); (c) refer to Policy H5.3(10); (d) The extent to which sufficient space is provided for residential waste management that is suitably located for ease of movement to collection points; (e) The extent to which the waste management area is designed to minimise visibility; (f) How the development intends to ensure the on-going management and maintenance of any communal residential waste management area; (g) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (h) Whether waste management vehicle can safely undertake collection.		needed to provide for waste storage and collection		
	▪ New criteria at H5.8.2(21) 'for more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control': (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control: (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability to connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future.	Oppose	▪ Remove from residential zones and deal with infrastructure constraints via other processes	▪ Delete proposed provisions	841.57
	▪ New criteria at H5.8.2(22) 'for more than one dwelling per site … subject to the Infrastructure – Stormwater Disposal Constraints Control':	Oppose	▪ Remove from residential zones and deal with infrastructure constraints via other processes	▪ Delete proposed provisions	841.58

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Stormwater Disposal Constraints Control. (a) Whether stormwater can be disposed via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.			
	▪ New special information requirements at H5.9: **Landscape Plans as required by H5.6.11. Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and	Oppose	▪ Far too prescriptive and treats all applications the same, regardless of scale ▪ Adds cost up front to proposals even before resource consent is secure ▪ In combination with other Council proposed changes, adds cost and impacts development yield	▪ Delete proposed provisions

841.59

<table>
<tr><th colspan="5">PLAN CHANGE 78 – INTENSIFICATION</th></tr>
<tr><th>Chapter</th><th>Outline of Proposed Change</th><th>Support / Oppose</th><th>Reasons</th><th>Relief Sought</th></tr>
<tr><td></td><td>
<u>Deep Soil Area and Canopy Tree</u>
(2) <u>The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following:</u>
(a) <u>plant and tree species, number of each species to be planted and planting grades;</u>
(b) <u>location of existing trees to be retained;</u>
(c) <u>dimensions of individual mature tree canopy;</u>
(d) <u>any areas of grass; and</u>
(e) <u>Minimum tree canopy dimensions are specified in Table H5.9(3) below.</u>
<u>Table H5.9(3) Minimum tree canopy dimensions</u>
<table>
<tr><th></th><th>Minimum mature tree height</th><th>Minimum mature canopy diameter</th><th>Minimum tree height above ground when planted</th><th>Indicative tree planting grade</th></tr>
<tr><td>Small</td><td>8m</td><td>6m</td><td>2m</td><td>120L</td></tr>
<tr><td>Medium</td><td>10m</td><td>8m</td><td>2.5m</td><td>160L</td></tr>
<tr><td>Large</td><td>15m</td><td>12m</td><td>3m</td><td>200L</td></tr>
</table>
<u>Residential waste management</u>
(3) <u>Applications for where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H5.6.21(1)(b)).</u>
(4) <u>When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided at a minimum:</u>
a) <u>the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of;</u>
b) <u>the frequency, location, access and on-site route of waste collection or transportation; and</u>
c) <u>the method of waste collection, transportation or disposal.</u>
</td><td></td><td></td><td></td></tr>
<tr><td>Chapter H6 – THAB zone</td><td>▪ Mapping changes reflecting that the THAB zone incorporates the MDRS. It is a relevant residential zone. The development outcomes anticipated under the RMA and enabled in the zone are restricted where one or more qualifying matters apply. The most widespread residential zone inside Walkable Catchments</td><td>Oppose</td><td>▪ General support for changes proposed to include additional sites within the zone inside walkable catchments.
▪ Oppose the qualifying matters and other limitations that the Council has identified to limit the further application of the zone to</td><td>▪ Extend the mapped extent of the THAB zone to take in the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs</td></tr>
</table>

841.60

841.109

841.110

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
			include sites within the Light Rail Corridor, Special Character Areas overlay, sites subject to flooding, sites within SEAs, those subject to cultural values, or any other identified QMs.	where otherwise appropriately located close to centres, transport options, etc. ▪ Any constraints identified are dealt with through other mechanisms, and 'down-zoning' the underlying zone is not necessary to appropriately manage those constraints.	841.61
	▪ Amendments to H6.1 Zone description: ... The zone provides for the greatest density, height and scale of development of all the residential zones. Within walkable catchments, as identified on the planning maps, development of at least six storeys is enabled unless qualifying matters apply. Outside the walkable catchments, Bbuildings are enabled up to at least five storeys ~~six or seven storeys in~~. In identified Height Variation Control areas buildings of seven or more storeys are enabled. Permitted height standards vary depending on the scale of the adjoining centre, to achieve a transition in height from the centre to adjoining ~~lower scale~~ residential zones. ~~This form of development will, o~~The zone anticipates the greater intensity of development will transition neighbourhoods ~~and over time~~, ~~result in a change~~ from a suburban character to urban built character with a corresponding ~~a high~~ degree of visual change. The zone enables a mix of housing types including three-storey attached and detached dwellings, terraced housing and apartment buildings and integrated residential developments such as retirement villages and papakāinga. The Residential – Terrace Housing and Apartment Buildings Zone is a relevant residential zone as defined in the RMA. The zone incorporates Medium Density Residential Standards (MDRS). The development outcomes anticipated by the RMA are enabled in the zone and are less enabling of development where one or more qualifying matters apply. ▪	Support	▪ Changes directly related to implementation of MDRS ▪ Enable at least six-storey development across the zone	▪ Retain MDRS provisions	841.62
	▪ New / amendments to objectives at H6.2: (1A) Development of at least six storeys is enabled within walkable catchments, with seven or more storey buildings in identified areas, while also achieving a high-quality built environment. (2) Development outside walkable catchments is in keeping with the areas' changing planned urban built character of predominantly five storeys or six or seven storey buildings where specified in identified areas, in a variety of forms. (3) Development provides high-quality amenity: (a) on-site ~~residential amenity~~ for residents; (b) to adjoining sites; and (c) to the street.	Oppose	▪ These objectives open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This is simply duplication and completely unnecessary.	▪ Delete proposed provisions	841.63

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(5) Development contributes to a high-quality built environment that is resilient to the effects of climate change. (6) Development does not adversely affect the environmental values of adjoining water bodies including riparian, lakeside and coastal protection areas and does not ~~nor~~ increase the impact from their potential natural hazard risks. (7) Development is enabled where it can be serviced by the water supply, wastewater and stormwater networks to manage adverse effects. (8) Enable safer pedestrian movement within the immediate locality of higher density developments to ensure ease of pedestrian movement to ~~the~~ rapid transport stops. (9) Development is enabled on sites subject to significant ecological areas where it provides for the protection and management of the significant ecological values.		▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions ▪ Enable at least six-storey development across the zone	
	▪ New / amendments to policies at H6.3: (1) Enable a variety of housing types at high densities including terrace housing and low to mid-rise and higher rise apartments within walkable catchments and integrated residential development such as retirement villages. (2) Require the height, bulk, form and appearance of multi-unit development ~~and the provision of setbacks and landscaped areas~~ to achieve a high-quality built environment: (a) with a high-density urban built character of predominantly five, six or seven storey buildings in identified areas; and (b) through building and site design which locates bulk and mass towards the street and provides for setbacks, outlook spaces, private and communal outdoor spaces and landscaped areas. ~~, in a variety of forms.~~	Oppose	▪ These policies open the door for the standards Council has proposed later in the chapter. These all seek to address matters that are dealt with elsewhere in the Plan (SEAs, infrastructure, transport, natural hazards and water quality). This duplication is unnecessary. ▪ Keep the zone clean and related to activities, built form, and keep the management of broader constraints within overlays and Auckland-wide provisions. ▪ Policy (4A)(e) – development should not need to 'minimise' visual and dominance effects of carparking and garage doors to streets and private accessways ▪ Policy (12) – the requirement for infrastructure provisions should not fall to the zone.	▪ Delete proposed provisions

841.64

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(A4) Require development to achieve a built form that contributes to high-quality built environment outcomes by: (a) maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site; (b) providing for resident's' safety and privacy while enabling passive surveillance on the street; (c) minimising visual dominance effects on adjoining sites; (d) maintaining a level of privacy, and sunlight and daylight access for adjoining sites; (e) minimising visual dominance effects of carparking and garage doors to streets and private accessways; (f) minimising the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated; (g) requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees; and (h) designing practical, sufficient space for residential waste management; and (i) designing practical, sufficient space for internal storage and living areas. (4) In identified locations adjacent to centres, enable greater building height ~~through the~~ of five storey's outside walkable catchments, at least six storeys within walkable catchments and the application of the Height Variation Control where additional development potential is enabled and which: (7) ~~Encourage~~ Require accommodation to have useable and accessible outdoor living space (8) [Deleted]~~Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.~~ (11) Require buildings to be set back from water bodies to maintain and protect environmental, open space, amenity values of riparian margins of lakes, streams and coastal areas and water quality and to provide protection from natural hazards. (12) Require dwellings to be provided with access to safe and reliable drinking water and wastewater services.		▪ Policy (14) - a development should not need to 'improve' the adjacent road network. That is the Council's job. ▪ Enable at least six-storey development across the zone	

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(13) Require development of new dwellings in areas identified on the planning maps as subject to water, wastewater or stormwater infrastructure constraints, to be provided with appropriate infrastructure. (14) Require development to contribute to safety improvements of the immediate urban road environment to achieve pedestrian connectivity to public transport. (15) Require buildings on sites subject to significant ecological areas to be of a scale that protects and maintains the significant ecological values of those areas.				
	▪ Significant additions to Activity Table H6.4.1 regarding standards to be complied with across the zone, within and outside walkable catchments. Changes include but are not limited to: - (A7) Integrated Residential Development - (A31) and (A31A) Internal and external alterations to buildings (up to three dwellings, and four + dwellings)	Oppose	▪ Unnecessarily restrictive given these sites will be comprehensively developed. ▪ Remove reference to infrastructure constraints ▪ Remove requirement to comply with numerous standards given the comprehensive nature of the design and development	▪ Delete proposed provisions	841.65
	▪ New rules in Activity table H6.4.1: - H6.4.1(A2A), one dwelling per site subject to SEA which complied with standards E15.4.2(A29) an E15.6.5 – Controlled activity - H6.4.1(A2B), two or three dwellings per site where located in a SEA E15.4.2(A49) and E15.6.5 -	Oppose	▪ Remove all reference to SEA from the residential zones, Overlay D9 already addresses that constraint in a more efficient manner ▪ If retained, remove reference to limiting development on 'sites' subject to an SEA, and focus on managing works 'within' the SEA.	▪ Delete proposed provisions	841.66
	▪ New rules in Activity table H6.4.1: - Duplication of rules / standards throughout A31/A31A/A32/A32A/A33/A33A	Oppose	▪ Way too complicated / too much duplication ▪ Don't make rules just for the sake of it. Look to streamline the Plan, not add complexity and volume to it.	▪ Delete proposed provisions	841.67

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
			▪ Way too many standards listed as relevant to A31/ A31A relating to internal and external alterations		
	▪ New notification exclusion at H6.5(5) Public and limited notification for 4+ dwellings precluded if standards met	Support	▪ Appropriate change	▪ Retain proposed provisions	841.68
	▪ New standards at H6.6 **H6.6.4B Dwellings within the Infrastructure – Combined Wastewater Network Control as identified on the planning maps** Purpose: to restrict development in any area served by a combined sewer network where public sewer separation has not occurred while enabling new dwellings where separation is in progress and the new dwelling can connect to a separated local stormwater pipe that is part of the public stormwater network. (1) A new dwelling in an area served by the combined sewer network must be able to connect to an existing separated local stormwater pipe that is part of the public stormwater network. **H6.6.4C Dwellings within the Infrastructure - Stormwater Disposal Constraints Control** Purpose: to manage development in any area where stormwater disposal is constrained by the lack of any connection or ability to connect to a public stormwater network and where on-site soakage capacity is insufficient to ensure adequate provision for stormwater disposal from the site. (1) A new dwelling in an area identified as having no current connection to the public stormwater network and poor on-site soakage capacity must either be able to connect to the public stormwater network or provide sufficient stormwater disposal capacity on-site.	Oppose	▪ Unnecessary to bring these infrastructure constraints into the zone to the extent it has been. This could be dealt with via a simple criterion ▪ What if infrastructure capacity in an area is upgraded? The Unitary Plan maps will be immediately out of date. Will the Council undertake a plan change process to update the plan in real time? This could unduly impact land values, development application, add time and cost to applications.	▪ Delete proposed provisions	841.69 841.70
	▪ Amendment to standard H6.6.5 Height (1) Buildings must not exceed the height in metres specified in clauses H6.6.5.1(a) – H6.6.5.1(c) ~~16m in height~~ unless otherwise specified in the Height Variation Control on the planning maps: **Developments containing up to three dwellings must comply with the following standard:** (a) Buildings must not exceed 11m (3 storeys) in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H6.6.5.1 below: ...	Oppose	▪ It is overly complex to have three different height limits apply in the zone (plus Height Variation Control, and any actual Qualifying Matters), particularly a separate lower limit for 'up to three dwellings' and where the achievable height is dependant on the activity status of an application. This undermines the integrity of the zone.	▪ Delete the MDRS standard for 'up to three dwellings' and replace it with the standard zone height limits proposed inside / outside walkable catchments ▪ Enable at least six-storey development across the zone	841.71 874.71 841.72 841.118

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Any other development: (b) Buildings outside a walkable catchment must not exceed 16m (5 storeys) in height unless otherwise specified in the Height Variaton Control on the planning maps. (c) Buildings in a walkable catchment must not exceed 21m (6 storeys) in height unless otherwise specified in the Height Variation Control on the planning maps (2) [deleted] ~~If the site is subject to the Height Variation Control, buildings must not exceed the height in metres shown for the site on the planning maps.~~ (3) ~~Standard H5.6.4 Building height applies to the site at 16 Spring Street, Freemans Bay (Lot 1 DP 85829) within a 10m setback area along Spring Street, England Street and adjoining the reserve at 10 England Street (Lot 1 DP 85953) as indicated on the planning maps. Outside of the setback area Buildings must not exceed 16m in height.~~ [deleted]		▪ Enable at least six-storey development across the zone ▪ Support increased height inside walkable catchments ▪ There will be numerous examples of where applications for three dwellings exceed 11m height limit and trigger assessment, when an application for 4+ dwellings may be able to build 10m+ taller as of right (subject to a consent around design)	
	▪ Amendments to standard H6.6.6 Height in relation to boundary **H6.6.6. Height in relation to boundary** Purpose: • For buildings containing no more than three dwellings, to minimise the adverse effects of building height on neighbours (i.e. dominance and shading) and reduce the overall visual dominance of buildings at upper levels. • For buildings outside a walkable catchment, to enable 5 storeys, achieving a high-quality built environment whilst limiting the adverse effects of building height on neighbouring sites (i.e. dominance and shading) to acceptable levels and managing the overall visual dominance of buildings on the rear parts of adjoining sites. • For buildings in a walkable catchment, to enable 6 storeys that locate bulk and mass towards the street and achieving a high-quality built environment whilst limiting the adverse effects of building height on neighbouring sites (i.e. dominance and shading) to acceptable levels and reducing the overall visual dominance of buildings on the rear parts of adjoining sites. **Developments containing up to three dwellings must comply with the following:** (1) Buildings must not project beyond a ~~45~~60-degree recession plane measured from a point ~~34~~m vertically above ground level along the side and rear boundaries, as shown below in Figure H6.6.6.1 Height in relation to boundary for up to three dwellings.	Support	▪ These generous provisions will significantly aid the maximisation of development potential of appropriately located land	▪ Retain proposed provisions

841.73

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Developments containing four or more dwellings and any other development outside a walkable catchment must comply with the following: (1A) Buildings must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side and rear boundaries, as shown in Figure H6.6.6.2 below. **Developments containing four or more dwellings and any other development in a walkable catchment must comply with the following:** (1B) Buildings within 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 19m vertically above ground level along the side boundaries as shown in Figure H6.6.6.3 Height in relation to boundary for four or more dwellings and any other development within walkable catchments below; and (1C) Buildings 21.5m from the frontage must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the side boundaries as shown in Figure H6.6.6.3 Height in relation to boundary for four or more dwellings and any other development within walkable catchments below. H6.6.6.(2b) – DELETED. H6.6.6.(5)-(6) – DELETED.				
	▪ Standard H6.6.7 Alternative height in relation to boundary – DELETED.	Support	▪ Support as long as proposed amendments to the HiRB standard H6.6.6 are retained	▪ Retain proposed provisions	841.74
	▪ H6.6.8. Height in relation to boundary adjoining lower intensity zones. - Standard applies to development located outside walkable catchments.	Support	▪ Appropriate to attend to the amenity of lower intensity zoned land outside walkable catchments	▪ Retain proposed provisions	841.75
	▪ Amendments to standard H6.6.11 Building coverage	Oppose	▪ Delete provisions relating to SEAs, these constraints are dealt with in Chapter D9 – SEA Overlay	▪ Delete proposed provisions	841.76

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space and to provide for the protection and management of significant ecological areas. (1) The maximum building coverage must not exceed 50 per cent of the net site area. (2) On a site subject to a Significant Ecological Areas Overlay: (a) the maximum building coverage must not exceed 50 per cent of the net site area; and (b) building coverage must not be located in any area within 3m of vegetation within a significant ecological area, including following the alteration or removal of up to 300m2 of vegetation for a dwelling per site provided for under E15.3.2(A29) and E15.6.5; and (c) other than provided for in H6.6.11(2)(b), building coverage must not be located within a significant ecological area.				841.77
	▪ Amendments to standard H6.6.12 Landscaped area Purpose: • to provide for quality living environments consistent with the planned built character of buildings surrounded by ~~open space~~ vegetation; and • to create a ~~landscaped~~ vegetated urban streetscape character within the zone; **Developments containing four or more dwellings and any other development must comply with the following:** (1) The minimum landscaped area must be at least ~~30~~20 per cent of the net site area and comprise natural grass, plants or trees and can include the canopy of existing trees regardless of the surface underneath provided the surface of the protected root zone is in natural grass, plants or natural mulch. (2) Any part of the landscaped area must have a minimum dimension of 1m and minimum area of 4m² as shown below in Figure H6.6.20.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer. (3) A minimum 50 per cent of the front yard must be a landscaped area.	Oppose	▪ Reference to Deep Soil area and Safety and privacy buffer standards is concerning. The relationship between those provisions is not clear across the zone ▪ Benefits of Deep Soil standard not proven	▪ Delete proposed provisions	841.78
	▪ Amendments to standard H6.6.13 Outlook space	Oppose	▪ Support reduction of outlook requirement to 5m ▪ Oppose measurement from balcony edge	▪ Delete proposed provisions	

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Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Development containing four or more dwellings and any other development must comply with the following: (1) An outlook space must be provided from the face of a building containing windows or balconies to a habitable room. Where the room has two or more external faces with windows or balconies the outlook space must be provided from, in order of priority, the face with the largest balcony or area of glazing. (2) The minimum dimensions for a required outlook space are as follows: (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space as shown in Figure H6.6.13.1 Required outlook space for four or more dwellings and any other development, with a minimum dimension of: i 6m in depth and 4m in width; ~~and~~ ii Except for buildings greater than 3 storeys where the minimum dimension is 8m depth and 4m in width and, or iii Where the principal living room outlook is on the ground floor and is defined by a boundary fence, outlook depth may be reduced to 5m. (4) The width of the outlook space is measured from: (a) the centre point of the largest window on the building face to which it applies where outlook depth is reduced to 5m as provided for under H5.6.13(2)(a)(iii) above; or (b) the centre line of the façade of the largest window or balcony edge whichever is closer to the boundary or opposing building. (9) Outlook spaces must: (a) be clear and unobstructed by buildings and servicing area; (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H6.6.13(6) above; ~~and~~ (c) not extend over an outlook spaces or outdoor living space required by another dwelling; and (d) must align with private outdoor living space, except for where the outlook space is over a public street or public open space as required in H6.6.13(6) above.		▪ Oppose requirement for outlook from 4+ dwellings to align with outdoor living space. The proposed provision applies to all outlook, not just principle living areas. Entirely unachievable for terrace housing and apartment typologies. Would only work for detached housing. Ridiculous rule. Ignores the purpose of the standard, which is to achieve a sense of space, not the quality space of the space. ▪ Inconsistent with MDRS requirement for up to three dwellings which allows outlook over driveways and footpaths within the site	
	▪ Amendments to standard H6.6.15 Outdoor living space	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements	▪ Delete proposed provisions

841.79

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Purpose: to provide dwellings, integrated residential development, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure: • private outdoor living spaces are ~~is~~ directly accessible from the principal living room, dining room or kitchen ~~and is separated from vehicle access and manoeuvring areas.~~; • communal outdoor living spaces are conveniently accessible for all occupants. **Developments containing four or more dwellings and any other development must comply with the following:** (1) A dwelling, integrated residential development, supported residential care or boarding house at ground floor level, must have ~~an~~ private outdoor living space that is at least 20m² that comprises ground floor, patio ~~and~~/or balcony/roof terrace space that: (2) A dwelling, integrated residential development, supported residential care or boarding house located above ground floor level must have ~~an~~ private outdoor living space in the form of a balcony, patio or roof terrace that: (4) In addition to H6.6.6.15 (1) and H6.6.6.15(2) above, developments of 20 or more dwellings, including integrated residential development of 20 or more, must provide a communal outdoor living space that: a) is located in a communally accessible location; b) is at least 10m² for every five dwellings it serves; c) has a minimum dimension of 4m; d) is free of buildings, parking spaces, and servicing and manoeuvring areas; e) for an area of at least 20m² of the total communal outdoor living space must receive a minimum of 3 hours of sunlight per day between the hours of 9am – 4pm on 21 June; and f) has a gradient not exceeding 1 in 20; and g) may be split into no more than two outdoor communal living spaces per development.		throughout the zone (and through Plan Change 79).	
	▪ Amendments to standard H6.6.19 Windows to street and private vehicle and pedestrian accessways	Oppose	▪ Support the intention, but too prescriptive. What about south-facing façades? What about privacy to occupants? Likely to simply lead to blinds being closed a lot of the time.	▪ Delete proposed provisions

