

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 78 - Brian McLure  
**Date:** Friday, 20 January 2023 11:20:10 am  
**Attachments:** [PC 78 BA Trustees Ltd Further Submission 1 to Fletchers Sub 1080.pdf](#)

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The following customer has submitted a Unitary Plan online further submission.

**Contact details**

Full name of person making a further submission: Brian McLure

Organisation name: BA Trustees Ltd

Full name of your agent: Colin Hardacre- Hardacre Planning Ltd

Email address: [colin@hardacreplanning.co.nz](mailto:colin@hardacreplanning.co.nz)

Contact phone number: 0272808409

Postal address:  
[colin@hardacreplanning.co.nz](mailto:colin@hardacreplanning.co.nz)  
auckland  
auckland 1051

**Submission details**

**This is a further submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

**Original submission details**

Original submitters name and address:  
Fletcher Residential Ltd  
PO Box 99922  
Newmarket  
Akl 1149

Submission number: 1080

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 1080

The reasons for my or our support or opposition are:  
See HPL attachment

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
See HPL attachment.

Submission date: 20 January 2023

Supporting documents  
PC 78 BA Trustees Ltd Further Submission 1 to Fletchers Sub 1080.pdf

**Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

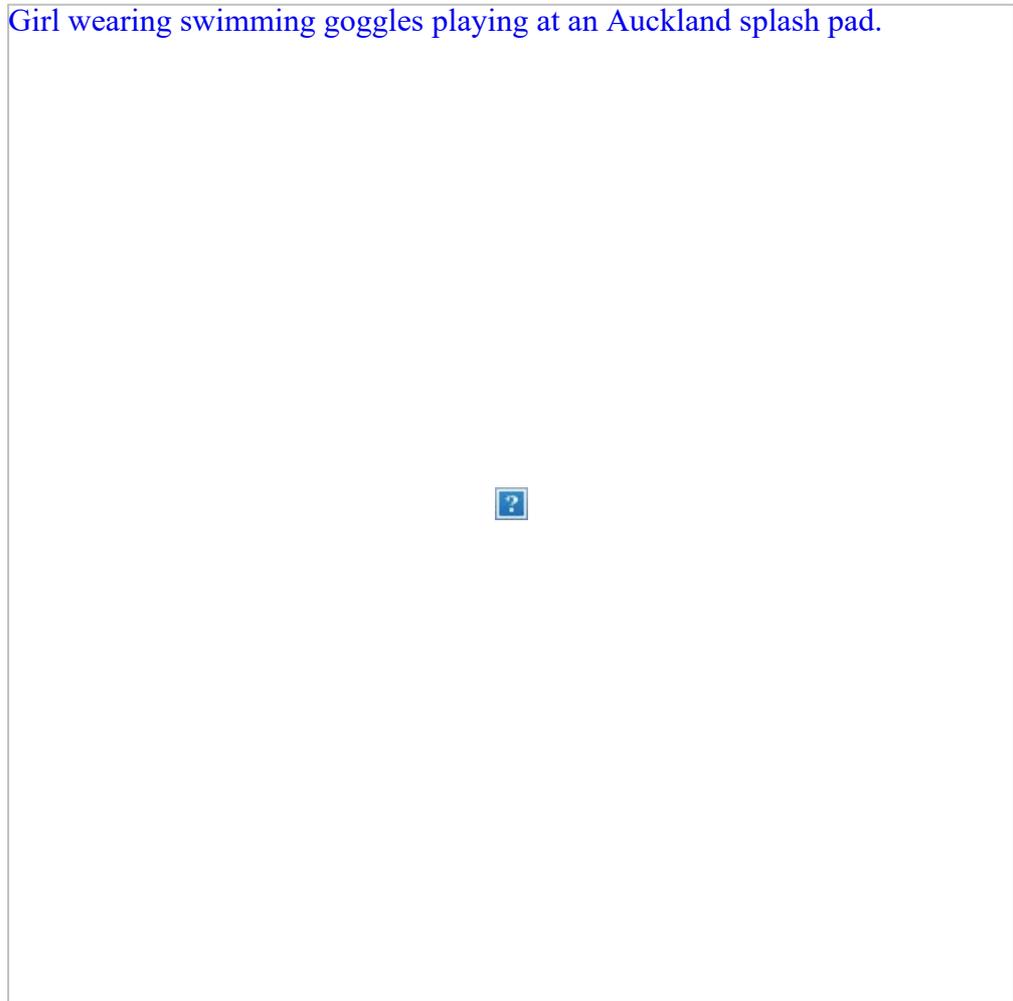
**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Landowner and ratepayer of sites in the Business Mixed Use and Business Local Centre zones

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

**Further Submitter details**

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

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number

Plan Change/Variation Name

I support :  Oppose  (tick one) the submission of:

*(Please identify the specific parts of the original submission)*

*(Original Submitters Name and Address)*

**Submission Number**

**Point-Number**

Fletcher Residential Living Ltd

1080	1080
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**The reasons for my support / opposition are:**

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) PC 78 Height Strategy

of the original submission be **allowed**

**disallowed**

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

Colin Ardmore

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

20 January 2023  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Getting you the planning go ahead to build

18 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF FLETCHER RESIDENTIAL LIVING LTD'S SUBMISSION –  
(Submission Number 1080)**

**1. The Further Submission subject is: PC 78 Height Strategy**

**2. The reasons for this Further Submission are:**

1. The plan change needs to be amended and modified to ensure that Plan Change 78 will:
  - i. contribute to well-functioning urban environments;
  - ii. be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
  - iii. meet the criteria under section 32 of the RMA;
  - iv. meet the reasonably foreseeable needs of future generations;

- v. be consistent with sound resource management practice and principles;
  - vi. be consistent with Part 2 of the RMA; and
  - vii. consistent with the proposed Built and Environment Bill and Act.
2. the Council has taken the minimum 6 storey height and development potential within walkable catchments under the NPSUD as a maximum;
  3. Under the section 32 material, the Jasmax Architects Ltd's technical advice in support of the plan change acknowledges that only a 5 storey redevelopment options would result rather than the minimum required by the NPSUD of 6 storeys minimum;
  4. The plan change will not provide for building height is commensurate with the level commercial activity and community services within and adjacent to neighbourhood centres, local centres and town Centre zones and as such will be contrary to Policy 3d;
  5. Additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial and commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  6. Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options; and
  7. The Council's plan change as advertised, will not give effect to the objectives and policies and purpose of the NPSUD and MDRS Density Standards.

**5. Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by Fletcher Residential Living Ltd as per their Original Submission Including Appendix 1 under the heading "PC 78 Height Strategy" being Submission Number 1080; or
- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

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

**Contact details