841.80

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	Purpose: To provide for passive surveillance while maintaining privacy for dwellings. **Development containing up to three dwellings must comply with the following:** (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors. **Developments containing four or more dwellings and any other development must comply with the following:** (2) Any dwelling, integrated residential development, supported residential care, boarding house, and visitor accommodation facing the street or private vehicle or private pedestrian accessway, must have a minimum of 20 per cent of the relevant façade in glazing. This can be in the form of windows or doors.				
	▪ Amendments to standard H6.6.20 Deep soil area and canopy tree Purpose: To build resilience to climate change effects through provision of deep soil areas that support canopy trees, which assist in removing carbon, reducing urban heat island effects and enabling the infiltration of stormwater. (1) Any sites greater than 200m² must provide a deep soil area that must comply with the following: (a) 10 per cent of the site area must be provided as 1 contiguous deep soil area with minimum 3m dimensions; (b) Except that sites 1,200m² or greater may have more than 1 deep soil area provided that: (i) each deep soil area is a minimum of 60m² with 3m dimensions; and (ii) the combined total deep soil area is a minimum 10 per cent of the site area; (c) Deep soil areas must not be provided in private outdoor living spaces but can be provided in communal outdoor living spaces and landscaped areas as shown in Figure H6.6.20.1 Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer below; and (d) The deep soil area(s) must contain a canopy tree(s) that meets the minimum requirements as set out in Table H6.6.20.1 below; and (2) Trees required by H6.6.20(1) can be existing canopy trees or new canopy trees in accordance with Table H6.9(3).	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79). ▪ Limits development potential of sites – huge 'land' cost imposed.	▪ Delete proposed provisions	841.81
	▪ Amendments to standard H6.6.21 Safety and privacy buffer to private pedestrian and vehicle accessways	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements	▪ Delete proposed provisions	841.82

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Purpose: to provide a reasonable standard of safety and privacy for ground floor dwellings located adjacent to pedestrian and vehicle accessways. (1) A minimum 1m buffer must be provided between a dwelling and private pedestrian and/or vehicle accessways as shown above in Figure H6.6.20.1 Example of Deep soil area requirements and the relationship with Landscaped area and the Safety and privacy buffer. (2) The buffer area must be: (a) free of buildings, parking spaces, servicing and manoeuvring areas. (b) planted with shrubs or ground cover plants.		throughout the zone (and through Plan Change 79).	
	▪ Amendments to standard H6.6.22 Residential waste management Purpose: To provide accessible on-site storage space for waste bins and safe vehicle access for the collection of waste (refuse, recyclables and food scraps) for dwellings.	Oppose	▪ Overly prescriptive, and onerous when combined with other proposed requirements throughout the zone (and through Plan Change 79) ▪ Council's Solid Waste Calculator is overly conservative and should not be relied upon to direct adequate space to serve development	▪ Delete proposed provisions

841.83

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(1) On-site waste storage using individual or communal waste bins must be provided as follows: (a) Where individual bins are used, a total storage space of 1.4m² per dwelling (b) Where communal bins are used, the total storage space provided must be calculated in accordance with the Auckland Council's Solid Waste Calculator. (c) The location of bins must: (i) be visually screened from within the site, from the street and/or adjacent sites. (ii) not require bins to be transported through dwellings, across unpaved surfaces or up and down stairs or steep gradients (refer to Transport E27.6.6.2) (iii) be accessible for collectors and residents with a minimum on-site footpath width of 1.35m; and (v) provide lighting (refer to Lighting E24.6.2) between storage locations and collection points. (2) Where kerbside collection is used, there must be kerbside space of at least 1m per dwelling, contained within the road frontage of the site without impeding the public footpath. Developments that cannot comply with this will instead need to comply with H6.6.22(3) and either H6.6.22(4) or (5). (3) Four or more dwellings using a private collection service must provide a waste management and minimisation plan. (4) Where on-site collection of individual waste bins is used, there must be a space of at least 1m² per dwelling in an accessible location for the collection vehicle for collection of individual bins from shared driveways within the site. (5) Where on-site collection of communal waste bins is used, there must be an accessible location for collection of communal bins by a collection vehicle within the site. (6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings.			
	▪ Amendments to H6.7.1. Matters of control for controlled activities	Oppose	▪ The presence of an SEA on a piece of land is not reason to limit the development density as a matter of course ▪ Duplicates requirements of Chapter D9 (SEA Overlay), no need to include within the residential zone ▪ If they are retained, the rules and assessment matters should not refer to 'sites' subject to a	▪ Delete proposed provisions

841.84

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	~~There are no controlled activities in this zone.~~ **H6.7.1 Matters of control** The Council will restrict its control to all of the following matters when assessing a controlled activity resource consent application: (1) For one dwelling per site subject to a ~~located within a~~ Significant Ecological Area Overlay: (a) The extent to which the built development is designed to minimise or mitigate adverse effects on the ecological values of the relevant significant ecological area; (b) The location, bulk and scale of built development relative to the surrounding ecological values.		SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.		
	▪ Amendments to H6.7.2. Assessment criteria for controlled activities The Council will consider the assessment criteria below for controlled activities to the extent relevant to the proposal: (1) For one dwelling per site subject to a ~~located within a~~ Significant Ecological Area Overlay (a) refer to Policy H6.3(15)	Oppose	▪ The presence of an SEA on a piece of land is not reason to limit the development density as a matter of course ▪ Duplicates requirements of Chapter D9 (SEA Overlay), no need to include within the residential zone ▪ If they are retained, the rules and assessment matters should not refer to 'sites' subject to a SEA overlay, but 'development proposed within' a SEA. Don't restrict development potential on those parts of a site not impacted by the SEA.	▪ Delete proposed provisions	841.85
	▪ Amendments to H6.8.1. Matters of discretion for restricted discretionary activities	Oppose	▪ Unnecessarily prescriptive, removes flexibility in design, too broadly applied ▪ Oppose matters of discretion H6.8.1(6) and (7) relating to mapped infrastructure constraints	▪ Oppose matters of discretion H6.8.1(6) and (7) relating to mapped infrastructure constraints ▪ Retain assessment criteria relating to infrastructure capacity to serve a development supported if mapped	841.86 841.87

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(b) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following: (i) ~~building intensity,~~ building scale, location, form and appearance; (ii) traffic; (iii) location and design of ~~parking and~~ access and parking (if provided); and (iv) noise, lighting and hours of operation. (c) the effects of the development on the safe access and walkability of the immediate urban road environment to frequent public transport stops. (2) for four or more dwellings per site:		▪ Assessment criteria relating to infrastructure capacity to serve a development supported if mapped Infrastructure Constraints removed from the Planning Maps and zones ▪ Oppose introduction of criterion H6.8.2(2)(ad) relating to the extent to which a building are designed to respect the prevailing character of an area or key historic heritage design when opposite or adjoining special character or historic heritage items ▪ Support the deletion of 'intensity' from matter of discretion H6.8.1(1)(b)(i), H6.8.1(2)((a)(i) and H6.8.1(3)(a)(i) and criteria at H6.8.2(1)(b) ▪ Oppose matters of discretion at H6.8.1(1)(c), H6.8.1(2)(d) and H6.8.1(3)(d) and assessment criteria at H6.8.2(1)(f), H6.8.2(d) and H5.8.2(3)(d) relating to the effects of development on the safe access and walkability of the immediate urban road environment to frequent public transport stops	Infrastructure Constraints removed from the Planning Maps and zones ▪ Delete criterion H6.8.2(2)(ad) ▪ Retain the proposed deletion of 'intensity' from matter of discretion H6.8.1(1)(b)(i), H6.8.1(2)((a)(i) and H6.8.1(3)(a)(i) and criteria at H6.8.2(1)(b) ▪ Delete matters of discretion at H6.8.1(1)(c), H6.8.1(2)(d) and H6.8.1(3)(d) and assessment criteria at H6.8.2(1)(f), H6.8.2(d) and H5.8.2(3)(d) ▪ Delete other proposed provisions	841.88 841.89 841.90 841.91 841.92 841.93

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(a) the effects on the neighbourhood character, residential amenity, safety and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale and location, including: A. the way in which buildings are orientated to the street and adjoining sites, and B. the extent to which the height, roof form and design of buildings respond to the local streetscape and the planned urban built character of the surrounding area. (ia) building form and appearance including: A. use of built elements such as materials, surface and architectural detailing and roof design to create visual interest; B. use of deep soil and/or outdoor living areas, modulation, architectural features, windows, doors and breaks in building length to minimise bulk and visual dominance; C. whether design provides for the balance between a reasonable standard of privacy and opportunities for passive surveillance, and D. whether the design provides for privacy, and sunlight and daylight access for adjoining sites; E. the interface with an identified special character area or a scheduled historic heritage place; (ib) the extent to which the functional, day to day needs of residents are provided for in terms of: A. the size and dimensions of living areas relative to the likely occupancy levels of the dwellings; B. internal storage; C. residential waste management, including the kerbside and/or on-site capacity for residential waste management. (i) traffic; and (ii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided). H6.8.1(2b) – DELETED.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(c) the effects on infrastructure, and servicing including: (i) Existing infrastructure capacity. (d) the effects of the development on the safe access and walkability on the immediate urban road environment to frequent public transport stops. (3) for integrated residential development: (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following: (i) building ~~intensity,~~ scale, location, form and appearance; including the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects taking into account: A. the planned urban built character of the zone; B. the location, orientation and design of development; and C. the effect of the proposed height on the surrounding and neighbouring development. (ii) traffic; (iii) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided); and (iv) noise, lighting and hours of operation. H6.8.1(3b) – DELETED. H6.8.1(5) – DELETED. (6) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control. (a) Infrastructure and servicing. (7) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure – Residential Single Dwelling and Subdivision Stormwater Disposal Constraints Control. (a) Stormwater disposal.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	▪ Amendments to H6.8.2. Assessment criteria for restricted discretionary activities (b) building ~~intensity,~~ scale, location, building form and appearance: (i) whether the ~~intensity and~~ scale of the activity, the building location, form and appearance is of a high-quality and compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area; (d) location and design of ~~parking and~~ access (including pedestrian access) and parking (if provided): (i) whether adequate ~~parking and~~ access is provided or required. (ii) whether car parking and parking areas are integrated into the overall design of the development (iii) whether parking is located away from street frontages and screened from the street by buildings or vegetation. (iv) Whether safe, well-lit pedestrian access is provided and integrated into the design of the development.	Oppose	▪ Unnecessarily prescriptive, removes flexibility in design, too broadly applied ▪ Infrastructure matter supported if Infrastructure Constraints mapping removed from the Planning Maps and zones ▪ Inappropriate to covertly include footpath upgrades within criteria – some of these are written like standards and come across as public infrastructure upgrade requirement. In many cases, including for smaller developments, this is what development contributions are for. Likely to lead to appalling piecemeal outcomes if incremental and uncoordinated upgrades are coerced through resource consents. ▪ The criteria relating to the above point are so broad that a small developer could have to upgrade hundred of meters of footpath, provide pram crossings, etc, only because they're the first cab off the rank. Council needs to use its Development Contributions for what they're intended. This smacks of double-dipping at developers' (and ultimately purchasers') expense	▪ Delete proposed provisions

841.94

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(f) Safe access and walkability of routes to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development to the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians. (2) For four or more dwellings on a site: (a) the extent to which ~~or whether~~ the development achieves the purpose outlined in the ~~following~~ relevant standards specified and identified in Table H6.4.1 or what alternatives are provided that result in the same or a better outcome.~~:~~ (i) [deleted] ~~Standard H6.6.10 Maximum impervious areas;~~ (ii) [deleted] ~~Standard H6.6.11 Building coverage;~~ (iii) [deleted] ~~Standard H6.6.12 Landscaped area;~~ (iv) [deleted] ~~Standard H6.6.13 Outlook space;~~ (v) [deleted] ~~Standard H6.6.14 Daylight;~~ (vi) [deleted] ~~Standard H6.6.15 Outdoor living space; and~~ (vii)[deleted] ~~Standard H6.6.16 Front, side and rear fences and walls; and~~ (viii) [deleted] ~~Standard H6.6.17 Minimum dwelling size~~ (aa) the extent to which the building location, scale, form and appearance is of a high-quality and compatible with the planned urban built character		▪ Criterion (2)(ad) - Inappropriate to limit the development potential of a site across the road from a Special Character building.	

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	and residential amenity of the surrounding residential area provided for within the zone. (ab) the extent to which buildings are designed to manage building length and bulk and visual dominance by: (i) placing taller buildings on the street front (ii) varying roof form and building height (iii) using modulation and architectural features to break up the mass of buildings into visually distinct elements (iv) using the proportion and arrangements of windows and doors to provide relief to building length and bulk (v) using other building elements including materials, surface detailing, balconies, architectural detail and roof design to provide visual interest along building facades including blank side/party walls (vi) providing adequate breaks in long continuous buildings to minimise the appearance of length (vii)locating deep soil areas and/or communal outdoor spaces between the breaks in buildings to provide space and soften the built form (viii) designing balconies as an integral part of the building (ac) the extent to which buildings use quality, durable and easily maintainable materials. (ad) the extent to which buildings adjoining or across the street from an identified special character area or a scheduled historic heritage place are designed to respect the prevailing character of the area or key historic heritage design and location elements of that place. New and contemporary interpretations in form and detail may be used. (ae) the extent to which building frontages contribute positively to the visual amenity and safety of public streets, public open spaces, and private vehicle and pedestrian accessways by: (i) having clearly defined fronts that provide passive surveillance from windows and balconies. (ii) maximising doors, windows and balconies over all levels on the front façades whilst not impacting on privacy. (iii) maximising the number of dwellings that directly front, align and orientate to public streets. (iv) ground level dwellings closest to the street each have direct and clearly defined pedestrian access from the street in preference to a single building entrance.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(v) where a site adjoins public open space, buildings include entrances, windows of habitable rooms and balconies facing the open space. (af) the extent to which site layout creates legible, visible, attractive, safe and well-lit connections between dwellings and the street. (m) Safe walkability and accessibility of route to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development the nearest frequent public transport stop (refer to the Regional Public Transport Plan) by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians. (l) Safe walkability and accessibility of route to frequent public transport: (i) the extent to which the immediate urban road environment allows for safe pedestrian movement from the development the nearest frequent public transport stop by a combination of the following: • Footpaths of at least 1.8m in width; • Facilities to safely and conveniently cross the road including pram crossings, and tactile paving; • Narrowed pedestrian crossing distances of vehicle carriageways; • Front berms to separate pedestrians from traffic; and • Other traffic management measures as relevant to improve the safety of pedestrians. **Visual dominance** (f) The extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, ~~infringements~~ taking into account: (i) the planned urban built character of the zone; and			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Character and Visual Amenity (g) The extent to which the form and design of the building and any additional height ~~infringement~~ responds to the planned form and existing character of the surrounding area, including natural landforms and features, and the coast. (h) The way in which buildings as viewed from the street or public places are designed to appear against the skyline, taking into account: (i) whether roof plant, services and equipment are hidden from views; and (ii) whether the expression of the top of the building provides visual interest and variation. **Visual dominance** (f) The extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account: (i) the planned urban built character of the zone; (ii) the location, orientation and design of development; and (iii) the physical characteristics of the site and the neighbouring site. (iv) the design of side and rear walls, including appearance and dominance; and (v) providing adequate visual and/or physical break up of long continuous building forms. **Attractiveness and safety of the street** (g) The extent to which those parts of buildings located closest to the front boundary achieve attractive and safe streets by: (i) providing doors, windows and balconies facing the street; (ii) optimising front yard landscaping; (iii) providing safe pedestrian access to buildings from the street; and (iv) minimising the visual dominance of garage doors as viewed from the street. **Overlooking and privacy** (h) The extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(11) for building coverage: (f) whether the non-compliance is appropriate to the context taking into account: (i) Whether the balance of private open space and buildings is high-quality and consistent with the planned urban character anticipated for the zone; (ii) The degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas; (iii) The proportion of the building scale in relation to the proportion of the site. (12) for landscaped area: (e) the extent to which existing trees are retained; and (13) for outlook space: (f) the extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be reasonably minimised through the placement and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design. (15) for outdoor living space:			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(f) The extent to which residential units provide private open space and communal open space that is useable, accessible and attractive for occupants. (15A) For windows to street and private ways (a) refer to Policy H6.3(C1) (a) refer to Policy H6.3(A4); and (b) The extent to which the glazing: i. allows views to the street and/or accessways to ensure passive surveillance; and ii. provides a good standard of privacy for occupants. (17) For minimum dwelling size (d) The extent to which each residential unit is designed to: (i) provide simple and convenient access and circulation; (ii) include adequate storage; and (iii) be large enough to allow the use of typical furnishings that meet the needs of the intended number of occupants. (18) For deep soil area and canopy tree (b) The extent to which the proposed deep soil area uses or adds to existing deep soil areas to support canopy trees; and (19) For safety and privacy buffer from private pedestrian and vehicle accessways: (b) the extent to which the buffer is: (i) free of buildings, parking spaces, structures, servicing facilities and manoeuvring areas; and (ii) planted with suitable and low level plants. (20) For residential waste management			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	(e) The extent to which the development provides sufficient space for residential waste management that is suitably located for ease of movement to collection points; (f) The extent to which the waste management area is designed to minimise visibility; (g) How the development intends to ensure the on-going management and maintenance of any communal waste management area; (h) Whether waste storage areas are located outside windows or doors to bedrooms, living areas and outdoor living areas to avoid effects of odour and noise; and (i) Whether waste management vehicle can safely undertake collection. (21) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Combined Wastewater Network Control or the Infrastructure – Water and Wastewater Constraints Control (a) Whether there is adequate capacity in the existing public reticulated water supply and / or wastewater network to service the proposed dwelling(s). (b) Whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the NZ Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is available. (c) Whether there is the ability connect the dwelling(s) to a reticulated water supply and / or wastewater network in the future. (22) For more than one dwelling per site in areas identified on the planning maps as being subject to the Infrastructure –Stormwater Disposal Constraints Control (a) Whether there is the ability to adequately dispose of stormwater from the site via a connection to the public stormwater network. (b) Whether stormwater from the site can be disposed of in accordance with the current version of Guideline Document 007 Stormwater Soakage and Groundwater Recharge in the Auckland Region, and the Auckland Stormwater Code of Practice.			
	▪ Additions to H6.9. Special information requirements	Oppose	▪ Far too prescriptive and treats all applications the same, regardless of scale ▪ Adds cost up front to proposals even before resource consent is secure	▪ Delete proposed provisions

841.95

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	~~There are no special information requirements in this zone.~~ **Landscape Plans for all other developments as required by H6.6.12. Landscape area** (1) A scaled landscape plan must be provided that contains landscaped areas and includes: (a) Plant and tree species, number of each species to be planted and planting grades; (b) Canopy of existing trees to be retained; (c) Any area of grass; and (d) Any paths included in landscaped area. **Deep Soil Area and Canopy Tree** (2) The deep soil area provided must be demonstrated on a scaled landscape plan that at a minimum identifies the following: (a) plant and tree species, number of each species to be planted and planting grades; (b) location of existing trees to be retained; (c) dimensions of individual mature tree canopy; (d) any areas of grass; (e) Minimum tree canopy dimensions are specified in Table H6.9(3) below. **Residential waste management** (3) Applications where communal bins are proposed, must include calculations for required storage space as determined using the Auckland Council's Solid Waste Calculator (Standard H6.6.22(1)(b)). (4) When preparing the waste management and minimisation plan, applicants should refer to the Waste Management and Minimisation Bylaw 2019. The following information must be provided as a minimum: a) the estimate of the volume of waste by the type of waste created, collected, received, stored or disposed of; b) the frequency, location, access and on-site route of waste collection or transportation; and c) the method of waste collection, transportation or disposal.		▪ In combination with other Council proposed changes, adds cost and impacts development yield	
Chapter H: Business zones				

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
Chapter H13: Business – Mixed Use Zone	▪ Amendments to H13.1. Zone description: The Business – Mixed Use Zone is typically located around centres and along corridors served by public transport and may be located in walkable catchments. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone. It also applies to areas where there is a need for a compatible mix of residential and employment activities. There is a range of possible building heights depending on the context. Provisions typically enable heights up to four storeys. Greater height may be enabled in areas close to the city centre, metropolitan centres and larger town centres. Within walkable catchments, as identified on the planning maps, building heights of at least six storeys are enabled, unless qualifying matters apply that reduce height. Some street frontages within the zone are subject to a General Commercial Frontage Control.	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms ▪ Enable development of at least six-storeys across the zone	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	841.96 841.97
	▪ New / amendments to objectives at H13.2: (3) Development positively contributes towards planned future form and quality, creating a well-functioning urban environment and a sense of place. (4) Business activity is distributed in locations, and is of a scale and form, that: (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity; and (d) accommodates qualifying matters. (10) Building height of at least of six storeys is enabled within walkable catchments unless qualifying matters apply that modifies height.	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	841.98 841.99
	▪ New / amendments to policies at H13.3 (12A) Enable building height of at least six storeys (21m) within walkable catchments unless a qualifying matter applies that modifies height.	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	841.100 841.101

PLAN CHANGE 78 – INTENSIFICATION					
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought	
	(13) Enable greater building height than the standard height ~~i~~in locations identified ~~locations~~ within the Height Variation Control~~, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height~~, having regard to whether the greater height: (za) is commensurate with the level of commercial activities and community services; (a) is an efficient use of land; (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy; (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; ~~and~~ (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre~~.~~; and (e) supports the role of centres. (14) I Reduce building height below the standard zone height ~~i~~in locations identified ~~locations~~ within the Height Variation Control~~, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height~~, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, ~~or~~ amenity, or other qualifying matters.				
	▪ Amendment to purpose of Standard H13.6.1. Building height • enable greater height in areas identified for intensification including within walkable catchments, unless a qualifying matter applies; and	Oppose	▪ Remove any reference to Qualifying Matters from the zone as those can be (and are) dealt with via other Plan mechanisms	▪ Remove any reference to Qualifying Matters ▪ Enable six-storey development across the zone, regardless of position inside or outside walkable catchments	841.102 841.103
Chapter J1 - Definitions					
	▪ Amended definition: Landscaped area	Oppose	▪ The proposed changes to this definition erode the existing exclusions provided, and further limit the development potential of land	▪ Delete the proposed definition	841.104

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Landscaped area In relation to any site, means an area that is in natural grass, plants or trees. The canopy of trees that are existing at the time of consent lodgement can be included in the landscaped area provided the trunks are surrounded by an area of grass, plants or mulch that extends to the diameter of the critical root zone. The critical root zone being a circular area extending from the base of the canopy tree with a diameter equal to twelve times the trunk diameter measured at 1.4m above ground level. Landscaped area can include pervious paths with a maximum width of 1.5m provided they do not make up more than 10 per cent of the landscaped area. Buildings, artificial grass, and structures including pools, paving (except for pervious paths), pergolas, decks and servicing area is excluded from the landscaped area. This definition does not apply to any development of up to 3 dwellings in accordance with the MDRS.			

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	~~any part of that site not less than 5m² in area which is grassed and planted in trees, shrubs, or ground cover plants and may include:~~ (1) ~~One or more of the features in (a) (b) or (c) where the total land area occupied does not collectively cover more than 25 per cent of the landscaped area:~~ ~~(a) ornamental pools;~~ ~~(b) areas paved with open jointed slabs, bricks or gobi or similar blocks where the maximum dimension of any one paver does not exceed 650mm;~~ ~~(c) terraces or uncovered timber decks where no part of such terrace or deck exceeds more than 1m in height above the ground immediately below;~~ (2) ~~non permeable pathways not exceeding 1.5m in width;~~ (3) ~~permeable artificial lawn in the residential zones, except:~~ ~~(a) that permeable artificial lawn must not cover more than 50 per cent of the landscaped area of the front yard;~~ ~~(b) Permeable artificial lawn must:~~ • ~~be permeable;~~ • ~~resembles grass in colour including a mix of natural looking green tones;~~ • ~~have piles that are a minimum 30mm pile height, straight cut (not looped pile), and of a density and form that resembles grass;~~ • ~~is resistant to ultra violet degradation, weathering and ageing during its normal service life; and~~ • ~~is recyclable.~~ (4) ~~Any part of a landscaped area may be situated over an underground structure with adequate soil depth and drainage.~~ ~~Excludes any area which:~~ • ~~falls within the definition of building coverage;~~ • ~~is part of a non permeable pathway that is greater than 1.5m in width;~~ • ~~is used for the parking, manoeuvring or loading of motor vehicles.~~			
	▪ New definition: Service Area Relevant to outlook space requirements in MHU and THAB zones	Oppose	▪ In conjunction with how this definition is being used within the MHU and THAB zones, it has the potential to severely limit the development potential of land.	▪ Delete the proposed definition

841.105

PLAN CHANGE 78 – INTENSIFICATION				
Chapter	Outline of Proposed Change	Support / Oppose	Reasons	Relief Sought
	Servicing area The area used to accommodate facilities necessary for the day to day needs of residential occupants, including: • Storage sheds • External hot water cylinders • Waste storage areas • Bicycle parking and storage • Heat pump or air conditioning external units • Washing lines (excludes where these can be fully retracted or folded down) • Rainwater tanks (excludes where the tank is entirely underground or otherwise permitted by the Plan) Servicing facilities excludes: • Letterboxes • Water meters • Freestanding lights • Solar Panel Batteries			
	▪ New definition: Urban Heat Island **Urban heat island** Heat islands are urbanized areas that experience higher temperatures than outlying areas. Structures such as buildings, roads, and other infrastructure absorb and re-emit the sun's heat more than natural landscapes such as forests and water bodies. In these areas where these structures are highly concentrated and greenery is limited, these become "islands" of higher temperatures relative to outlying areas.	Oppose	▪ In conjunction with how this definition is being used within the MHU and THAB zones, it has the potential to severely limit the development potential of land. ▪ There should be more science around this definition, as it is simply being broadly applied to development within residential areas.	▪ Delete the proposed definition

841.106

Ginny Taare

From: Leon Van de Water <leonvdw4@gmail.com>
Sent: Monday, 26 September 2022 7:33 pm
To: Unitary Plan
Subject: Council plan change submissions
Attachments: L. Plan Change 79- Submission 26Sept2022.pdf; L. Plan Change 78- Submission 26Sept2022.pdf

Hello,

Please find my submissions attached.

Leon van de Water

12 Miran Lane

Red Beach

Form 5

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

To	Auckland Council
Name of submitter	*Leon van de Water*
Address for service of Submitter	*12 Miran Lane, Red Beach*
Telephone	*027 870 4522*
Email	*leonvdw4@gmail.com*

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

Plan Change Number	PC 78
Plan Change Name	Intensification

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: Not applicable

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.

The specific provisions of the proposal that my submission relates to are detailed in Appendix 1.

My submission is:

I **support** the specific provisions identified in Appendix 1

I **oppose** the specific provisions identified in Appendix 1

I wish to have the provisions identified in Appendix 1 **amended**

The reasons for my views are attached as Appendix 1

I seek the following decision by Council:

~~Accept the proposed plan change~~ ~~☐~~

Accept the proposed plan change with amendments as outlined in Appendix 1 ☐

~~Decline the proposed plan change~~ ~~☐~~

~~If the proposed plan change 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 ☐

26 September 2022

…… ……

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

Date

Appendix 1:

Plan Change 78

The specific provisions of the proposal that this submission relates to:

1.0

We consider that unless the relief sought in this submission is granted PPC78 and in particular the specific provisions challenged:

1. Will not promote the sustainable management of resources;
2. Will be inconsistent with the resource management principles expressed in Part 2 of the Resource Management Act 1991 ("RMA");
3. Will variously be inappropriate, unnecessary and contrary to sound resource management practice;
4. Will not warrant confirmation in terms of section 32;
5. Will be contrary to relevant provisions in the National Policy Statements and National Environmental Standards; and
6. Will enable the generation of significant adverse effects on the environment that warrant being addressed through PPC78 provisions.

2.0 General Submission

2.1 Introduction of a Qualifying Matter (QM)- Matija Place, Red Beach

843.1

We seek the introduction of a Transportation related Qualifying Matter at Matija Place, Red Beach. This road is a cul-de-sac off a no exit road (Jelas Road), with no entry from Hibiscus Coast Highway. The road is narrow, with footpath on one side only, and two- way vehicle movements are often blocked by parked vehicles. Trucks, such as rubbish or recycling trucks, cannot be passed on the road which blocks traffic, and sometimes cannot move up the road due to parked vehicles and the narrowness of the road. There is often none (or very little) on- street parking. The contour of the road impedes visibility of oncoming vehicles on Matija Place.

A school is located at 100 Jelas Road, with its only vehicle access onto Jelas Road, opposite Matija Place. Access into and on Matija Place is often restricted by vehicles moving to and from the school, and parking associated with the school.

The area is not well serviced by public transport, being only buses (and these are not regular and could not be relied on as a car alternative).

Matija Place contains larger sites from historical subdivision. Under PC78 there is potential that these sites could be extensively subdivided, and a large number of dwellings constructed. The transportation infrastructure is insufficient to service this level of development. It is appropriate that development be limited to recognise this constraint, and that future resource consent applications be specifically required to take into account and address these infrastructure issues.

The introduction of a QM is consistent with higher leave planning documents, including because some of the high-level outcomes sought cannot be achieved given the transportation matters present. Relevant provisions include:

a) Section 5 RMA,
b) Section 7b) RMA, in that this represents an efficient use of physical land resources noting this constraint,
c) Section 7c) RMA, the maintenance and enhancement of amenity values,

d) Section 7f) RMA, in that this maintains the quality of the environment,
e) The National Policy Statement on Urban Development, including:
   i. Objective 2.1(1):
   New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

   A QM and related impacts on development is consistent with this objective.

   ii. Objective 2.1(3) (emphasis added) "…the area is <u>well-serviced</u> by existing or planned public transport"

   This cannot be achieved. A QM is appropriate.

   iii.
   iv. Objective 2.1(6) (emphasis added):
   Local authority decisions on urban development that affect urban environments are:
   integrated with <u>infrastructure planning</u> and <u>funding</u> decisions;
   and strategic over the <u>medium term and long term</u>; and…

   This cannot be achieved. A QM is appropriate.

   v. Policy 2.2(1)
   Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
   …..
   (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and

   This cannot be achieved. A QM is appropriate.

   vi. Policy 2.2(4)

f) The Auckland Unitary Plan, including (but not limited to):
   i. Objectives and policies of B2.2, including where a compact urban form is sought, that makes better use of existing infrastructure and efficient provision of new infrastructure, integrates land use and transport and supports a range of transport modes.
   ii. Objectives and policies of B2.3, which seek a quality, built environment. This includes (but is not limited to) development which maximises infrastructure efficiency, that provides good access and enables a range of travel options, achieves a high level of amenity and safety for pedestrians and cyclists, and meets the functional, and operational needs of the intended use.
   iii. Objective B3.3.1 and policies B3.3.2, including (but not limited to) where these provisions seek effective, efficient and safe transport. This includes integration with land uses and ensuring transport infrastructure is planned, funded and staged.

   This cannot be achieved. A QM is appropriate.

2.2 Zoning

The proposed rezoning of the majority of Auckland urban areas to Mixed Housing Urban is unnecessary and excessive. Auckland Council has indicated that with all the proposed Qualifying Matters in place, the enabled capacity via PC78 would be more than three times the total demand for housing in 2051. This creates a situation where residents, who have largely had no opportunity for involvement in the rezoning process (due to changes being required by central government), will be adversely affected by development when there is no demand for the related housing. The AUP(OP) as it standards, which has been through a full statutory process where people were able to make submissions in relation to zoning, has more than sufficient capacity to meet the housing demands in Auckland. The AUP(OP) already meets relevant objectives and policies of the NPS- US and RPS regarding residential capacity.

Red Beach and Silverdale are established, medium density residential areas. The area is currently zoned Single House Zone in the Auckland Unitary Plan (OP) and has had a similar zoning since at least the late 1990's. Land has been purchased and developed on this basis. Dwellings have been sited and designed based on existing development standards, as currently detailed in the AUP(OP). The MDRS now seeks to change this and the zoning, without the ability of affected parties to be involved. People have made significant investment decisions and now have little, if any, ability to be involved in changes that will affect them and, in some cases, significantly.

While we understand Auckland Council is largely obligated to make these zoning and MDRS standard changes, we record that we do not support the changes proposed in Red Beach, Orewa, Silverdale and the Hibiscus Coast, and in particular in Matija Place, Red Beach. Site owners will be significantly adversely affected by this zoning change and have had no ability to be involved in the rezoning process. We would support the retention of the Single House Zone (SHZ) in these areas if this was possible under the PC78 process. We do not support any "increase" in zoning of sites in Matija Place, Red Beach as shown in the notified version of PC78 (such as to THAB zone for example). 843.2 843.3

If the retention of SHZ is not possible, we seek strong objectives, policies, rules and criteria to ensure that potential effects on adjacent residential sites are avoided, remedied or mitigated and the owners/ occupiers of adjoining sites can become involved in resource consent applications. The relief sought includes (but is not limited to) that which would achieve the following:

a) Resource consent applications can be declined when there is insufficient servicing capacity, or servicing options are proposed that are suboptimal. Plan language must reflect this, and be sufficiently strong, in legal terms, to enable decline. 843.4
b) That the density of development is appropriate for the site, including having regard to development on adjacent sites (including character and amenity effects experienced on adjacent sites) and infrastructure capacity. 843.5
c) All residential developments must be required to have close regard to the interface with existing residential development on adjoining sites, including (but not limited to): 843.6
    I. Building form that provides articulation including in roof and facades, to minimise the visual dominance of bult form when viewed from adjacent sites,
    II. The use of colours and variation of building materials to visually break up built form and reduce visual dominance when viewed from adjacent sites,

III. Minimising overlooking, including by the location and scale of buildings, placement of windows, size of windows, floor plans and other features such as screens, and minimising retaining (fill) on site boundaries where overlooking could occur into adjoining sites,
IV. Impacts on privacy on adjoining sites, including by the location and scale of buildings, placement of windows, size of windows, floor plans and other features such as screens,
V. Ensuring sufficient sunlight access is retained into adjoining residential dwellings and outdoor living areas,
VI. Managing amenity effects and providing privacy through boundary landscaping (capable of growing to a suitable height to provide privacy and softening of built form, such as 5m) and fencing.

d) The landscaping on- site is maximised, to improve amenity both on site and on those adjoining, 843.7
e) Ensuring that applications, including those that do not provide a suitable interface with adjoining sites, can be notified and that affected parties can become involved in the resource consent process, 843.8
f) Adequate areas are identified for waste and recycling storage and on- site collection, 843.9
g) Waste and recycling areas are screened from adjoining sites and in larger development with communal waste storage areas, that waste is managed to control odour, 843.10
h) Adequate areas are provided on- site for delivery vehicles, parking and visitors to remove or minimise the need for on- street parking, 843.11
i) Providing for on- going management of communal areas (including access, parking and landscaped areas) and services on sites, such as a body corporate or similar. The ongoing management of these areas can easily be disregarded if a specific management regime is not put in place at the time of development. 843.12
j) Requiring upgrading of infrastructure, including roads and footpaths, where the existing services are inadequate and further loading is proposed by a development. 843.13

The relief sought above, is consistent with:

a) Section 5 RMA,
b) Section 7b) RMA, in that this represents an efficient use of physical land resources,
c) Section 7c) RMA in that this would result in the maintenance and enhancement of amenity values,
d) Section 7f) RMA, in that this maintains the quality of the environment,
e) The National Policy Statement on Urban Development, including:
    i. Objective 2.1(1),
    ii. Policy 2.2(6)
f) The Auckland Unitary Plan, including (but not limited to):
    i. Objective B2.2.1(1), including refence to quality compact urban form,
    ii. Objective B2.3.1(1) and policies B2.3.2(1), including by creating a quality built environment that responds to the site and its setting,
    iii. Objective B4.2.1(1),
    iv. Policy B2.4.2(4),
    v. Policy B2.4.2(6), including that development is adequately serviced,
    vi. Policy B2.4.2(8), including recognising and providing for existing and planned neighbourhood character,
    vii. Policy B2.4.2(9) and (10).

For completeness it is noted that higher residential intensification in this location is not consistent with some provisions such as B2.2.2(5).

3.0 Submission on Specific PC78 Provisions

Without limiting the generality of the relief sought above, the following submission is made on specific PC78 provisions.

3.1 Maps

Maps		
Matter	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Qualifying Matter	Qualifying Matter- Infrastructure Water and/ or Wastewater Constraints Control as shown on Matija Place (including at 77 and 86 Matija Place) is supported	We understand that infrastructure in Matija Place and the wider Red Beach, Silverdale and Hibiscus Coast areas, has not been designed or established to service the level of development that the MDRS or NPS- UD will enable. There is frequently news of overflows at beaches in local media, including of raw sewerage. Local roads also flood to varying degrees, including at the intersection of Jelas Road and Matija Place. There are clear issues with capacity of existing stormwater and wastewater services in these areas. It is appropriate that a QM be utilised, to place restrictions and controls on development in these areas. This is consistent with higher order planning provisions and outcomes sought by the RPS (including objectives and policies of B3.2), NPS- UD and Part 2 RMA. 843.14
Qualifying Matter	We seek the introduction of a Transportation related Qualifying Matter at Matija Place, Red Beach.	Please see reasons in 2.0 above.
Zoning- Matija Place	We seek the rezoning of Matija Place to Single House and if this is not possible Mixed Housing Suburban due to development constraints.	Please see reasons above relating to servicing and infrastructure, including transportation servicing.

3.2 Auckland- Wide provisions (Chapter E)

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
E36	The inclusion of natural hazards as a Qualifying Matter is **supported**.	This is consistent with Part 2 RMA. 843.15
Objective E38.2(10)(d)	**Reword** to "Avoid subdivision that cannot be appropriately serviced by the water supply, wastewater and stormwater networks".	Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined. 843.16
Objective E38.2(10)(e)	**Support**	We support the objective and the terminology, specifically use of "avoid" in relation to under sized lots in areas affected by a Transportation Qualifying Matter. 843.17
Objective E38.2(11)	**Support** reference to subdivision and density of development being controlled where a Qualifying Matter is present.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.18
Policy E38.3(13)	Seek **insertion** of reference to Qualifying Matter, to control density and site sizes. Insert the following, or words to like effect: (d) Taking into account a Qualifying Matter affecting the site, noting that this may result in larger sites or fewer sites (lower yield) than may otherwise be usually anticipated in that particular zone.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.19
Policy E38.3(31)	**Support**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. The use of "avoid" is supported. 843.20
Policy E38.3(32)	**Support**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.21

Policy E38.3(33)(c)	**Support reference to QM**	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.22
Policy E38.3(34)	**Support** reference to QM	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.23
Policy E38.3(35)	**Support** reference to QM	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.24
Activity Table		
Table E38.4.2(A29A)	**Support** subdivision affected by this QM being a Restricted Discretionary Activity.	A controlled activity, which cannot be declined, is not appropriate. 843.25
Table E38.4.2(A29B)	**Support** subdivision affected by this QM being a Restricted Discretionary Activity.	A controlled activity, which cannot be declined, is not appropriate. To be consistent with higher level documents including the NPS- UD, NPS- FW and RMA (Part 2) it is critical that development be serviced in an appropriate way, and that Council has the ability to decline an application if this is not the case. 843.26
E38.5- Notification		
E38.5 Notification (2A)	**Oppose**. This development type should be subject to the standard test for notification.	Applications of this nature have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification. 843.27
E38.5 Notification (2B)	**Oppose**. This development type should be subject to the standard test for notification.	Applications of this nature have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification. 843.28
E38.6- General Standards		
E38.6.3. Services	Seek that this Standard be **altered** to refer to appropriate services or words to that effect.	It is important that proposed servicing is appropriate, having regard to the location of the site, capacity of reticulated services and ongoing maintenance. PC78 should be clear that suboptimal servicing solutions are not appropriate and will not be accepted. The use of the word "provision" is not sufficient. 843.29

E38.8 Standards for subdivision in residential zones			
E38.8.2.8. Subdivision of sites in areas identified on the planning maps as being subject to the Infrastructure – Combined Wastewater Network Control or the Infrastructure – Water and/or Wastewater Constraints Control.	**Support** in part, subject to the following **amendment**: "The technical report must demonstrate: a) That infrastructure and servicing can be achieved. b) <u>The method and capacity of water, wastewater and water servicing for the development;</u> c) <u>The durability and maintenance required for the proposed system/s;</u> d) <u>The appropriateness of the proposed servicing for the nature and scale of the development;</u> e) <u>The potential effects of the proposed servicing;</u> f) <u>Proposed long term management of the system/s."</u>	Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.	843.30
E38.8.2.9	**Support**	Please see section 2 above, where a similar QM in Matija Place, Redd Beach is sought.	843.31
E38.11 Assessment- Controlled Activities			
E38.11.1(2)	**Support**	Support reference to infrastructure	843.32
E38.11.2(2)	**Support**	Support reference to infrastructure	843.33
E38.12 Assessment- Restricted Discretionary Activities			
E38.12.1(10)	**Support**	Support assessment of stormwater matters being required.	843.34
E38.12.1(11)	**Support**	Support assessment required in these QM areas. Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined.	843.35
E38.12.2(10)	**Support**	Support assessment of stormwater matters being required.	843.36

E38.12.2(11)	**Support**	Support assessment required in these QM areas. 843.37 Subdivision must be serviced, and this must be appropriate. Appropriate infrastructure must be utilised, and not systems that are unreliable, require high maintenance, are costly to maintain or have a short lifespan. This is a critical part of urban subdivision, and to be consistent with higher order planning provisions (such as B2.2, and those proposed in PC80)). It is inevitable that with the geographical extent of the related QM's that applicants will suggest poor servicing solutions- Plan provisions must be sufficiently strong to allow applications to be declined

3.3- Zones (Residential)

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons
Objective H5.2(A1)	**Support**	843.38
Objective H5.2(B1)	**Reword** objective to the following or words to like effect: "…(b) The neighbourhoods planned urban built character, including 3- story buildings, unless the site is affected by a Qualifying Matter in which case the development density must take into account the related constraint."	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.39
Objective H5.2(1)	**Reword** objective to the following or words to like effect: Land ~~near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network~~ is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport, unless it is affected by a Qualifying Matter in which case the development density must take into account the related constraint.	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies. 843.40
Objective H5.2(3)	**Supported**, in particular where it refers to high quality amenity in relation to adjacent sites and the street.	Please see "General Submission" above. 843.41

Objective H5.2(5)	**Supported**	Inappropriate servicing can impact on water quality, and this requires control.	843.42
Objective H5.2(6)	**Supported**		843.43
Objective H5.2(7)	The following **rewording** is sought, or words to the same effect: "Development that cannot be appropriately serviced for water supply, wastewater or stormwater is **avoided**"	Wording in the Plan must be sufficiently strong to enable applications to be declined where the required outcome is not achieved, especially for fundamental matters such as servicing.	843.44
Objective H5.2(8)	**Supported**		843.45
Objective H5.2(10)	**Supported**	Please see "General Submission" above.	843.46
Policy 5.3(B1)	**Support** "..except in circumstances where a qualifying matter is relevant"	Qualifying Matters affect what type and scale of development is appropriate on a site. This should be clearly reflected in objectives and policies.	843.47
Policy H5.3(C1)	**Reword** to the following or words to like effect: ~~"Encourage~~ <u>Require</u> development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance."	Wording in the Plan must be sufficiently strong to ensure the required outcome is achieved.	843.48
Policy H5.3(E1)	**Reword** to the following or words to like effect: ~~Provide for developments not meeting permitted activity status, while encouraging high-quality developments~~ <u>"Require developments to achieve a high-quality environment"</u>	It is not necessary to have a policy that provides for activities which are not permitted, as the plan already provides for this. A "high quality development" should not be "encouraged"- this must be <u>required</u>, to be consistent with the RPS and the NPS- UD.	843.49
Policy H5.3(6A)	**Support in part**, in particular references to adjacent sites. **Introduce** the following or words to like effect: (j) <u>Establishing landscaping (vegetation) to create quality on- site amenity and soften the interface between the site and adjoining residential sites.</u>	The policy is generally supported for the reasons set out in section 2 above , with amendments as required to address the issues raised in section 2 above.	843.50
Policy H5.3(12)	**Support**	All development must be appropriately serviced.	843.51
Policy H5.3(13)	**Support**	All development must be appropriately serviced. Qualifying Matters affect what type and scale of development is	843.52

		appropriate on a site. This should be clearly reflected in objectives and policies.	
Policy H5.3(14)	**Support**	Please see section 2 above.	843.53
Policy H5.3(16)	**Support**	Please see section 2 above.	843.54
	Activity Table		
Table H5.4.1(A14B)	**Support** one dwelling on a site in the Water and/or Wastewater Constraints Control QM being a permitted activity.	Qualifying Matters affect what type and scale of development is appropriate on a site. It is appropriate that this be controlled as shown, with permitted development limited.	843.55
Table H5.4.1(A14B)	**Seek amendment** to table H5.4.1 to introduce "Standards to be complied with". This should include reference to Standards H5.6.3- H5.6.21 and the new Standard sought below.	The Plan must be clear about what Standards must be complied with to be a permitted activity.	843.56
Table H5.4.1(A14C)	**Support** two or more dwelling on a site in the Water and/or Wastewater Constraints Control QM being at least a restricted discretionary activity.	Qualifying Matters affect what type and scale of development is appropriate on a site. It is appropriate that this be controlled as shown, and consent required for more than one dwelling to enable site specific assessment.	843.57
Table H5.4.1	**Insert new A14D with the following,** or words to a similar effect (to reflect the Qualifying Matter sought on Matija Place): "Two or more dwellings per site in the Matija Place Transportation Qualifying Matter Control"- Restricted Discretionary Activity.	To reflect the Qualifying Matter sought, as detailed above in section 2.	843.58
	Notification		
H5.5(5) (Notification)	The preclusion of limited or full notification for a development of four or more dwellings, irrespective of meeting Standards, is **opposed**.	Applications of 4 or more dwellings have the potential to create adverse effects that are more than minor and greatly impact on people. These applications should be subject to the normal tests for notification.	843.59
H5.5(6) (Notification)	**Support**	These applications should be subject to the normal tests for notification.	843.60
	Standards		
H5.6.3A	**Seek introduction** of a specific Standard related to the Water and/or Wastewater Constraints Control to ensure that servicing is appropriate for the site, area and development proposed, and that there is sufficient capacity.	The Plan should be clear that servicing must be provided, and that this must be fit for purpose, able to be maintained in perpetuity and is suitable. Given the geographical extent of this QM it is likely that bespoke solutions will be suggested, that are not appropriate- the Plan must be strongly worded to make it clear	843.61

		these outcomes will not be consented.
H5.6.5(4). Height in relation to boundary	**Oppose** the proposed HIRB plane and the removal of consideration of boundaries adjoining lower zones.	The proposed HIRB plane will create adverse shading and overlooking and reduce sunlight access, in relation to adjoining residential sites. Given the existing AUP zoning, some of these adjoining sites contain new development based on existing zoning (1-2 levels, greater yard setbacks and lower HIRB controls)- in these cases the adjoining sites are unlikely to be redeveloped in the medium terms and a higher degree of adverse effects will be created in the . We understand however that this forms part of the MDRS provisions and Council may not have scope to amend these. 843.62
H5.6.5(4)(4). Height in relation to boundary	**Oppose**. HIRB should apply from the site boundary, not right of way/ access lot boundaries.	843.63
Table H5.6.8.1 Yards	**Oppose.** Given the increased level of density proposed, yards should be larger. The definition of "Yard" to be **amended** to reduce the length of eaves that can encroach into yard setbacks.	We understand however that this forms part of the MDRS provisions and Council may not have scope to amend these. 843.64 At present eves up to 750mm are excluded from the definition of yards. This could result in part of a building being only 250mm from a common boundary. This impacts on maintenance and amenity of adjoining sites. 843.65
H5.11(5)- Landscaped Area	The minimum landscaped area of 20% **is opposed.** The following is sought, or words to similar effect: "<u>The minimum landscaped area must be at least 35 percent of the net site area".</u>	The landscaping present on a site makes an important contribution to on- site amenity and amenity on adjoining sites. 843.66
H5.6.12- Outlook Space	Generally **supported**	The requirement to provide outlook space is supported, including that this space must be located within the development site. 843.67
H5.6.14(4)- Communal Outdoor Living Space	Supported with the following **amendment** (or words of similar effect): <u>(h) Is managed and maintained by a body corporate or similar legal entity.</u>	The requirement for a communal outdoor living space for larger residential developments is supported. Appropriate maintenance and management of these areas is also required. 843.68

H5.6.21 Residential waste management	Standard is generally **supported** with the following amendment requested: "H5.6.21(6) A waste management and minimisation plan must be provided and implemented for 10 or more dwellings, and this must include details of how odour will be controlled".	Where a site has limited road frontage, requiring waste collection on- site is supported. Sufficient space must be available on -site for a waste vehicle to park, collect the waste/ recycling, manoeuvre on-site and leave in a forward-facing direction. Waste and recycling storage areas can easily create odour, which impacts on amenity on site and on those adjoining, if not controlled. 843.69
H5.8- Assessment – restricted discretionary activities		
H5.8.1. Matters of discretion 5.8.1(2) For four or more dwellings per site: (a)(i)	**Oppose** deletion of the word "intensity"- seek that "intensity" not be deleted. Reword to (or words to like effect): (i)building intensity, scale and location, including	Building intensity, not only scale, has the potential to impact on the success of an overall development, its appropriateness in a specific location, and the adverse effects created on people, in particular adjoining site owners. It is appropriate that Council retain the ability to assess this important aspect of a proposal. 843.70
H5.8.1(2) (a)(i) (A)	**Support**	Support reference to "adjoining sites" for the reasons set out in section 2 above. 843.71
H5.8.1(2) (a)(i) (B)	Seek **amendment** as follows, or words to like effect: "the extent to which the height, roof form and design of buildings respond to the local streetscape, adjacent sites, …"	Please see section 2 above. 843.72
H5.8.1(2) (ai)	**Support**	Please see section 2 above. 843.73
H5.8.1(2) (c)	**Support**	Please see comments above regarding infrastructure and servicing. 843.74
H5.8.1(2) (d)	Seek **amendment** as follows, or words to like effect: "the effects of the development on the safe access for pedestrians and other transportation users on the adjacent road network"	Please see section 2 above. In some locations there is insufficient transportation infrastructure to service a development, and the traffic generated by a development may impact on other users off the site. Potential adverse effects in this regard should be assessed. 843.75
H5.8.1(6)	**Supported**	Please see comments above regarding infrastructure and servicing. 843.76
H5.8.2- Assessment Criteria		
H5.8.2(2)(ab)	**Amend** to include the following, or words to like effect:	Please see section 2 above. 843.77

	(ix) Placing lower buildings adjacent to residential dwellings on adjoining sites.		
H5.8.2(2)(ac)	**Support**		843.78
H5.8.2(2)(ae)	**Support**	Support the design outcomes achieved by buildings fronting public streets.	843.79
H5.8.2(2)(af)	**Support**	Support the design outcomes achieved by buildings fronting public streets.	843.80
H5.8.2	**Insert new** Assessment Criteria related to H.8.1(6) (More than one dwelling in Waste and Wastewater Constraints Control). Insert the following or words to same effect: I. The method and capacity of water, wastewater and water servicing for the development; II. The durability and maintenance required for the proposed system/s; III. The appropriateness of the proposed servicing for the nature and scale of the development; IV. The potential effects of the proposed servicing; V. Proposed long term management of the system/s.	PC78 notes the need for consent and provides Matters for Discretion. The inclusion of Assessment Criteria will provide further guidance on what is required.	843.81

3.4 Definitions

PC78 Reference	Support/Opposition/ Amendment Sought (additions underlined, deletions strikethrough)	Reasons	
Definition of "Landscaped Area"	**Support**	The changes proposed mean the landscaped area focuses more on vegetation, and excludes more hard landscaping than previous. This is supported as it will positively affect amenity on- site and on adjacent sites, as the density of development increases. This is consistent with the urban design outcomes sought by objectives and policies of the zone, and the RPS.	843.82

4.0 Submission- Additional relief sought

In addition to the relief sought in sections 1, 2 and 3 above, we also seek:

(1) any additional changes which are required to the text and maps of the proposed plan to give effect to this submission.
(2) Any other consequential or alternative amendments arising from these changes.

Ginny Taare

From: Graeme Edwards <g.edwards@orcon.net.nz>
Sent: Friday, 23 September 2022 3:27 pm
To: Unitary Plan
Subject: PC 78 - Intensification - Submission
Attachments: PC 78 GE Submission 23 09 22.pdf

Please find attached my submission on proposed Plan Change 78.

Regards

Graeme Edwards
Tel: +64 21 248 6638
g.edwards@orcon.net.nz

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
Te Kaunihera o Tāmaki Makaurau

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) Graeme Edwards

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

Address for service of Submitter

22 Collingwood Street, Freemans Bay, Auckland 1011

Telephone: 212486638 Fax/Email: g.edwards@orcon.net.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 Areas Overlay - Residential and Business

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:

Please refer to Appendix A 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 ☐

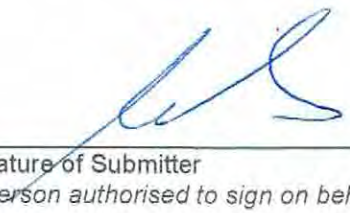
If the proposed plan change / variation is not declined, then amend it as outlined below. ☐

Please refer to Appendix A 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)

09/23/2022
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.

Attachment A

Submission on Proposed Plan Change 78 (Intensification) to the Unitary Plan

By: Graeme Edwards
22 Collingwood Street
Freemans Bay

g.edwards@orcon.net.nz

I confirm that I am directly affected by the matters referred to in this submission. I could not gain an advantage in trade through this submission.

Scope of submission

This submission relates to the following part of Proposed Plan Change 78 (Intensification) (the **Proposal**) to the Auckland Unitary Plan (Operative in Part) (the **Unitary Plan**):

- Chapter D18 – Special Character Areas Overlay – Residential and Business, only insofar as it affects residential areas in Freemans Bay and the Ponsonby Road business area.

Executive Summary

I **support**:

- the Special Character Areas Overlay – Residential and Business (**Special Character Overlay**) as a qualifying matter; 846.1
- the Special Character Overlay and low-density residential zone (**LDRZ**) for the residential areas in Freemans Bay identified in the Proposal (**Freemans Bay overlay area**); and 846.2 846.3
- the Special Character Overlay and the Height Variation Control of 13m for the Ponsonby Road business area, in accordance with the Proposal. 846.4 846.5

I **do not support** the treatment under the Proposal of the properties at 1 to 46 Arthur Street. I submit that the maximum height of development on Arthur Street should be restricted to no greater than 3 storeys. 846.6

For many years, successive Councils have been aware of and responsive to the significant historical, cultural, physical and visual values of special character areas in Auckland, including parts of Freemans Bay. It is pleasing to see that the current Council continues to recognise those values through the Proposal and, in particular, the identification of special character residential and business areas as a qualifying matter.

The statutory framework for implementation of the National Policy Statement on Urban Development (**NPS-UD**) recognises that good urban development requires balancing many relevant and sometimes competing factors. The statutory framework permits Council to make height and density requirements

less enabling of development within an area to accommodate a matter that makes higher density development inappropriate in that area.

Council was given a difficult task to implement the recent changes to the NPS-UD within a short timeframe set by the Government. Council officers are to be commended for their commitment, thoroughness, consultation and communication. Council has supported its officers, and the best interests of Auckland overall, by debating and endorsing the Proposal.

The characteristics of the Freemans Bay overlay area that will be preserved and protected by the Special Character Overlay include not only built form qualities but also design and architectural qualities; scale, density and pattern of development; form and relationship to the street and to landscape qualities, and historical subdivision and settlement patterns.

The report prepared under section 32 of the Resource Management Act 1991 (**RMA**) with respect to special character as a qualifying matter (**section 32 report**) demonstrates why those attributes make higher density development inappropriate in light of the national significance of urban development and the objectives of the NPS-UD.

The site-specific analysis that has been completed in accordance with section 77L(c) of the RMA is fit for purpose and based on a reasonable methodology. That analysis supports application of the Special Character Overlay for the Freemans Bay overlay area and the Ponsonby Road business area.

The protection of special character areas as a qualifying matter under the Proposal will have a de minimis (if any) effect on achievement of the objectives of the NPS-UD.

Public consultation in April and May 2022 overwhelmingly supported special character areas as a qualifying matter.

The compromises in the Proposal, when viewed as a whole, strike a fair and reasonable balance between enabling greater density development and the preservation and protection of special character values. The Proposal is in the long-term interests of Auckland, and current and future generations of Aucklanders.

I wish to be heard in support of this submission.

Reasons

I support the Proposal because it will:

- protect and preserve the significant historical, cultural, physical and visual values of the Freemans Bay overlay area;
- protect and preserve the significant historical, cultural, physical and visual values of the Ponsonby Road business area;
- have only a de minimis (if any) effect on capacity for additional housing supply; and
- support the lifecycle of existing infrastructure and avoid significant costs.

I expand below on each of those matters.

Graeme Edwards
g.edwards@orcon.net.nz

1. Special character values – Freemans Bay overlay area

(a) *Historical, cultural, physical and visual values*

The Freemans Bay overlay area is part of the earliest European settlement and development of Auckland. It is an excellent example of the late 19th century residential pattern of development in Auckland. In particular, the Freemans Bay overlay area retains large groups of Victorian workers' cottages and villas, which reflect the changes in residential subdivision and development in the late 19th and early 20th centuries.

The built form, physical values of the Freemans Bay overlay area reflect important trends in Auckland and New Zealand architecture, with large groups of consistent building styles.

The bulk of the properties in the Freemans Bay overlay area are constructed of Kauri and other timbers, being the mauri and wairua of the ancient forests of Aotearoa and should be protected from destruction.

It is important to note also that approximately 40% of Freemans Bay overall is not part of the Freemans Bay overlay area. Those other parts of the suburb nevertheless are integral to the story of the development of Auckland. The juxtaposition of the Freemans Bay overlay area against the post war developments on the so called "slum" sites that were cleared progressively until the 1970s (especially the area bounded by Franklin Road, Napier Street and Wellington Street) heightens the special character values of the Freemans Bay overlay area itself, because it provides more than a time capsule; the suburb as a whole provides a visible and walkable history of over 150 years of the development of Auckland city. If intensification of the Freemans Bay overlay area is permitted, that unique historical representation will be destroyed for ever.

(b) *The contiguous neighbourhood approach in the Proposal is essential.*

The Special Character Overlay will apply to only high quality special character areas, which are informed by site-specific analysis and ensures that the relevant neighbourhoods as a whole are subject to height and density restrictions. The contiguous neighbourhood approach to special character as a qualifying matter (rather than, for example, designation only of sites that rate 5 or 6 on the assessment methodology) is essential to adequately preserve and protect special character values. In particular, restricting height and density development of non-contributing sites within the special character area prevents ad-hoc and interspersed development that would materially adversely affect the special character of the contributing sites, and the neighbourhood area as a whole.

The special character values of the Freemans Bay overlay area are far more than the built form, physical values of the contributing sites. The special character values include significant historical, cultural, and visual values. The designation of a special character area as a whole contiguous neighbourhood is essential to preserving and protecting the special character values of the contributing sites, and the neighbourhood overall.

Graeme Edwards
g.edwards@orcon.net.nz

(c) *Road pattern and streetscape*

The Proposal will preserve and protect the road pattern and streetscape of the Freemans Bay overlay area. In particular, Freemans Bay south is an outstanding example of the development of urban planning in the late 19th century, which included the introduction of wider streets that permitted grass berms and extensive kerbside tree planting. Freemans Bay south, as a special character area, shows the evolution of urban planning from narrow streets (e.g. Heke Street) to wider carriageways with berms and trees (e.g. Collingwood Street and Anglesea Street). The area collectively demonstrates consistency of lot size, setback, spacing and rhythm of housing. Any single, high density development in the area will significantly undermine the collective, established streetscape qualities that contribute to the special character values of the area overall

(d) *Public amenity, tourism and economic value*

The Proposal will preserve and protect significant public amenity. Freemans Bay is the only inner west suburb that is both clearly visible and easily accessible from the lower city centre. It provides a walkable heritage corridor between the lower city centre or Wynyard Quarter and the centre of the Ponsonby Road entertainment and shopping precinct. That corridor, in its existing form, has significant public amenity value.

The Freemans Bay overlay area, in its existing form, also has significant current and future tourism and economic value as a walkable heritage and character area adjacent to the Auckland city centre, tourist accommodation, and the Ponsonby Road business area.

(e) *Special character of Freemans Bay complements Ponsonby Road*

The special character values of the Freemans Bay overlay area also include the way it complements and supports the special character of the Ponsonby Road business area, which has been identified as having both historical significance and significance for its physical and visual qualities, and the potential to be of significance as an historic heritage area. The Ponsonby Road business area has a dominant position along the ridgeline that is clearly visible from most parts of the north and west of the city centre – any significant development in Freemans Bay would have a major adverse impact on the urban patterns, landscape and streetscape qualities of the Ponsonby Road business area, including when viewed from the city centre.

In that context, I do not support the treatment under the Proposal of the properties at 1 to 46 Arthur Street. Those properties sit immediately below the ridgeline of Ponsonby Road and any six story development on Arthur Street will severely adversely affect the special character values of the Ponsonby Road business area and adjacent parts of the Freemans Bay overlay area, including by detracting from the visual aesthetic of the sweeping view of the ridgeline from the city centre, imposing significant visual dominance and shading over adjacent character areas, and creating significant traffic, parking and other infrastructure problems. I acknowledge that the properties in Arthur Street generally do not exhibit the same special character values as the Freemans Bay overlay area, however the potential adverse effects for the Ponsonby Road business area and adjacent parts of the Freemans Bay overlay area more than off-set the extremely minimal additional housing capacity that might result in Arthur Street. I submit that the maximum height of development on Arthur Street should be restricted to 3 storeys.

Graeme Edwards
g.edwards@orcon.net.nz

Refer also to my submission in paragraph 2 below about the Ponsonby Road business area properties on the east side of Ponsonby Road between Russell Street and Pember Reeves Street and at 284 Ponsonby Road.

(f) *Public consultation supports the Special Character Overlay*

Public consultation in April and May 2022 overwhelmingly supported special character areas as a qualifying matter. In particular, respondents supported the protection of (at least) the identified special character areas by a margin of over 3 to 1 [ref: section 32 report at pages 45 - 46].

(g) *The Special Character Overlay and LDRZ supports Council's climate change plan*

The Special Character Overlay and LDRZ for the Freemans Bay overlay area will help to reduce the Urban Heat Island Effect from intensification due to the Proposal. The Freemans Bay overlay area currently includes significant private and public vegetation and open space that provides cooling and amenity to the Auckland city centre. Any further intensification without additional green-space being created would be contrary to Auckland Council's Urban Ngahere (Forrest) Strategy and Auckland's Climate Plan 2020.

2. Special character values – Ponsonby Road business area

The Ponsonby Road business area demonstrates both significant historic qualities and significant physical and visual qualities. Firstly, it has played an important part in the development of Auckland from its pre-colonial roots to New Zealand's major metropolitan centre. That history can be told and seen by reference to the Ponsonby Road ridgeline and surrounds. Secondly, it is an outstanding example of a traditional suburban main shopping street. It has retained overall its physical and visual special character, with more recent buildings being generally supportive of the heritage values. It has a dominant position along the ridgeline which is clearly visible from most parts of the north and west of the city centre – any significant development along Ponsonby Road (or in Freemans Bay to the east of the ridgeline) would have a major adverse effect on the urban patterns, landscape and streetscape qualities of the entire inner west catchment, including when viewed from the city centre.

Under the Proposal, the properties on the east side of Ponsonby Road between Russell Street and Pember Reeves Street and the property at 284 Ponsonby Road (the **excluded segment**) are not part of the Special Character Overlay. I understand that the excluded segment is subject to Height Variation Control of 13m (3 storeys), which is the same as that applicable to properties in the Ponsonby Road business area that are part of the Special Character Overlay.

A 13m height restriction for all of the Ponsonby Road business area is essential to protect the integrity of the special character of the area as a whole. Any higher development, including in the excluded segment, would severely adversely affect the special character values of the Ponsonby Road business area as a whole and the adjacent parts of the Freemans Bay overlay area. In particular, it would detract from the physical and visual qualities of Ponsonby Road, detract from the visual aesthetic of the sweeping view of the ridgeline from the city centre, impose significant visual dominance and shading over adjacent character areas, and create significant traffic, parking and other infrastructure problems. I

Graeme Edwards
g.edwards@orcon.net.nz

therefore support the 13m Height Variation Control for all of the Ponsonby Road business area, including the excluded segment.

Refer also to my submission about Arthur Street in paragraph 1(e) above.

3. Impact on housing supply capacity and the objectives of NPS-UD

Special character areas as a qualifying matter will have only a de minimis (if any) effect on capacity for additional housing supply. Existing special character areas under the Unitary Plan in total represent only ~3% of total housing stock [ref: Auckland Council webinar: *Online Information Session: Special Character Areas*, 21 April 2022]. The extent of special character areas as a qualifying matter under the Proposal is even less. It is not a zero-sum game: the benefits from the Special Character Overlay demonstrably and materially outweigh the insignificant impact of restrictions on potential development in special character areas.

In addition, with respect to Freemans Bay:

- Intensification will not provide affordable housing because of the cost of land in Freemans Bay.

- The prevalence of small section sizes is an inherent barrier to widespread intensification. That means any intensification that does occur is more likely to be ad-hoc in nature and scope, and to disproportionately adversely affect the special character values of the area in which it occurs without delivering any meaningful level of countervailing benefit.

There is scope for Council to permit additional, off-setting intensification elsewhere. There are several areas in Auckland, including areas adjacent to mass transit and green fields sites, that comfortably could sustain planned and high quality, affordable intensification that is greater than that permitted automatically by the Proposal. That additional intensification would be more than sufficient to off-set any effect on potential capacity due to special character areas as a qualifying matter.

4. Impact on infrastructure

Application of the Special Character Overlay to the Freemans Bay overlay area supports the current lifecycle of existing infrastructure. Enabling greater intensification would require significant infrastructure investment by Council, which would impose a material financial burden on rate payers without a corresponding benefit towards achievement of the objectives of the NPS-UD. In particular:

- In Freemans Bay, the existing infrastructure, including three waters, the roading network, car parking and open spaces, will not support further development beyond that already permitted. The roading network is unable to support the emergency services access required for six story apartments, which is of a completely different risk profile to the existing housing stock. 846.7

- Freemans Bay has limited street parking. Auckland Transport introduced a Residents Exempt Parking Scheme to enable residents to park in their own suburb. Any intensification would multiply that issue and would create blocked streets and gridlock. It is fanciful to assume, in the

Graeme Edwards
g.edwards@orcon.net.nz

medium term, that all residents of new apartments that might be built will only use public transport options and will not have cars.

Many infrastructure constraints will be cumulative – by which I mean that existing infrastructure might be able to cope with the first high density development but it becomes increasingly vulnerable with each subsequent development. Planning rules should not permit a "first come, first served" outcome which would deliver the worst of all choices – one or two high density developments that are out-of-place or "stranded" in otherwise low density areas, and which neither support the development of intensive urban hubs because they are sub-scale, nor sit comfortably within the surrounding community and built environment.

So, while the infrastructure implications are not themselves features of special character, those considerations are relevant to the counter-factual, and therefore are proper matters to take into account as part of the decision to apply the Special Character Overlay for the Freemans Bay overlay area.

Conclusion

The objectives of the NPS-UD must be pursued reasonably within the statutory framework. The protection of special character values is enabled by the statutory framework. The balance between appropriately protecting special character values and allowing intensification in special character areas, strongly favours protection. The permanent, adverse consequences of failing to protect special character areas overwhelmingly outweighs the de minimis (if any) impact on achieving the objectives of the NPS-UD.

The impact of planning changes must be considered and assessed over a long term horizon. Aucklanders in the 1970s fought successfully to preserve western city-fringe special character. Today we are thanking them for their efforts. Protection of those special character values was reinforced by the Unitary Plan. We are custodians of our heritage for future generations and our current Councillors must not take short term decisions which are unnecessary to achieve the objectives of the NPS-UD and would undo the long term historic, social and cultural benefits hard-won by our forebears. Such decisions are irreversible and would put at risk the important heritage of our city for all future generations. It is pleasing to see that the Council has put forward a Proposal that, on the whole, appropriately and fairly balances the competing priorities.

I wish to be heard in support of this submission.

Graeme Edwards
g.edwards@orcon.net.nz

SUBMISSION ON PROPOSED PLAN CHANGE 78 OF THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: J A Masfen/777 Investments Ltd/Masfen Holdings Ltd

This submission relates to the Plan Change 78 to the Auckland Unitary Plan (AUP). This submission relates to the following properties and the wider Parnell Town Centre Zone:

- 177 and 203-207 Parnell Road, Parnell (submitter: Masfen Holdings Ltd);
- 209-215 Parnell Road, Parnell (submitter: J A Masfen); and,
- 235 Parnell Road, Parnell (submitter: 777 Investments Ltd).

These properties fall within the Waitemata local board area.

The specific Plan change provisions that this submission relates to are:

a) Additional Zone Height Controls: Additional Height Controls - Parnell, 13m / 3 storeys.

b) The Special Character Areas Overlay Business - Business Parnell.

The reasons for the submitters' concerns are:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act").

2. The provisions are not soundly based on evidence or an appropriate costs benefit analysis as required by section 32 of the Act.

3. The applicable height overlay of Plan Change 78, as they relate to the submitters' sites:

    i) will not promote the sustainable management of natural and physical resources;
    ii) are inconsistent with the purpose and principles of the Act and the National Policy Statement – Urban Development (NPS-UD);
    iii) will give rise to adverse effects on the environment that cannot be avoided, remedied or mitigated;
    iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The specific reasons for the submitters' concerns are as follows:

a) The submitters consider that in order to provide additional opportunities for intensification within the Parnell Town Centre Zone, the maximum permitted height within the Parnell Town Centre Zone should be increased to 32.5 metres. It is considered that the level of intensification proposed by Plan Change 78 is not sufficiently provided for in this location through the current AUP or proposed rules.

b) It is noted that the Parnell Area is located within close proximity of the City Centre and enjoys a high level of existing and future public transport infrastructure and amenities. This area has the ability to support much higher levels of intensification than is currently provided for. The proposed amendment will provide greater opportunities to increase the residential and employment populations in this highly accessible area.

c) The Parnell Town Centre is located within the walkable catchment of the City Centre zone. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within *at least* a walkable catchment of existing and planned rapid transit stops and the edge of city centre zones

d) It is noted that some parts of Parnell Road Town centre is subject to the War Memorial Museum and Volcanic Cone overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to these parts of the Parnell Town Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Parnell Town Centre Zone.

e) It is also noted that Parnell Town Centre is to also subject to the Special Character Areas Overlay Business. To the extent that this character overlay discourages the ability to achieve the additional height and the intensification outcomes sought by the NPS-UD, the submitters consider that the character overlay should be deleted, or in the alternative, restricted to those building that have been identified as character defining buildings only. Beyond those specific sites, additional height should be enabled in the Parnell Town Centre zone. 851.4

The submitters seek the following decision from Auckland Council, regarding the Proposed Plan Change 78:

a) That the Maximum Height for the subject sites and the surrounding Parnell Town Centre zone is increased to 32.5 metres. 851.1 851.2

b) That the Special Character Areas Overlay - Business Parnell is deleted. 851.3

c) Any other consequential changes that would give effect to the relief sought in this submission.

The submitters wish to be heard in support of their submission. If others make a similar submission, the submitters will consider presenting a joint case with them at a hearing.

The submitters are not a trade competitor, and could not gain an advantage in trade competition through this submission.

Michael Campbell
Campbell Brown Planning Limited
For and on behalf of J A Masfen / 777 Investments Ltd / Masfen Holdings Limited as their duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

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

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

SUBMISSION ON PROPOSED PLAN CHANGE 78 OF THE AUCKLAND UNITARY PLAN

To: Auckland Council

Name of submitter: J A Masfen/777 Investments Ltd/Masfen Holdings Ltd

This submission relates to the Plan Change 78 to the Auckland Unitary Plan (AUP). This submission relates to the following properties and the wider Parnell Town Centre Zone:

- 177 and 203-207 Parnell Road, Parnell (submitter: Masfen Holdings Ltd);
- 209-215 Parnell Road, Parnell (submitter: J A Masfen); and,
- 235 Parnell Road, Parnell (submitter: 777 Investments Ltd).

These properties fall within the Waitemata local board area.

The specific Plan change provisions that this submission relates to are:

a) Additional Zone Height Controls: Additional Height Controls - Parnell, 13m / 3 storeys.

b) The Special Character Areas Overlay Business - Business Parnell.

The reasons for the submitters' concerns are:

1. The applicable provisions do not promote the sustainable management of natural and physical resources, contrary to Part 2 of the Resource Management Act 1991 ('the Act").

2. The provisions are not soundly based on evidence or an appropriate costs benefit analysis as required by section 32 of the Act.

3. The applicable height overlay of Plan Change 78, as they relate to the submitters' sites:

    i) will not promote the sustainable management of natural and physical resources;
    ii) are inconsistent with the purpose and principles of the Act and the National Policy Statement – Urban Development (NPS-UD);
    iii) will give rise to adverse effects on the environment that cannot be avoided, remedied or mitigated;
    iv) are inappropriate and unjustified in terms of Section 32 of the Act.

4. The specific reasons for the submitters' concerns are as follows:

a) The submitters consider that in order to provide additional opportunities for intensification within the Parnell Town Centre Zone, the maximum permitted height within the Parnell Town Centre Zone should be increased to 32.5 metres. It is considered that the level of intensification proposed by Plan Change 78 is not sufficiently provided for in this location through the current AUP or proposed rules.

b) It is noted that the Parnell Area is located within close proximity of the City Centre and enjoys a high level of existing and future public transport infrastructure and amenities. This area has the ability to support much higher levels of intensification than is currently provided for. The proposed amendment will provide greater opportunities to increase the residential and employment populations in this highly accessible area.

c) The Parnell Town Centre is located within the walkable catchment of the City Centre zone. Increasing the maximum building height is in line with the Policy directives of the NPS UD, Policy 3(c), which states that areas located within the walkable catchment must enable building heights of at least 6 storeys within *at least* a walkable catchment of existing and planned rapid transit stops and the edge of city centre zones

d) It is noted that some parts of Parnell Road Town centre is subject to the War Memorial Museum and Volcanic Cone overlays. These are qualifying matters that would remain in place and would provide an additional height overlay that would continue to apply to these parts of the Parnell Town Centre. Outside of these areas, it is considered appropriate to maximise the height opportunities within the Parnell Town Centre Zone.

e) It is also noted that Parnell Town Centre is to also subject to the Special Character Areas Overlay Business. To the extent that this character overlay discourages the ability to achieve the additional height and the intensification outcomes sought by the NPS-UD, the submitters consider that the character overlay should be deleted, or in the alternative, restricted to those building that have been identified as character defining buildings only. Beyond those specific sites, additional height should be enabled in the Parnell Town Centre zone.

The submitters seek the following decision from Auckland Council, regarding the Proposed Plan Change 78:

a) That the Maximum Height for the subject sites and the surrounding Parnell Town Centre zone is increased to 32.5 metres.

b) That the Special Character Areas Overlay - Business Parnell is deleted.

c) Any other consequential changes that would give effect to the relief sought in this submission.

The submitters wish to be heard in support of their submission. If others make a similar submission, the submitters will consider presenting a joint case with them at a hearing.

The submitters are not a trade competitor, and could not gain an advantage in trade competition through this submission.

Michael Campbell
Campbell Brown Planning Limited
For and on behalf of J A Masfen / 777 Investments Ltd / Masfen Holdings Limited as their duly authorised agent.

Date: 29 September 2022

Address for service of submitter:

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

Attention: Michael Campbell

Telephone: (09) 378 4936
Mobile: (021) 2789018
Email: michael@campbellbrown.co.nz

Ginny Taare

From: Nathan Stantiall <stanch@xtra.co.nz>
Sent: Monday, 26 September 2022 3:56 pm
To: Unitary Plan
Subject: RE: zoning change of Telephone Road from low density to residential zone to mixed house zone Zoning

Please find attached my submission.

Regards,
Nathan

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
Te Kaunihera o Tāmaki Makaurau

Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 [redacted]rt 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 Nathan Brad Stanfiall

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

Address for service of Submitter

1 Telephone Road, Birkenhead
Auckland

Telephone: 021761561 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)	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 propeties 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.

853.1
853.2
853.3

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)

26/09/22
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.

Ginny Taare

From: tonyallen@xtra.co.nz
Sent: Monday, 26 September 2022 8:55 pm
To: Unitary Plan
Subject: Submission on Plan change PC78
Attachments: CCF26092022_0001.pdf

Attn. Planning Technician
Auckland Council.
My full name is –
Anthony George Allen.
My address is-
91 David Ave. Hillpark, Auckland, 2102.
My phone is-
0274741356.
My Email address is-
tonyallen@xtra.co.nz
This is a submission on the following proposed plan change-
PC78. Intensification.
The specific provisions that my submission relate to are – Special character areas overlay-General: Hillpark which is codified in PC78 Chapter D Special character areas overlay – residential and business, and which is identified in the corresponding maps.
Hillpark is identified as a site specific location as a special character area and it is therefore proposed that Hillpark be subject to the D18.2 objectives and D18.3 policies of PC78 as well as table D18.4.1 activity table- special character areas overlay- residential.
I agree with the identification of Hillpark as a special character area and its consequential including in chapter D of PC78 to be subject to planning controls. I request that that the independent hearings panel uphold the Hillpark special character area. 865.1
The reason for my views follow-
Hillpark special character area was successfully obtained by the Hillpark residents association submissions in 2016 and is the only one that is a purpose designed garden suburb with a high number of mid 1900s homes [many by prominent architects of the time] in Auckland.
Hillpark has a very attractive combination of natural and built environments designed around the trees including several public and privately owned urban mature native forests with streams running through them. Consequently the area supports plenty of native birds including Kerere,Tui, Kotare [Kingfisher], Piwakawaka [fantail] and Ruru [Morepork].The chorus of the plentiful Tuis in the trees is a great feature of Hillpark.
Hillpark's elevated tree cover has a strong and pleasant visual presence from all surrounding view points including both North and South motorway approaches and from surrounding suburbs and town centres. It stands out like a green oasis, particularly because existing housing is mainly concealed. Three story intensification will have an adverse effect on this pleasant visual presence both from inside and outside the Hillpark special character area. Also automatic 3 story intensification will have a potential to decrease the trees and birdlife in the area.
Hillpark urban native forests are an important part of the native bush chain which stretches North and West of the Hunua Ranges for native bird migration.
Hillpark urban native forests are also valuable carbon sinks in the fight against global warming. Housing intensification adjacent to these urban forests could have a detrimental effect on them.
I am not in favour of the Government's new intensification housing plan in Auckland as the Council has worked hard to come up with a comprehensive well considered 10 year unitary plan and already under the present plans the results show snowballing housing intensification sprouting up like mushrooms in the appropriate areas.
The government's one size fits all without any restraints being necessary for up to 3 dwellings and 3 stories seems to me like " using a sledge hammer to crush a walnut".
I feel that this has great potential for underestimated detrimental consequences as time goes by.
I also feel that the government's new intensification plan will not achieve much in the way of more affordable homes but more in the way of average value homes being unaffordable to those it is trying to help most. Please read

the attached NZ Herald article dated 4/8/22 “Is this the best way to solve our housing problems”. You will need to scroll down on it.

I have lived in Hill park for 42 years and have never shifted because I like the area so much. It has been made into Hill park special character area because so many people residing in the area and passing through it feel the same way because of it’s special qualities and charm. For this reason I propose that the Hillpark special character area overlay be retained as a qualifying matter. Hillpark is a relatively small area and will make a welcome contrast to the surrounding intensified housing areas if it’s special character area status can be preserved.

I would also like to take this opportunity to suggest that the Counsel look at the question of extending the boundaries of the several S.E.As within the Hillpark special character area to amalgamate into one S.E.A. with the same boundary as the Hillpark special character area. This will provide better protections for the natural environment. 865.2

I wish to be heard in support of this submission and will consider making a joint case with others who have made a similar submission.

Thank you for considering this submission.

Yours sincerely.

Tony Allen.

n

s this the best way to solve our housing problems?

No-one disputes there is a need for more housing in our cities. It is completely unjustifiable for people to be homeless, for families to be living in cars, and for many to be spending far too much of their income on overcrowded and low-quality dwellings. But is this the best legislation to solve our extreme housing problems?

Discussions in the media have seen the Housing Enabling Supply Bill as a conflict between owners of houses in Special Character Areas in inner suburbs and those seeking to buy new dwellings in these suburbs. There is a notion of a perceived unfairness that these locations are not taking their share of density.

However, these inner-city suburbs are already considerably denser than many outer suburbs. For example, as of 2018, Freemans Bay and Ponsonby had close to 2.5 times the density of dwellings as Manurewa.

But there are more fundamental problems with the legislation.

Firstly, it is an assault on local democracy. During the Auckland Unitary Planning process, Auckland Council worked on delivering residential zoning for a substantial number of new dwellings.

Tricia Austin
comment

The council determined types and densities of new dwellings, infrastructure availability in specific locations, and planning requirements needed for a more sustainable city. The council used local democratic processes – engaging with local communities and receiving submissions, with local councillors making the final zoning decisions.

Wellington (as decided by the two major political parties) has chosen to ignore all of this.

The Bill requires almost all residential sites to be zoned for medium density – enabling a single house to be replaced by three 3-storey terrace houses (and in some cases 6-storey apartments).

Limited standards do not recognise the size of the sites, the topography, or any of the climate change impacts which are heading our way.

Development at these densities on small sites will deprive many residents of winter sunlight, and reduce open space for absorbing stormwater, without any requirements to plant trees for shade.

Secondly, it is an assault on our local heritage.

Is it acceptable for the politicians in Wellington to tell Aucklanders that their special character areas are not worth preserving?

These areas encompass some of the most historic parts of the city, enabling us to better understand and connect with how our city developed from the small settlement in the 1850s to today.

Will we become reliant on owners of houses in special character areas becoming guardians of our collective heritage? An assault on our heritage might be acceptable if the end result was well-designed quality housing that is affordable to those families that are most in housing need, but there is nothing in this Bill to deliver that.

Thirdly, this Bill is handing to land-owners blanket approval for trebling the density of development on any one site, hence an increase in asset value, without requiring anything in return. Why didn't Wellington require some housing benefit?

The Bill could have required that the new dwellings be accessible for anyone with disability needs. This "universal design" would have gone some way to addressing the needs of a significant proportion of the community.

The Bill could have required that development deliver much more sustainable dwellings than the current standards, by linking delivery to the Homestar rating system. This could have contributed to reducing the carbon and ecological footprints of new housing.

The Bill could have required that a portion of the new dwellings be designed for families in significant housing need and be affordable for them, delivering through community housing providers. This could have made a small but significant dent in the real housing needs in this country.

These three missing "opportunities" are not from outer space. They can be found in many planning systems in the UK and North America.

Instead, a more likely outcome of this legislation will be houses and apartments that are only affordable to those with incomes way above the median.

Tragically, there is nothing in the Bill to prevent investor purchasers leaving dwellings empty and watching the value of their asset grow.

Tricia Austin is a senior lecturer in urban planning at the University of Auckland with research interest in affordable housing and sustainable cities.

NZ HERALD 4/8/22

Auckland Airport

SUBMISSION ON PLAN CHANGE 78 (INTENSIFICATION)

To: Auckland Council ("**Council**")

Name: Auckland International Airport Limited ("**Auckland Airport**")

Address: At the address for service below

1. INTRODUCTION

1.1 Auckland Airport welcomes the opportunity to submit on Plan Change 78 ("**PC78**"), which amends the Auckland Unitary Plan ("**AUP**") to comply with the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act, enabling intensification of housing in urban areas.

1.2 This submission relates to the specific provisions of PC78 as identified in the table **attached** as **Annexure A**. Auckland Airport supports or seeks amendment to the specific provisions of PC78 as identified in **Annexure A**.

1.3 Auckland Airport could not gain an advantage in trade competition through this submission.

2. AUCKLAND AIRPORT'S OPERATIONS

2.1 Auckland Airport is New Zealand's largest and busiest airport. The Airport is a strategic infrastructure asset of local, regional and national importance and is a major contributor to the Auckland and New Zealand economies. It is important that the planning framework includes provisions that enable the Airport to continue to operate and develop in the future, in order to meet the needs of Auckland and New Zealand.

2.2 The Airport's aviation infrastructure and services support the movement of aircraft, passengers, and cargo, and acts as a major transport hub for domestic and international travellers. Prior to the COVID-19 pandemic, more than 75% of international passengers arrived or departed New Zealand through the Airport, accounting for approximately 21 million passenger movements.[1] Despite the impacts of COVID-19 on the aviation sector globally, the Airport remains New Zealand's main gateway to the world.

2.3 Auckland Airport is also a significant landowner, responsible for over 1500 hectares of land, including over 100 hectares of comprehensively planned development land that accommodates aviation-related business activities.[2]

2.4 The Airport is continuously planning to manage the growth and development of the Airport and its landholdings. The nature of airport infrastructure and the level of capital investment required means that Auckland Airport needs to plan decades ahead. Auckland Airport does this by masterplanning its land use and development of the wider Airport Precinct.

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1 Auckland Airport – Annual Report 2022 at page 21.

2 Auckland Airport – Annual Report 2022 at page 7; and Auckland Airport – Recent Projects https://property.aucklandairport.co.nz/the-landing/recent-projects.

3. URBAN DEVELOPMENT AROUND THE AIRPORT

3.1 Housing supply is an important issue for New Zealand, and it is appropriate that steps are being taken to address it by enabling intensified housing in New Zealand's largest cities. However, it is important that essential infrastructure that supports well-functioning urban areas, such as Auckland Airport, is not adversely impacted by new, intensified housing, and that future residents are located in appropriate living environments.

3.2 Residential developments built in proximity to large-scale infrastructure, such airports, have the potential to give rise to reverse sensitivity effects, which can lead to constraints being placed on that infrastructure. Reverse sensitivity is a well-established concept and an adverse effect for the purposes of the RMA. In the context of airports, reverse sensitivity arises where new activities sensitive to aircraft noise ("**ASAN**")[3] establish in proximity to the Airport's lawfully established infrastructure. This results in large numbers of people being exposed to levels of aircraft noise, generating annoyance to the effects of aircraft noise. In turn, this has the potential to give rise to complaints against the Airport's operations and submissions on planning processes seeking constraints on the Airport's operations.

3.3 The nature of aircraft operations means Auckland Airport cannot fully internalise all of its effects within its landholdings. Any increase in development of ASAN around the Airport (both in numbers and density) means more people are receivers to adverse effects of airport activities. Auckland Airport is focused on ensuring that good planning provisions continue to be implemented to ensure development around the Airport is well managed. This is appropriate to ensure the health and amenity effects on people in proximity to the Airport, as well as the risk of reverse sensitivity effects constraining the Airport's operations are effectively mitigated.

Aircraft Noise Overlay

3.4 The Aircraft Noise Overlay for Auckland Airport has been developed with extensive technical modelling (based on forecast growth and demand at the Airport) and robust expert evidence. It has been in place over several iterations of planning documents, and most recently refined, carefully tested and determined through the full Auckland Unitary Plan process. Through that process, affected parties had the opportunity to submit on the controls and participate in mediation and hearings before the Independent Hearings Panel, who upheld the Aircraft Noise Overlay.

3.5 The Aircraft Noise Overlay for Auckland Airport comprises three Aircraft Noise Areas:

(a) **High Aircraft Noise Area** ("**HANA**") – within the HANA, new ASAN (including residential) are prohibited from establishing within its coverage area, due to noise levels within this noise area exceeding 65 dB L_{dn}. This prohibited activity status is consistent with New Zealand Standard NZS6805:1992 "Airport Noise Management and Land Use Planning" ("**NZS6805**").

(b) **Moderate Aircraft Noise Area** ("**MANA**") – Within the MANA (60 - 65dB L_{dn}) new sensitive activities in residential zones are managed through density controls intended to limit the total number of people living within the MANA, and through acoustic insulation and ventilation requirements. Where the requirements are not complied with, resource consent is required.

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[3] Defined in the AUP as "Any dwellings, boarding houses, marae, papakāinga, integrated residential development, retirement villages, supported residential care, care centres, education facilities, tertiary education facilities, hospitals, and healthcare facilities with an overnight stay facility."

(c) **Aircraft Noise Notification Area** ("**ANNA**") – While the ANNA remains subject to notable levels of aircraft noise (between 55 – 60dB L_{dn}) and NZS6805 recommends that ANNA include the same controls that apply in the MANA, no land use controls are imposed on sensitive activities within this contour as this reflects a historical position under the previous planning regime and a pragmatic approach by Auckland Airport to urban development within the greater South Auckland region given the large size of this notification area.

3.6 Sections 77I and 77O of the RMA enables matters required for the purpose of ensuring the safe and efficient operation of nationally significant infrastructure to be recognised as a qualifying matter. Through PC78, the Council has appropriately recognised the Airport as nationally significant infrastructure, and has incorporated the Aircraft Noise Overlay for Auckland Airport as an existing qualifying matter.

3.7 For sites within the HANA and MANA, the Council proposes to retain the Overlay as drafted and apply them as a qualifying matter. Auckland Airport strongly supports the recognition of the HANA and MANA as qualifying matters under PC78. These are important planning controls to ensure well-functioning urban environments are achieved by providing appropriate living environments for residents and other ASAN, as well as protecting the Airport from reverse sensitivity effects.

3.8 However, Auckland Airport is concerned that through PC78, the Council proposes to upzone sites in the HANA and MANA to Terraced Housing and Apartment Building ("**THAB**") zoning and the updated Mixed Housing Urban ("**MHU**") zoning. This zoning creates a planning framework contrary to the intention, policy framework and controls of the Aircraft Noise Overlay, and risks sending "mixed messages", encouraging incompatible development in spite of the Overlay framework.

3.9 Auckland Airport's relief in **Annexure A** therefore focuses on the amendment of this zoning framework to align with the Aircraft Noise Overlay, including the application of the Low Density Residential ("**LDR**") zoning within the HANA and MANA.

Designation 1102

3.10 Section 77I of the Resource Management Act 1991 expressly recognises designations as a qualifying matter which allows territorial authorities to make the medium density residential standards, relevant building height or density requirements less enabling of development.[4]

3.11 Auckland Airport has three Designations in the Unitary Plan. Designation 1102 gives effect to civil aviation safety requirements under the Civil Aviation Act 1990 and provides for the Airport's Obstacle Limitation Surface ("**OLS**"). The OLS is a necessary planning control that imposes height restrictions on buildings near the Airport to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the Airport. The controls that apply under Designation 1102 are based on extensive technical input and expert evidence and were tested through a full public process for Auckland Airport's Notice of Requirement process for the Second Runway.

3.12 Auckland Airport supports the identification of Designation 1102 as a qualifying matter in PC78, in order to make it unequivocally clear to parties and decision-makers what restrictions apply in relation to building heights for properties within the OLS.

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4 Resource Management Act 1991, s 77I(g).

4. GENERAL REASONS FOR SUBMISSION

4.1 For the provisions of PC78 that Auckland Airport supports in **Annexure A**, those provisions will:

(a) promote sustainable management of resources, achieve the purpose of the RMA, and are not contrary to Part 2 and other provisions of the RMA;

(b) provide and promote greater health and amenity outcomes, as well as preserve the operational and developmental capacity for nationally significant infrastructure (such as the Airport), consistent with section 77I of the RMA;

(c) enable the social, economic, and cultural wellbeing of the South Auckland and Manukau communities; and

(d) meet the reasonably foreseeable needs of future generations.

4.2 For those provisions of PC78 that Auckland Airport opposes in **Annexure A**, those provisions require amendment as sought by Auckland Airport in **Annexure A**. This is because, without the necessary amendments, those provisions will not:

(a) promote or enable the social and economic wellbeing of the community in South Auckland or Manukau or reasonably meet the needs of future generations;

(b) promote or enable efficient use and development of Airport infrastructure and those activities that are dependent on, or benefit from, the operation of the Airport;

(c) promote sustainable management of resources, will not achieve the purpose of the RMA, and are contrary to Part 2 and other provisions of the RMA;

(d) adequately protect and provide for the Airport's current and future operations; and

(e) provide positive health and amenity outcomes for people locating in proximity to the Airport.

5. RELIEF SOUGHT

5.1 Auckland Airport seeks the following amendments from the Council on PC78:

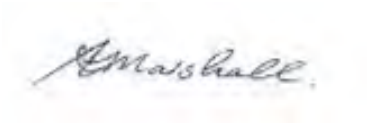
(a) That the proposed provisions be retained, deleted, or amended as set out in Auckland Airport's submission (set out above and in the **attached Annexure A**).

(b) Such further or other consequential relief as may be necessary to fully give effect to the relief sought in this submission and **Annexure A**.

5.2 Auckland Airport wishes to be heard in support of this submission.

AUCKLAND INTERNATIONAL AIRPORT LIMITED

Date: 29 September 2022

Signature: 

Andrea Marshall
Head of Masterplanning and Sustainability

Address for Service: C/ Taylor Mitchell

Russell McVeagh

Barristers and Solicitors
Level 30
Vero Centre
48 Shortland Street
PO Box 8/DX CX10085
AUCKLAND 1140

Email: taylor.mitchell@russellmcveagh.com

Telephone: +64 9 367 8000

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes underlined, deletions ~~strikethrough~~	
CHAPTER A - INTRODUCTION					
1	**Table A1.4.8.1 Qualifying matters in zones, overlays and Auckland-wide provisions**	Support	Auckland Airport supports the identification as qualifying matters, those matters required for the safe and efficient operation of nationally significant infrastructure, particularly: • D24 Aircraft Noise Overlay; • Chapter K Designations 1100, 1101 and 1102 (Auckland Airport Designations); and • Chapter H Zones. While Auckland Airport supports the retention of the Aircraft Noise Overlay provisions and the application of Auckland Airport's Designations as qualifying matters, with the proposed changes to the zoning around the Airport and the changes to the provisions within those zones, Auckland Airport is concerned that the Overlay provisions do not go far enough to appropriately protect the Airport from reverse sensitivity effects. Auckland Airport seeks to rezone the residential zones within the HANA and MANA where they are proposed to be upzoned Terrace Housing and Apartment Buildings ("**THAB**") or Mixed Housing Urban Zone ("**MHU**"), to be Low Density Residential ("**LDR**") Zone. This is shown and discussed further below in respect of the LDR Zone provisions and the zoning maps for the HANA and MANA.	Retain Table A1.4.8.1 as notified. However, amendments are sought to zoning maps to ensure the planning framework collectively ensures the ongoing safe and efficient operation of Auckland Airport (Rows 34-35 below).	870.1
2	**Table A1.4.8.1 Qualifying matters in precincts**	Support	Auckland Airport supports the identification as qualifying matters the precincts of: • I404 Auckland Airport Precinct; and • I412 Flat Bush Precinct. These Precincts include specific objectives, policies and rules which recognise the ongoing operation of the Airport through density restrictions and appropriate controls on ASAN near the Airport, or provisions for airport activities within Auckland Airport's	Retain Table A1.4.8.1 as notified.	870.2

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
			landholdings. It is appropriate that these qualifying matters are recognised.		
CHAPTER C – GENERAL RULES					
3	**C1.6A Overlay and precinct rules**	Oppose	Auckland Airport opposes the addition of this wording to Chapter C, as clear direction on the application of overlays and precincts is already provided in C1.6 which clarifies that activities within overlays take precedence over precincts, and precincts over zones. C1.6A adds uncertainty to this hierarchy as it appears to restrict the hierarchy in circumstances where the overlay or precinct specifies that it replaces the precinct or zone rule respectively ie, providing that the Aircraft Noise Overlay only overrules precincts and zones in respect of specified matters such as subdivision. This conflicts with the direction provided immediately prior in C1.6, creating confusion for the application of activity statuses / rules.	Remove C1.6A as notified.	870.3
CHAPTER D24 AIRCRAFT NOISE OVERLAY					
4	**D24.1. Description**	Support with amendment	Auckland Airport supports identification of the Aircraft Noise Overlay as a qualifying matter. However, Auckland Airport seeks amendment to the second sentence of the description explaining the precedence of the overlay, which suggests the Overlay only takes precedence with respect to subdivision and location of ASAN. This is misleading for plan users and should be removed. The current position of the AUP is that Overlays take precedence in their entirety over zones and rules, and (as currently drafted) is inconsistent with the position expressed in C1.6.	Retain with amendment: This overlay has been identified as a qualifying matter in accordance with sections 77I(e) and (g) and 77O(e) and (g) of the RMA. The provisions of this overlay take precedence over the provisions of the underlying zone and/or precinct ~~with respect to subdivision and location of activities sensitive to aircraft noise.~~	870.4

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
5	**D24.3(3)(b) Aircraft Noise Overlay Policies**	Support with amendment	Through PC78, in order to give effect to the NPS-UD, additional development capacity is enabled through increased building heights in our centre zones. This is a significant policy shift since the Aircraft Noise Overlay was developed and has the potential to result in a greater number of people living in and or around our centre zones. Auckland Airport is concerned to ensure that where increased heights are enabled within the Aircraft Noise Overlay that this is appropriately managed. While the Aircraft Noise Overlay objectives and policies already clearly direct density of development to be considered, Auckland Airport considers more express reference to the need to manage the number of ASAN exposed to aircraft noise through reduced building heights as well as zoning and other controls.	Retain with amendment: (3) Avoid establishing residential and other activities sensitive to aircraft noise at: […] (b) Auckland International Airport: within the area between the 60dB Ldn and 65dB Ldn contours, unless the effects can be adequately remedied or mitigated through restrictions on the numbers of people exposed to aircraft noise in the external environment through zoning, reduced building heights and density controls and through providing acoustic treatment (including mechanical ventilation) of buildings containing activities sensitive to aircraft noise; and […]	870.5
6	**Table D24.4.3 Activity table for Auckland International Airport**	Support	Auckland Airport supports identification of existing rules and activity statuses restricting development of new dwellings within the HANA and MANA as qualifying matters (and retaining them without amendment). These provisions were carefully developed and tested through the AUP process and it is appropriate that they are retained as notified.	Retain as notified.	870.6
CHAPTER G2 - WALKABLE CATCHMENTS					
7	**G2 – Walkable catchment description**	Support with amendment	Auckland Airport generally supports the description and assumptions made by the Council in respect of walkable catchments. However, the description of walkable catchments fails to include reference to the Council's discretion to apply building heights of less than six storeys where qualifying matters apply as per sections 77I and 77O of the RMA. An amendment is required to recognise this and give effect to Policy 4 of the NPS-UD.	Retain with amendment: Policy 3(c) of the National Policy Statement on Urban Development 2020, updated May 2022, requires regional policy statements and district plans in tier 1 urban environments to enable building heights of at least six storeys within at least a walkable catchment of the following: (i) existing and planned rapid transit stops (ii) the edge of city centre zones, and (iii) the edge of metropolitan centre zones, except where a relevant qualifying matter applies.	870.7

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
CHAPTER H – ZONES – RESIDENTIAL					
8	**H3A.1. Low Density Residential Zone description**	Support with amendment	Auckland Airport supports the creation of the LDR Zone as an appropriate zone where reduced density is justified on the basis of qualifying matters within urban areas. As outlined at Rows 34-35, Auckland Airport considers it is appropriate for this zoning to be utilised for sites within the HANA and MANA, to ensure alignment between the zoning and the intent of the Aircraft Noise Overlay. While the Aircraft Noise Overlay has been specifically recognised as a qualifying matter, given the Council's approach of also amending the relevant zoning provisions to make it clear where qualifying matters apply (for example, the LDR zoning applied to large parts of Ponsonby, Grey Lynn and Freemans Bay in reliance on historic heritage qualifying matters), Auckland Airport seeks an amendment to the description of LDR Zone to include consideration of nationally significant infrastructure as qualifying matters for the application of the zone to these areas.	Retain with amendment: In the urban environment, the Residential – Low Density Residential Zone is applied to identified sites within residential neighbourhoods, subject to relevant qualifying matters, with the purpose being to: • incorporate MDRS, and make development less enabling to the extent necessary to accommodate the qualifying matter(s) that are present; • protect significant ecological areas and outstanding natural features and landscapes and high natural landscapes; • protect areas of distinct cultural, historic and natural heritage; • protect areas subject to risks from natural hazards including coastal hazards, coastal erosion, overland flow paths and flood plains; • protect nationally significant infrastructure from reverse sensitivity effects in order to ensure its ongoing safe and efficient operation; • maintain and enhance special character residential areas; and • provide for low density residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses.	870.8
9	**H3A.2. Low Density Residential Zone – Objectives (1), (2), (3), (4)**	Support with amendment	Auckland Airport generally supports the General Objectives for the LDR Zone (Objectives (1)-(4)). These objectives recognise that lower density development can be appropriate where there are qualifying matters present. However, the Airport seeks minor amendments to add reference to the purpose of a qualifying matter rather than just its values, as the "values" wording does not neatly apply to qualifying matters addressing infrastructure constraints or protections.	Retain with amendment: (1) Development maintains and is in keeping with the identified purpose and values of qualifying matters' ~~values~~ within the area and their lower intensity residential development, relative to development enabled by the MDRS, being limited to predominantly one to two storeys buildings. […] (4) More intensive residential development including medium density residential development is enabled only to the extent necessary,	870.9

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes **underlined**, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~strikethrough~~	
				ensuring that it does not detract from the purpose and values of qualifying matters' ~~values~~ accommodated by the zone's purpose.	870.9
10	**New H3A.2. Low Density Residential Zone – New Objective (11A)**	Add	Auckland Airport seeks the addition of nationally significant infrastructure related objective to the "Specific Qualifying Matter Objectives" for the LDR Zone. This is to ensure alignment between the zoning with the Aircraft Noise Overlay.	Add new objective: (11A) Development does not adversely affect the ongoing operation and future development of nationally significant infrastructure.	870.10
11	**H3A.3. Low Density Residential Zone – Policy (7)**	Support with amendment	Auckland Airport supports Policy (7) because it appropriately directs more intensive development including the MDRS only where that development would not detract from a qualifying matter. However, for the reasons outlined above, Auckland Airport seeks the addition of "purpose" to the policy to reflect the intent of infrastructure qualifying matters.	Retain with amendment: (7) Require more intensive residential development including Medium Density Residential development to be enabled only to the extent necessary, ensuring that it does not detract from the purpose or values of the identified qualifying matters~~' values~~.	870.11
12	**H3A.3. Low Density Residential Zone – New Policies (17 A/B)**	Add	Auckland Airport seeks the addition of new policies to the "Specific Qualifying Matter Policies" for the LDR Zone. This is to ensure appropriate policy direction for utilisation of the LDR Zone within the HANA and MANA.	Add two new policies: • (17A) Protect nationally significant infrastructure from reverse sensitivity effects generated by the development of activities sensitive to noise within identified noise areas. • (17B) Avoid developments of medium and / or high density housing in areas subject to adverse effects from aircraft noise	870.12
13	**H3A.4. Low Density Residential Zone – Rules**	Support	Auckland Airport supports the rules for the LDR Zone as appropriate to give effect to the objectives and policies of maintaining areas of low residential density where appropriate qualifying matters apply.	Retain as notified	870.13
14	**H3A.5. Low Density Residential Zone – Notification**	Support	Auckland Airport supports the notification provisions for the LDR Zone, particularly the reference at H3A.5(2) to Rule C.13(4) which includes appropriate reference to operators of activities protected by overlays for reverse sensitivity effects.	Retain as notified	870.14
15	**H3A.6. Low Density Residential Zone – Standards**	Support	Auckland Airport supports the standards for the LDR Zone as appropriate to give effect to the objectives and policies of maintaining areas of low residential density where appropriate qualifying matters apply, and to support the rules for the zone.	Retain as notified	870.15

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
16	**H3A.8. Low Density Residential Zone – Matters of Discretion**	Support with amendment	Auckland Airport supports the matters of discretion for the zone, particularly MOD (3) which directs consideration of the adverse effects enabling development of multiple dwellings would have on qualifying matters. However, for the same reasons set out at row 11 above, Auckland Airport seeks the addition of the word "purpose" to the matter of discretion, reflecting that infrastructure qualifying matters do not have "values" in the same way amenity or ecological qualifying matters do.	(3) For two or more dwellings on a site […] (b) The effects on the purpose or values of the qualifying matter including any reason for consent required under a qualifying matter rule.	870.16
17	**H3A.8.2. Low Density Residential Zone – Assessment criteria**	Support with amendment	Auckland Airport supports the assessment criteria for the zone, particularly MOD (9)(f) which directs assessment of the effects of developments of two or more dwellings on a site on the values of the relevant qualifying matter (including whether the intensity of development is appropriate in the context of the qualifying matter). However, for the same reasons set out in row 11 and 16 above, Auckland Airport seeks the addition of the word "purpose" to the assessment criteria, reflecting that infrastructure qualifying matters do not have "values" in the same way amenity or ecological qualifying matters do.	(9) For two or more dwellings on a site: […] (f) the extent to which built development will affect the purpose or values of the relevant qualifying matter on the site by: i. the intensity and location of built development relative to the qualifying matter. ii. increasing natural hazard risk. iii. compromising the integrity and quality of the qualifying matter.	870.17
18	**H5 Mixed Housing Urban Zone and H6 Terraced Housing and Apartment Building Zone – Objectives and Policies**	Oppose	Auckland Airport opposes the current drafting of the objectives and policies of the MHU and THAB zones (insofar as these zones are proposed to apply in areas within the HANA and MANA) as these provisions do not adequately address the need for lower density development where qualifying matters apply, such as the Aircraft Noise Overlay. Auckland Airport seeks to address this through the removal of this zoning within the HANA and MANA and application of the LDR zoning.	Removal of MHU and THAB zoning sought within the HANA and MANA areas (see Rows 34-35 below).	870.18

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
CHAPTER H – ZONES – BUSINESS					
19	**H9.1 Metropolitan Centre Zone description**	Support	Within the Aircraft Noise Overlay, there are areas zoned Metropolitan Centre Zone. The Aircraft Noise Overlay seeks to manage the number of people that are exposed to aircraft noise through density and zoning controls on ASAN. While Auckland Airport is not concerned with height of activities that are not ASAN (provided these do not conflict with the Airport's Obstacle Limitation Surface), it may be appropriate to reduce the height of buildings containing ASAN (such as residential activities) within metropolitan centres to manage the number of people exposed to aircraft noise. Auckland Airport supports the addition to the H9.1 Zone description which recognises increased density of form and building heights enabled by PC78 can be reduced where a qualifying matter applies.	Retain as notified.	870.19
20	**H9.3 Metropolitan Centre Zone Objectives**	Support with amendment	Auckland Airport generally supports the amendments proposed to the objectives in H9.3 (in particular those objectives that recognise and provide for qualifying matters), but seeks amendment to objective (9) to reflect the application of qualifying matters in certain locations.	Seek amendment of Objective (9): Metropolitan centres enable building heights and density of urban form to reflect demand for housing and business use unless a qualifying matter applies which requires reduced height or density.	870.20
21	**H9.4 Metropolitan Centre Zone Policies**	Support with amendment	Auckland Airport supports new policy (12A) and amendments to policy (14) which recognise height limits may be lower where qualifying matters apply. Auckland Airport supports existing policy (2) which reflects reverse sensitivity concerns that may justify reduced development. Auckland Airport seeks an amendments to policy (13) and new policy (15A) to reflect any necessary qualifying matters which would justify lower heights or density within the zone.	Seek amendment of policies (13) and (15A): Enable greater building height than the standard height in locations identified within the Height Variation Control having regard to whether the greater height: … (zaa) is consistent with a qualifying matter that requires reduced height and/or density. Enable greater building heights and density of urban form in metropolitan centres, than in town, local or neighbourhood centres, to reinforce their role as regional focal points (unless a qualifying matter applies which requires reduced heights and/or density).	870.21 870.38

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
22	**H11.1 Business Local Centre Zone description**	Support	Auckland Airport supports the addition to the H11.1 Zone description which recognises the increased building heights enabled by PC78 are not enabled if qualifying matters apply.	Retain as notified	870.22
23	**H11.2 Local Centre Zone description**	Support	Auckland Airport supports the amendments to objectives (3), (4) and (9) which acknowledge the need to ensure development creates well-functioning urban environments and that qualifying matters may apply which justify not enabling building height of up to six storeys within walkable catchments.	Retain as notified	870.23
24	**H11.3 Business Local Centre Zone policies**	Support with amendment	Auckland Airport seeks amendment to existing Policy (2) within the Local Centre Zone which encourages and increase in density of housing to reflect that increased density should not be enabled where relevant qualifying matters apply. Auckland Airport supports the amendments to other policies (12A) and (14) which note the need to apply qualifying matters when enabling greater building heights.	Retain with amendment: (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while reflecting any qualifying matters and managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.	870.24
25	**H12.1 Business Neighbourhood Centre Zone description**	Support	Auckland Airport supports the addition to the H12.1 Zone description which recognises the increased building heights enabled by PC78 are not enabled if qualifying matters apply.	Retain as notified	870.25
26	**H12.2 Business Neighbourhood Centre Zone Objectives**	Support	Auckland Airport supports the amendments to objectives (3), (4) and (8) which acknowledge the need to ensure development creates well-functioning urban environments and that qualifying matters may apply which justify not enabling building height of up to six storeys within walkable catchments.	Retain as notified	870.26
27	**H12.3 Business Neighbourhood Centre Zone Objectives**	Support with amendment	Auckland Airport seeks amendment to existing Policy (2) within the Neighbourhood Centre Zone which encourages and increase in density of housing to reflect that increased density should not be enabled where relevant qualifying matters apply. Auckland Airport supports the amendments to other policies (12A) and (14) which note the need to apply qualifying matters when enabling greater building heights.	Retain with amendment: (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while reflecting any qualifying matters and managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.	870.27

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~	
28	**H13.1 Business Mixed Use Zone description**	Support	Auckland Airport supports the addition to the H13.1 Zone description which recognises the increased building heights enabled by PC78 are not enabled if qualifying matters apply.	Retain as notified.	870.28
29	**H13.2 Business Mixed Used Zone Objectives**	Support	Auckland Airport supports the amendments to objectives (3), (4) and (10) which acknowledge the need to ensure development creates well-functioning urban environments and that qualifying matters may apply which justify not enabling building height of up to six storeys within walkable catchments.	Retain as notified	870.29
30	**H13.3 Business Mixed Used Zone Policies**	Support with amendment	Auckland Airport supports new policy (12A) and amendments proposed to policy (14) which recognise height limits may be lower where qualifying matters apply. Auckland Airport supports existing policy (2) which reflects reverse sensitivity effects justify reduced development in some cases. Auckland Airport seeks an amendment to this policy to include reference to qualifying matters as appropriate justification for not providing for an increase in density of housing.	Retain with amendment: (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while reflecting any qualifying matters and managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.	870.30
CHAPTER I - PRECINCTS					
31	**Table I412.4.1 Activity status of land use, development and subdivision activities in the Flat Bush Precinct**	Neutral	The activity table has been amended to remove the activity status in some of the sub-Precincts (some of which are located within the MANA) and replace them with "NA". While the changes are noted as being subject to a qualifying matter, the reason for this change is unclear. Auckland Airport is concerned to ensure the provisions are not amended in a way that undermines the previously tested and approved provisions in the Flat Bush Precinct that apply to ASAN in the MANA. It is also relevant to acknowledge the Flatbush Precinct rules were developed through a plan change process that occurred prior to the AUP and those provisions were carried through in the AUP. The specific provisions were developed in the context of a greenfields area but much of the Precinct has now been developed, rendering these bespoke provisions for this area less	Auckland Airport seeks further clarification from the Council on the reasons for the changes.	870.31

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes underlined, deletions ~~strikethrough~~	
			significant. Auckland Airport considers it is appropriate that the same LDR zoning apply within the MANA areas within Flatbush as other areas of the MANA (set out below at rows 34 onwards).		
32	**Table I412.6.1.1.1 Density requirements**	Support	Auckland Airport strongly supports retention of maximum allowable density limits within the MANA for the Flatbush Precinct which were carefully developed and tested through earlier planning processes.	Retain as notified.	870.32
33	**Table I412.6.2.1.1 Minimum and average lot sizes Sub-Precinct**	Support	Auckland Airport strongly supports retention of average site sizes within the MANA for Sub-Precinct A. These provisions were carefully developed and tested through earlier planning processes.	Retain as notified.	870.33
ZONING MAPS					
34	**Residential zoning of sites within HANA as THAB or MHU**	Oppose	Under PC78, there are a large number of sites within the HANA that are proposed to be rezoned to THAB or MHU. Auckland Airport strongly opposes this. The most acute adverse effects relating to aircraft noise from Auckland Airport's aircraft operations occur within the HANA. In accordance with NZS6805, new dwellings (in any zone) are prohibited within the HANA. While much of the underlying zoning in the HANA is (appropriately) business or industrial zoning, there are some areas of existing residential zoning within the HANA (such as the area between Clendon Avenue, Cavendish Drive and Plunket Avenue) that, until PC78 was notified, were zoned Single House Zone. Auckland Airport opposes residential upzoning in the HANA as it creates an unclear and inconsistent planning framework for property owners in that the underlying zoning suggests intensification can occur but the Aircraft Noise Overlay prohibits it. Auckland Airport seeks all sites that are proposed to be upzoned to THAB and / or MHU zoning within the HANA are rezoned to	Seek amendment of all THAB or MHU zoning in HANA to LDR 	870.34 870.36

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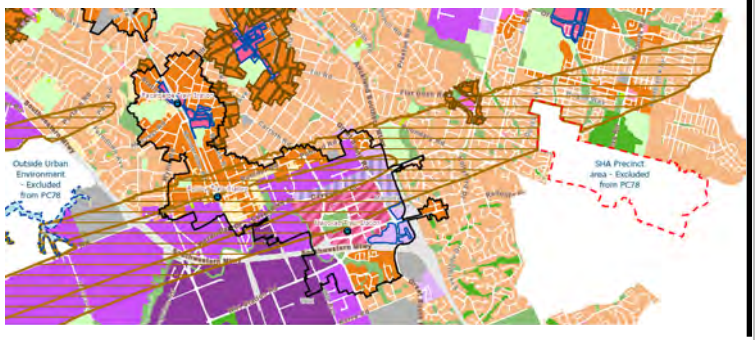
			LDR. The LDR Zone has been drafted to be applied to areas where lesser residential intensity is necessary or justified due to qualifying matters. The policy and rule framework within the LDR Zone reflects this intention and aligns with the policy and rule framework of the Aircraft Noise Overlay which prohibits new residential development in areas exposed to high levels of aircraft noise.	
35	**Residential zoning of sites within MANA as THAB or MHU**	Oppose	Auckland Airport does not support the proposed upzoning to MHU and THAB on sites within the MANA. The MANA reflects the moderate aircraft noise area of 60-65dB Ldn, which is still a high level of aircraft noise. In accordance with NZS6805 the MANA requires acoustic controls *and the minimisation of intensive housing development*, applying density restriction controls. The intention of these controls is to limit the overall number of people subject to aircraft noise because of the potential adverse health and amenity effects for those living in these areas and the potential for reverse sensitivity effects to arise. The MHU and THAB zone provisions promote the opposite outcome – enabling dwellings of greater height, height to boundary, site coverage, overall density of form and dwellings per site, significantly increasing the number of people within these zones exposed to aircraft noise. The MANA was previously largely zoned Mixed Housing Suburban zone, which applied significantly reduced height, height to boundary, site coverage, dwellings per site and other intensification than what is proposed for the MHU and THAB zones under PC78. The increased intensification encouraged by these zones would promote thousands of additional people living within this area of significant aircraft noise which Auckland Airport considers is inappropriate. By comparison, the LDR Zone has been drafted to be applied to areas where lesser residential intensity is necessary or justified due to qualifying matters. The policy and rule framework within	Seek amendment of all THAB or MHU zoning in MANA to LDR Zone: 

870.35

870.37

ROW	PLAN CHANGE PROVISION	SUPPORT/ OPPOSE	AUCKLAND AIRPORT SUBMISSION	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECTS) Notified proposed changes underlined, deletions ~~strikethrough~~. Proposed submission changes **underlined**, deletions ~~**strikethrough**~~
			the LDR Zone reflects this intention and aligns with the policy and rule framework of the Aircraft Noise Overlay which cautions against inappropriate residential development and density. Auckland Airport therefore seeks that all THAB and MHU zoning within the MANA is rezoned to LDR Zone.	

Property Council New Zealand

Property Council New Zealand

Submission to Auckland Council on

Plan Change 78: Intensification

29 September 2022

For more information and further queries, please contact
Logan Rainey Logan@propertynz.co.nz 021410787

Property Council New Zealand
Foyer Level, 51 Shortland Street
PO Box 1033, Auckland 1140
09 373 3086
propertynz.co.nz

Corporate Sponsors

Property Council New Zealand

29 September 2022

Auckland Council
Auckland 1142
Email: unitaryplan@aucklandcouncil.govt.nz

Plan Change 78: Intensification

1. Summary

1.1 Property Council New Zealand, Auckland Region ("Property Council") welcomes the opportunity to submit to Auckland Council on Plan Change 78: Intensification. We have prepared a list of recommendations to influence better, fairer outcomes for all. Comments and recommendations are provided on issues relevant to Property Council's members. Property Council wishes to be heard in support of our submission at a hearing.

2. Recommendations

2.1 At a high level, we recommend Auckland Council:

- Extend its proposed city centre walkable catchment by at least 400m (to 1.5km) to align with Tauranga City Council's walkable catchment and to better achieve intensification around the city centre and reach the Council's climate goals; 871.1
- Works with Property Council to identify opportunities to apply the 400m walkable catchment standard more widely around Town Centres; 871.2
- Enables greater housing intensification in Metropolitan, Town and Local Centres; 871.3
- Works to ensure transport alignment between residential and mixed-use zones; 871.4
- Amend THAB rules from "up to" six storeys to better enable greater height and more flexible design where appropriate; 871.5
- Create alignment between THAB rules inside and outside of walkable catchments; 871.6
- Remove prescriptive rules within Plan Changes 78 and 79 to better ensure that a site-specific approach can be taken over the proposed prescriptive approach as to where a building, turning bay and accessways are to be placed; 871.7
- Create an exemption to the proposed Low Density Residential Zone so that if a qualifying matter is not present, the RMA Amendment rules take precedence; 871.8
- Does not include infrastructure constraints as a qualifying matter and instead investigate the use of transparent, beneficiary pays funding models to fund necessary core infrastructure to support development; 871.9
- Works more closely with Central Government to unlock further joint funding of core infrastructure to support development; 871.22

- Provides the property sector with transparent access to information regarding their proposed approach to zoning in the Auckland Light Rail corridor and upzone based on current realities of Light Rail in Auckland; and 871.23
- Collaborates with Property Council on their proposed approach to zoning in the Auckland Light Rail corridor. 871.24 871.25

3. Introduction

3.1. Property Council is the leading not-for-profit advocate for New Zealand's most significant industry, property. Our organisational purpose is, "Together, shaping cities where communities thrive".

3.2. The property sector shapes New Zealand's social, economic and environmental fabric. Property Council advocates for the creation and retention of a well-designed, functional and sustainable built environment, in order to contribute to the overall prosperity and well-being of New Zealand.

3.3. Property is Auckland's largest industry. Property provides a direct contribution to GDP of $12 billion (12 percent) and employment for 71,940 Auckland residents.

3.4. Property Council is the collective voice of the property industry. We connect property professionals and represent the interests of 387 Auckland based member companies across the private, public and charitable sectors.

4. Proposed approach to Housing Intensification

4.1. Under the requirements of the National Policy Statement on Urban Development ("NPS-UD"), Auckland Council must significantly upzone large portions of Auckland. Auckland Council is required to enable developments of at least six storeys in walkable catchments around the City Centre, Metropolitan Centres and Rapid Transit Stations; unless there is a qualifying matter. The NPS-UD also requires additional intensification to occur around suburban centres.

4.2. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act, ("RMA Amendment Act"), requires Auckland Council to adopt the new Medium Density Residential Standards ("MRDS") across the rest of urban Auckland unless there is a qualifying matter.

Proposed walkable catchments around the City Centre, Metropolitan Centres and Rapid Transit

4.3. Auckland Council has proposed walkable catchments, with upzoning to the modified THAB standard, of 1200m for the area surrounding the City Centre and a walkable catchment of 800m for the areas surrounding Metropolitan Centres and Rapid Transit Stations.

4.4. Property Council's original position in our submission on the consultation document *Government's new housing rules: What it means for Auckland* supported the proposed 1200m and 800m walkable catchment standards for the areas surrounding the City Centre, Metropolitan Centres and around Rapid Transit stations. However, we have now seen Tauranga City Council release its Plan Changes proposing a more liberal 1.5km walkable catchment around its City Centre.

4.5. Extending Auckland's walkable catchment to 1.5kms will help reduce urban sprawl, encourage future intensification, and contribute towards the Council achieving their carbon neutral goals.

Having more people live closer to the city centre reduces our carbon footprint. Considering Auckland's population is 15 times more than Tauranga City, and five time more than the Bay of Planty, we recommend it is necessary to extend the city centre walkable catchment, at the least to align with Tauranga City.

4.6. Extending the walkable catchment to at least 1.5km would better encourage more inner city living, greater density of urban form and more efficient use of sites within the City Centre. Extending the walkable catchment would also provide for greater carbon gains, as more people living closer to the City Centre will reduce transport emissions. Furthermore, intensification (as opposed to urban sprawl) can rely on existing transport networks for public transportation in and out of the city centre.

4.7. It is important to note, zones need to accurately account for the real-world foot traffic patterns of pedestrians. Pedestrians often make use of 'shortcuts', such as public parks, to commute on foot which may not be visible via Google Maps. It is crucial that the zoning maps accurately reflect this, as walking times or walkable catchments may in fact shrink in many areas. We welcome amendments to be made where appropriate.

4.8. We recommend Auckland Council extend its proposed city centre walkable catchment by an additional 400m (to 1.5km) to better achieve intensification around the city centre and reach the Councils climate goals.

Proposed approach to intensification around Suburban Centres

4.9. Auckland Council has proposed an approach to intensification that would see upzoning to the modified THAB zoning standard occur in a 200m walkable catchment around larger Local Centres and smaller Town Centres, and upzoning to the same THAB standard occur in a 400m walkable catchment around larger Town Centres. We will make comments on the THAB standard in section 5.

4.10. We are in favour of applying the 200m standard for Local Centres, and supportive of the 400m standard for the larger Town Centres. However, we are concerned that applying the 200m standard for the some of the smaller Town Centres is inappropriate. Our view is that for many of these Town Centres, the use of a 400m walkable catchment would be more appropriate. 871.10 871.11

4.11. Applying a 400m standard to more of the Town Centres would be consistent with the intent of the NPS-UD, which seeks to encourage housing intensification near to areas with strong amenity value, demand for housing and transport links.

4.12. Accordingly, we recommend that Auckland Council re-evaluate its approach to upzoning town centres, and with work with Property Council to identify opportunities to apply the 400m walkable catchment standard more widely across Auckland's Town Centres. This will better allow people to live closer to, and get the benefits from, public amenities.

Proposed approach to zoning in Metropolitan, Town and Local Centres

4.13. We firmly believe that Auckland's Metropolitan, Town and Local Centres are prime areas for further intensification. These areas have the best access to transport, amenities and are the most suitable land for higher density living in Auckland.

4.14. Auckland Council should reconsider the existing zones as well as the potential for greater intensification, in areas with high demand. In that regard some of the current zones that were

set some time ago and could be expanded further around the transport links or changed (such as Local to Town Centre), to account for potential higher demand, particularly around key transport nodes such as Kingsland, Grafton, Morningside, Mt Albert, Remuera, Ellerslie and others that have strong development potential. A mixture of increased business zoning and THAB will provide for better urban form.

4.15. Council has limited the potential of some centres because of their size even though they have excellent accessibility. Limiting potential because of its a centre's existing size is counter intuitive. We recommend this is reviewed and accessibility is considered a greater indicator. While Government removed the requirements to assess demand, Council should still consider this in the assessment as part of creating the potential for intensification where people want to live and work.

4.16. More permissive zoning rules in Auckland's Metropolitan, Town and Local Centres would enable greater housing closer to where Aucklander's want to live, work and play. More development within Metropolitan, Town and Local Centres also reduces pressure for housing in other parts of the city and has positive environmental outcomes. Denser development patterns place less demand on transport services and lessen demand for investment in core infrastructure.

4.17. An additional benefit of permissive zoning rules in Auckland's Metropolitan, Town and Local Centres would the positive impact of higher limits on the building hierarchy in Auckland. Property Council is of the view that healthy cities should have a varied skyline, where the greatest density can be found closest to the various centres across the city. Under current proposals by Auckland Council, there is the risk that Auckland develops a uniform built environment (of exactly six storeys) without the variation in height found in a healthy skyline.

4.18. We therefore recommend that Auckland Council reconsider its approach to zoning in Metropolitan, Town and Local Centres, with a view to enabling greater height and density within these areas.

Housing Intensification in Mixed-Use Areas

4.19. We believe that the importance of mixed-use and business areas as a source of land for higher density housing, will continue to grow overtime. For example, areas such as the mixed-use precinct bordering Ellerslie and Greenlane are expected to see future growth in residential development. As such, we support Auckland Council's regulatory alignment of residential and mixed-use zones.

4.20. It is important to remember that the NPS-UD proposes six storey's as a minimum requirement. We believe Mixed-Use Zoning holds the potential for residential developments of eight to ten storeys. The ways in which these areas relate to each other, as well as to residential zones will be of great significance. There is a need to ensure alignment between residential zones and mixed-use zones, to prevent unintended design consequences and to ensure that arbitrary boundaries do not unduly restrict otherwise viable developments in suitable precincts.

4.21. We also recommend the importance of ensuring that simple, common-sense interventions such as the construction of walkways or cycle lanes are undertaken where appropriate to ensure development alignment between residential zones and mixed-use zones.

The Residential – Low Density Residential Zone

4.22. Auckland Council are proposing a new Low Density Residential Zone that would reduce the level of development enabled by the Medium Density Residential Standards in the RMA Amendment Act. The proposal would limit development within the Low Density Residential Zone to a maximum of two storeys and one house per site. Two or more houses would require a building consent.

4.23. Section 77G of the RMA Amendment Act allows for less building height or density requirements to accommodate one or more of the qualifying matters listed in the Amendment Act. We caution Auckland Council's approach of developing a 'blanket' Low Density Residential Zone, as this may conflict with the Act if a qualifying matter is not present on a particular site within the zone. Therefore, if a qualifying matter is not present, we recommend that this not provide an exemption and the RMA Amendment rules should take precedence.

5. Proposed THAB Zone rules

5.1. Property Council members have a strong interest in the technical application of the proposed changes to THAB zone rules. We support the intent of Auckland Council in modifying the THAB zone, in line with the requirements of the NPS-UD. However, we have technical concerns regarding the impact the proposed zone rules will have on future developments.

5.2. We have reviewed the impact of the proposed changes on future developments, at a high level, using publicly available information. Our broad concern is that the proposed approach to the modified THAB rules is overly prescriptive and will not enable high quality developments. Consequently, we could see unintended design outcomes that lower the future quality of the built environment.

5.3. We are concerned that Auckland Council's proposed approach to the modified THAB rules overly privileges the preservation of the existing built environment within THAB areas, at the expense of enabling high quality intensification, as intended by the NPS-UD. Elements of the proposed rules make it more difficult for developers to build a high quality development in a previously suburban area. Some of these barriers include the current approach to building form and location on a site, deep soil requirements and communal amenity requirements.

5.4. One example of a barrier from the proposed THAB rules, is specifications as to where a building must be within a site. This will penalise the first new high-density development within a THAB zone and may result in unintended consequences if not addressed such as; future amenities (i.e., one apartment block facing a different way from future neighbouring apartments), and an otherwise lower quality built environment in the future. We believe that the THAB rules should reflect and enable the intended built environment of the THAB zone, which is high quality density.

5.5. We are also extremely concerned about the unintended consequences that *Plan Change 79: Transport* will have in relation to the THAB zone. The combination of proposals will directly result in an increased amount of onsite concrete, decreased amenity values and a decrease in yield site. The collective result of Plan Change 78 and 79 may be in direct opposition of one another given there are site specifications as to where a building, turning bay and pedestrian accessways are to be. We specifically outline our concerns in more detail in our submission on Plan Change 79.

Height controls

5.6. We believe in many cases, developments of more than six storeys are appropriate for a site's circumstances. The proposal of "up to" six storey buildings within walkable catchments for THAB zones does not unlock the intention of the NPS-UD. It is important that the rules allow for variation, with greatest height in areas with the greatest accessibility. Greater heights should be encouraged along transport corridors and close to amenities such as Train Stations. 871.12

5.7. It is also crucial that any maximum height restriction allows variation for factors such as topography. Site specific variation is vital for ensuring that the highest quality developments are built. Alternatively, in the modified THAB zone, Auckland Council could rely upon the Height in Relation to Boundary rules to limit heights in select circumstances, which could encourage site amalgamation and consideration of outlooks.

5.8. Unfortunately, the Council has taken a blanket approach limiting development to "up to" six storeys within the THAB zone which will have huge design impacts as outlined in the section below.

THAB rules and impact on skyline

5.9. The NPS-UD requires Auckland Council to enable buildings of at least six or more storeys within walkable catchments of the city centre, metropolitan centres and rapid transit stations. In order to give effect to the requirements of the NPS-UD, Auckland Council is proposing to upzone these catchments using a modified version of the existing Terraced Housing and Apartment Building "(THAB") zone that will enable developments of "up to" six storeys to be built within the THAB zone.

5.10. We are concerned that the modified THAB rules will see the encouragement of a uniform 6 storey approach to development across Auckland. We believe that a healthy built environment entails a varied skyline; with greater density close to centres and along transport routes, before lowering the further out you get.

5.11. We would also stress that the NPS-UD sets six storeys as the minimum, in many cases developments higher than six storeys would be appropriate. We recommend rules that enable greater height and more flexible design rules, where appropriate within the THAB zone (e.g., close to centres and along transport routes).

5.12. The proposed rules could also have further unintended design consequences for the city. For example, if six storey developments become the most feasible residential developments, we could run the risk of the city ending up with only six storey developments. We encourage Auckland Council to work closely with residential developers to encourage incentives for a wide range of development density and designs, including rules that support developments that are closer to eight to ten storeys in height where appropriate.

Feasibility

5.13. The proposed rules may also lead to feasibility issues for achieving the desired development outcomes. Ensuring development feasibility, especially for residential developments, is an important consideration that Auckland Council should be aware of. Planning regulations can often add significant costs to developments, impacting the viability of some developments while shaping the size and scale of others.

Carparking

5.14. One area of concern for our members, is escalating regulatory barriers to providing car parking for residential developments. While we acknowledge that the NPS-UD has removed minimum car parking requirements, we would also stress that for many developments there is still market demand for car parking and zoning rules need to be flexible enough to enable this to be provided in an efficient manner. 871.13 871.14

THAB rules outside walkable catchments

5.15. Under current proposals, there would be two slightly different THAB zone rules, for THAB zones within walkable catchments and THAB zones outside walkable catchments. Auckland Council, in its consultation documents in May, queried whether these zones should be amalgamated. We continue to support a single, cohesive approach to THAB zoning rules across the city. This would simplify the development process and improve ease of regulatory compliance. However, it is important that the Council consider and encourage differing expectations of height controls to ensure that any single THAB rules had a positive impact across city. We recommend extending THAB zone rules to outside of walkable catchments. 871.15

6. Proposed approach to the City Centre Zone

6.1. Under the requirements of the NPS-UD, Auckland Council must enable as much development capacity as possible in the City Centre Zone. Accordingly, Auckland Council has proposed a number of changes to the City Centre Zone. These include the removal of the Gross Floor Area (GFA) standard – and the GFA bonus standard – as well as the removal of the general height control and an extension to the outlook space control. 871.16

6.2. Property Council supports the aforementioned changes to the City Centre Zone. The removal of general height controls and the GFA standard will enable far greater investment and development in Auckland's City Centre. 871.17 871.18

6.3. We firmly believe that these policy changes will serve as a catalyst for the revitalisation of Auckland's City Centre as a desirable place for people to live, work and play. A revitalised city centre will serve as a vibrant community, providing access to high quality modern living opportunities for many Aucklanders.

7. Proposed approach to Qualifying matters (excluding Special Character)

7.1. There are a number of qualifying matters identified in the NPS-UD, that Auckland Council must account for. On top of these, Auckland Council has proposed implementing a number of additional qualifying matters.

7.2. Property Council strongly opposes the proposed inclusion of infrastructure constraints as a qualifying matter. With the inclusion of infrastructure constraints as a qualifying matter, there is a high risk that significant areas of Auckland have their development capacities unduly restricted. We are worried that the inclusion of infrastructure constraints as a qualifying matter could see otherwise viable new housing developments unable to be built. Auckland is in desperate need of additional housing, and we believe that this could prove to be a significant barrier to solving Auckland's housing needs.

7.3. Central Government is well aware of the current infrastructure deficit and did not choose to include infrastructure constraints as a qualifying matter in the NPS-UD.

7.4. Instead, Central Government has recently passed the Infrastructure Funding and Financing Act, which unlocks an array of new funding arrangement for the provision of infrastructure to support development. In recent weeks, Central Government has also announced a $1.4 billion investment from the Housing Acceleration Fund, to build infrastructure to support new housing developments in Auckland.

7.5. Combined, we believe that these factors highlight that Central Government does not view infrastructure constraints as an applicable qualifying matter and does not want it as a barrier to development. We believe that the market can make informed decisions and work closely with Auckland Council to unlock future development and infrastructure investment.

7.6. We oppose the inclusion of infrastructure constraints as a qualifying matter.

7.7. Property Council understands the need to properly fund new infrastructure to support future developments. We have consistently supported a range of financial models that unlock infrastructure investment.

7.8. Instead of including infrastructure constraints as a qualifying matter, we recommend that Auckland Council make use of transparent, beneficiary pays funding models for the provision of core infrastructure. Examples of these models include targeted rates, user-pays systems, and special purpose vehicles (SPVs). These alternatives meet the legislative principles of transparency and objectivity for funding local government set out in both the *Local Government Act 2002* and *Local Governing (Rating) Act 2002.* Our approach is also consistent with the recommendation of the New Zealand Productivity Commission that local government should adopt a more transparent approach to rating tools and other funding sources[1].

7.9. We would also strongly urge Auckland Council to work closely with Central Government to unlock further joint funding approaches to the provision of new infrastructure to support much needed development in Auckland. Joint funding, such as that provided for in the Housing Acceleration Fund, has the potential to provide significant quantities of new infrastructure for Auckland.

8. Proposed approach to Special Character as a qualifying matter

8.1. The NPS-UD and RMA Amendment effectively removes the existing Special Character Overlays in the current Unitary Plan unless there is an applicable qualifying matter. Auckland Council has proposed in their draft response to include residential and business areas with special character value as a qualifying matter.

8.2. In order to identify the relevant areas to apply the qualifying matter to, Auckland Council conducted a site survey of the areas with the existing Special Character Overlays. Under the proposed approach, any area eligible for special character as a qualifying matter must meet certain criteria.

8.3. Property Council believes that it is important to effectively balance the preservation of special character with unlocking additional development capacity for Auckland. We believe that it is crucial that Auckland Council both preserve's our cities heritage, where appropriate, but also enables development to meet our cities future housing needs.

[1] Local government funding and financing. Retrieved from https://www.productivity.govt.nz/inquiries/local-government-funding-and-financing/

8.4. In broad terms, we are comfortable with the proposed intent of Auckland Council to include special character as a qualifying matter. Property Council is also generally in favour of the proposed approach taken to implementing changes to special character zoning. We believe the proposed approach strikes the appropriate balance between character preservation and future development.

8.5. However, given the scale to which the draft proposals retain special character protections, we strongly stress to Auckland Council the importance of ensuring that Auckland has sufficient development capacity elsewhere in the city.

8.6. Our earlier recommendations to provide for greater height and density rules in THAB, Metropolitan, Town and Local Centres would provide Auckland with the additional development capacity needed. We strongly urge Auckland Council to adopt our recommendations and enable greater urban intensification in our Metropolitan, Town and Local Centres as well as enable greater intensification in the THAB zone, where accessibility, amenities and demand are all strong.

9. Proposed approach to Auckland Light Rail

9.1. Auckland Council has classified the entire corridor through which Auckland Light Rail will run, as 'under investigation'. Auckland Council has not disclosed any significant insight into the proposed approach to zoning changes in the substantial part of Auckland found within the corridor.

9.2. Property Council are strong supporters of the Auckland Light Rail project. We are concerned that there is a lack of transparency provided to the property sector with regards to the proposed zoning changes in the Auckland Light Rail Corridor. Developers need certainty and clear access to information in order to make investment decisions that shape the built environment for generations.

9.3. It is vital that the approach taken to the zoning changes needed for Auckland Light Rail is pro-active. Auckland Light Rail is a project which will have a significant impact on the built environment of the city, and it is crucial that all stakeholders in the project are involved in decision making. We do, however, understand the difficulties faced by Auckland Council in this space, due to the lack of information currently available on the final route and specific station locations for Light Rail.

9.4. When looking at the intensification options associated with Auckland Light Rail, Auckland Council should be assessing the whole range of factors critical to the project's success. These include, but are not limited to, the potential for large scale zoning uplift, additional transport links to the new stations, alignment with other central and local government plans and market driven factors such as demand for housing.

9.5. As discussed earlier in this submission, we support the proposed 800m walkable catchment standard around rapid transit stations, such as those that will be built for Auckland Light Rail. We urge Auckland Council to ensure that these walkable catchments are not overly encumbered by qualifying matter overlays.

9.6. Given the clear significance of the Auckland Light Rail project to Auckland, we are disappointed with the current approach of Auckland Council of classifying the entire corridor as 'under

investigation'. We strongly recommend that as an initial decision, Auckland Council upzone based on current realities of Light Rail in Auckland. This would see upzoning to the THAB zone within walkable catchments of existing centres and rapid transport stations. In the long term, we recommend that Auckland Council work with Property Council to ensure that the approach to zoning and Auckland Light Rail is proactive and meets Auckland's future needs. 871.19

10. Waste Management

10.1. Auckland Council proposes additional requirements for waste management and minimisation plans, onsite collection of waste and accessibility requirements for collection. When these proposals are read in conjunction with *Plan Change 79: Transport* we are concerned with the prescriptive nature of the regulations and the risk of lost amenity given the onsite requirements for waste collection and accessibility. We stipulate more details outlining our concerns in relation to these changes in our submission on *Plan Change 79*. 871.20 871.21

11. Conclusion

11.1. Property Council welcomes the opportunity to provide feedback on Auckland Council's draft response to *Plan Change 78: Intensification*. There are various elements of the proposed approach that we support. However, we wish to see the city centre walkable catchment extended to at least be on par with Tauranga City Councils walkable catchment of 1.5kms. We also have deep concerns regarding the proposed intent of Auckland Council to include infrastructure constraints as a qualifying matter as we believe it contradicts the intent of the NPS-UD.

11.2. We have provided Auckland Council with a series of recommendations, including allowing for greater development capacity in THAB zones, Metropolitan, Town and Local Centres, that we believe would better align with the intent of the NPS-UD.

11.3. Property Council members invest, own, and develop property in Auckland. We wish to thank Auckland Council for the opportunity to submit on the Government's new housing rules: What it means for Auckland, as this gives our members a chance to have their say in the future of our city.

11.4. Any further enquires do not hesitate to contact Logan Rainey, Advocacy Advisor, via email: Logan@propertynz.co.nz or cell: 021410787. Property Council wishes to be heard in support of our submission at a hearing.

Yours Sincerely,

Leonie Freeman
CEO Property Council New Zealand

Property Council New Zealand
Foyer Level, 51 Shortland Street
PO Box 1033, Auckland 1140
09 373 3086
propertynz.co.nz

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HERITAGE NEW ZEALAND
POUHERE TAONGA

29th September 2022

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

Dear Sir or Madam

SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA

PROPOSED PLAN CHANGE 78 INTENSIFICATION:

To: Auckland Council

Name of submitter: Heritage New Zealand Pouhere Taonga

1. **This is a submission on the following proposed change to the Auckland Unitary Plan (Operative in Part) (the proposal):** Proposed Plan Change 78: This proposed plan change responds to the government's National Policy Statement on Urban Development 2020 (amended in 2022) and requirements of the Resource Management Act. These mean the council must:

   - enable more development in the city centre and at least six-storey buildings within walkable catchments from the edge of the City Centre, Metropolitan Centres and Rapid Transit Stops
   - enable development in and around neighbourhood, local and town centres
   - incorporate Medium Density Residential Standards that enable three storey housing in relevant residential zones in urban Auckland
   - implement qualifying matters to reduce the height and density of development required by the RMA to the extent necessary to accommodate a feature or value that means full intensification is not appropriate.

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

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

   Qualifying Matters, Special Character Areas, Green Spaces, Incentives, Significant Infrastructure Constraints, Auckland War Memorial View Shaft Overlay, Maunga Viewshafts and Height Sensitive Areas Overlay, City Centre Character Buildings and built form controls, Stockade Hill public views, Ridgeline Protection Overlay, and Māori Cultural heritage.

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

4.1 Heritage New Zealand Pouhere Taonga (HNZPT) is generally supportive of the Qualifying Matters covered by the NPS-UD legislation which include:

a) A matter of national importance

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b) A matter required to give effect to a national policy statement or the New Zealand Coastal Policy Statement
c) A matter required to give effect to Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River
d) A matter required to give effect to the Hauraki Gulf Marine Park Act 2000 or the Waitākere Ranges Heritage Area Act 2008
e) A matter required for the purpose of ensuring the safe or efficient operation of nationally significant infrastructure
f) Open space provided for public use, but only in relation to land that is open space
g) The need to give effect to a designation or heritage order, but only in relation to land that is subject to the designation or heritage order
h) A matter necessary to implement or ensure consistency with iwi participation legislation
J) The requirement to provide sufficient business land to meet expected demand

4.2 HNZPT particularly endorses the protection required for D17 Historic Heritage, D21 Sites and Places of Significance to Mana Whenua, and places under Heritage Orders afforded by recognition as qualifying matters. 872.1 872.2 872.3

4.3 HNZPT also supports the proposed inclusion of additional Qualifying Matters including: 872.4 872.5 872.6 872.7 872.8 872.9 872.10 872.11 872.12 872.13

a) Special Character Areas (Residential and Business)
b) City Centre Character Buildings and built form controls
c) Notable Trees
d) Auckland War Memorial Museum Viewshaft Overlay
e) Stockade Hill public views
f) Ridgeline Protection Overlay
g) Significant Infrastructure constraints
h) Māori Cultural Heritage – Pukekiwiriki Pā
i) Māori Cultural Heritage - Pararēkau Island
j) Transport constraints in Beachlands

5. Heritage New Zealand Pouhere Taonga (HNZPT) recognizes and supports that more housing in Auckland is required to meet current and future growth needs.

6. However, the recent Auckland Unitary Plan (AUP) already enables substantial housing capacity to accommodate the need for increased housing and growth. It was recognized by Auckland Council at the time the AUP was drawn up that it needed to provide for a large capacity of new homes and increased higher density and achieved this through a fair democratic planning process. 872.14

7. The NPS-UD in its intensification focus seems predicated on the provision of new housing stock. There is no discussion related to the recognition of the contribution of adaptive re-use, regeneration, and repurposing of existing buildings for housing, nor discussion on this this may be encouraged and facilitated. At a time when carbon reductions and attention to addressing the effects of climate change are imperative, and many buildings in the city are vacant and/or underutilized, lack of attention to this sustainable approach and the failure of Plan Change 78 to address this, seems a serious omission as a way to address the intensification of the city. 872.15

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8. The push for intensification and increased density in the city is not balanced by any new provisions to create more parks, recreational and green spaces to ensure that people have good and ample access to open spaces.

9. HNZPT supports the inclusion of infrastructure restrictions as a qualifying matter. There are areas in the city where infrastructure is already stretched and would prove insufficient to service increased densification, and furthermore would pose severe limitations and difficulties in being able to be upgraded/widened/extended due to nature of a street's narrowness, configuration, etc.

10. While Historic Heritage is afforded protection as a qualifying matter, attendant matters covered by this Plan Change will adversely affect many heritage places and diminish their pre-PC78 status. Not only will adjacent intensified developments have the potential to impact negatively on the settings of many heritage places, but the elimination of an incentive like the Transferable Development Rights bonus for heritage, takes away a benefit of potential value.

11. SPECIAL CHARACTER AREAS

11.1 Heritage New Zealand Pouhere Taonga) HNZPT supports the inclusion of Special Character Areas (SCA) as a qualifying matter. Special Characters Areas are well recognized as a valuable resource enhancing all people's experience of the city and contributing to our collective sense of place and well-being.

11.2 HNZPT does not however support the reasoning or methodology associated with the re-assessment survey and consequent re-drawing of the SCAs. 872.16

11.3 HNZPT rather supports the retention of the pre-PC78 notification SCAs. These were determined using the full panoply of assessment criteria and established following extensive Council, public, and professional consideration. By contrast, the re-assessments undertaken for PC78 use only partial and selective criteria, and arbitrary formulas for determination of inclusion. 872.17 872.18

11.4 Criteria used for re-evaluation has been selective - heavily building focussed - and while not disputing that the built character is very important, the assessments have not been comprehensive, and are as a result skewed. The fuller criteria in the AUP represents a more rounded set of considerations which includes built form and typology, topography, the nature of the streetscapes themselves and urban structure including patterns of subdivision and roads, settings, vegetation and landscape characteristics, all of which together constitute the nature of special character, and depending on the area within the city, of differing special character. At the time of Plan Change 163, Special Character criteria was rigorously debated, discussed, and confirmed, and extensive heritage professional analysis and assessments carried out. That robust work underpinned the Special Character values which were eventually included in the AUP.

11.5 It follows that if criteria for assessment is partial and incomplete, then the scoring cannot be relied upon to reflect the special character values in their fullness. Too, a numerical point system is not a fine grained, qualitative approach. It is a system of assessment that Auckland Council abandoned (for assessing historic heritage) when the AUP was notified, but inexplicably resurrected for the re-assessment survey PC78.

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11.6 The assessment methodology for assessing 'Integrity' states that 'The assessment of integrity relates only to the primary building, not to any accessory buildings, outbuildings or boundary treatments.' Not only does this limit the ability to assess character integrity fully, as in many cases these elements may valuably contribute, but it is inconsistent. By omitting these elements for consideration on the one hand, say an original garage which as an outbuilding is not considered, on the other hand the guidance states that if it is an intrusive garage, it is considered, and the score reduced.

11.7 Moreover, this can be deceptive, as one may demote the value of a place based on what can or cannot be seen from restricted Google Earth Street views, whereas in reality a front garage or high wall may not be obscuring a place when experienced from a wider street context. The assessments need to be made in the round considering the inter-relationships between places, between constructed street environments and settings, examining the contribution of topographic characteristics and features, and landscape and vegetation. A site-by-site Google Earth survey does not adequately capture this. Holistic on-site area viewing is needed to more accurately consider and assess special character areas as the whole picture must be considered and will be more significant than the sum of its individual parts.

11.8 The bar of ascertaining whether a place is of 'high' special character, contrived to cull the places previously deemed special character, diminishes the integrity of the pre-PC78 SCAs. The identified areas of special character had already been distinguished as distinctive in this regard and worthy of a level of recognition and protection. There is some arbitrariness involved if a place is included by the percentage formula if limited to a score of 6 or 5, but a scoring of 5 or 4 are both defined as character supporting. Further, the setting of percentages of 75% of places special character for walkable catchments and 66% for those areas outside of walkable catchments also seem arbitrary, and have been set too high to meaningfully reflect the special character present in these localities.

11.9 While it is noted that the surveys were to be attentive to whether there may be areas of high 'scoring' that may be considered for review as historic heritage or historic heritage areas, no proposals to elevate/increase the number of historic heritage areas has been included as part of the PC78. In HNZPT's view this work should have been part of the work undertaken for this Plan Change and a commitment made to assess and elevate as appropriate some of the high character areas to historic heritage areas. 872.19

11.10 The re-assessment survey resulted in the elimination of some of the special character areas that previously existed, and the erosion of many others. Where reduced, some of the areas have either been eliminated as SCAs or what is left have become isolated and disconnected pockets of special character, where previously they were continuous and cohesive, united by a historic consistency of character and collective importance.

11.11 There is already sufficient capacity provided by the forward thinking AUP to accommodate the levels of growth envisaged and needed for the future. And if one were to responsibly consider the opportunities presented by adapting existing buildings to residential units[1] and the contribution this could make to addressing housing needs, there would be even greater capacity enabled. There is no need to unduly compromise the integrity and value of the special character areas of the city

[1] Many buildings (including heritage ones) have undergone adaptation of this nature such as former John Courts and George Courts Department Stores, the Guardian Trust Building, Dilworth Building, etc

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and compromise the contribution they make to the sense of place, identity and amenity for all people in Auckland.

12. GREEN SPACES

12.1 There is no counterbalancing in PC78 of the envisaged intensification with the provision to provide for more open and green spaces, nor adequate consideration of the potential effects of intensification on diminishing current greenery in our city. 872.20

12.2 An Auckland Conversation held late in 2021 entitled 'Greening our City' advocated for the need for more green spaces and outlined the values of doing so, - from engendering health and well-being amongst the people living in and experiencing the city to carbon absorption and improved air quality. The eventual demise of trees and vegetation with land cleared for intensification will undoubtably have an environmental impact on the city, and with no plan to increase greenery and green space in the city the negative effect of this will be exacerbated.

13. INCENTIVES

13.1 The disestablishment of the Transferable Development Rights heritage bonus takes away an important incentive for heritage. 872.21

13.2 While there have been periods in time when the value of the TDRs has fluctuated, they have remained a potential advantage for heritage owners in order to help support the work to conserve their places for the wider public benefit. There does not appear to have been consideration given as to how this may be revised or re-figured to continue to provide a beneficial and continued incentive for heritage places.

14. SIGNIFICANT INFRASTRUCTURE CONSTRAINTS

14.1 The inclusion of infrastructure restrictions as a qualifying matter is important as there are severe limitations in certain areas of the city where additional infrastructure cannot be easily accommodated. The nature and configuration of some narrow historic streets is such that they cannot be widened, extended and/or re-configured without adverse environmental effects, loss of character and amenity items such as trees and streetscape features, and/or loss of heritage, including archaeology.

15. AUCKLAND WAR MEMORIAL MUSEUM VIEWSHAFT OVERLAY

15.1 HNZPT supports the limitation of building height to protect the view and qualities associated with this historic heritage place.

15.2 In view of the outstanding HNZPT Category 1 significance of the Auckland War Memorial Museum, HNZPT has an interest in reviewing the eventual 'new text to be inserted' that is specified for 19.1 Background. 872.22

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16. MAUNGA VIEWSHAFTS AND HEIGHT SENSITIVE AREAS OVERLAY

16.1 HNZPT supports the volcanic viewshafts and height sensitive areas overlay retained as qualifying matters (under the matters of national importance as a NPS-UD Qualifying Matter). 872.23

16.2 However, there is mention of 'new text to be inserted' for sections D14.2 Objectives, D14.3 Policies, D14.4 Activity Table etc. which HNZPT would appreciate the opportunity to review. 872.24

17. CITY CENTRE CHARACTER BUILDINGS AND BUILT FORM CONTROLS

17.1 HNZPT is pleased to see the rules maintaining and enhancing the character of pre-1940s building within the Queen Street Valley Precinct will be sustained. We also support this for specific sites outside the precinct of high significance or strong contribution to the character of the area. We are pleased that all new buildings will continue to go through a resource consent process. We are also supportive of maintaining the special height controls as well as maximum dimensions, setbacks, separations etc. 872.25

17.2 However, reviewing the AUP's 'H8. Business – City Centre Zone' we noticed many instances where 'new text to be inserted'. We would like an opportunity to review the new text before further comment can be given. 872.26

18. STOCKADE HILL PUBLIC VIEWS

18.1 HNZPT supports the addition of the Stockade Hill public view. We commend the recognition that individual viewing points, heights and their locally significant viewshafts contribute to the unique character of Auckland's neighbourhoods.

19. RIDGELINE PROTECTION OVERLAY

19.1 HNZPT is supportive of the proposal to continue to limit the height of buildings on ridges.

19.2 Text has yet to be inserted, particularly in relation to D15.3 Policies and D15.6. Standards and others. 872.27

20. MĀORI CULTURL HERITAGE

20.1 Pukekiwiriki Pā historic reserve. HNZPT is supportive of the proposal for the maintenance of the relationship of manawhenua and their culture and traditions with this culturally important site to be considered as a qualifying matter to ensuring the retention of the existing permitted height of 8m + 1m height for roof of the four properties adjacent Pukekiwiriki Pā Historic Reserve Red Hills.

20.2 Pararēkau Island. HNZPT is supportive of the proposal for Māori relationship with their Taonga as a qualifying matter in respect to Paraēkau Island applying a low-density residential Zone to the Island to maintain the wāhi tapu, wāhi nohoanga and wāhi taonga māori values of the place.

21. The reasons for Heritage New Zealand's position are as follows:

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22.1 There is a need to ensure that Auckland remains a city that is a vibrant, healthy and liveable place, and remain an environment that its residents can enjoy and be proud of. This involves guaranteeing that its heritage, special character and open and green spaces assets and amenities are retained and well provided for.

22.2 The Qualifying Matters as set out in the NPS-UD and the PC78 proposed additional Qualifying Matters are generally supported and will assist in the above.

22.3 The AUP already provides for intensification needs (which with the adaptation of unused and underused existing buildings repurposed for housing will add more), which will enable growth without the need to compromise and diminish the valuable Special Character Area resource.

23 Heritage New Zealand seeks the following decision from the local authority:

23.1 Reject the redrawn Special Character Areas (as determined by the re-assessment surveys) and retain the pre-PC78 Special Character Areas**.**

23.2 Re-instate a revised form of Transferable Development Rights heritage bonus incentive that meaningfully benefits eligible heritage places.

23.3 Balance the effects of intensification by making provision for more open, recreational and green spaces.

23.4 Yet to be determined text should be developed and inserted in relation to many proposed Qualifying Matters as the nature and detail of the wording may impact on the level of protection conferred and consequently on the level of support HNZPT may offer.

24 Heritage New Zealand wishes to be heard in support of our submission.

Yours sincerely

BHParslow

pp for Sherry Reynolds

Director Northern Region

Address for Service:
Bev Parslow
PO Box 105 291, Auckland
09 307 9920
bparslow@heritage.org.nz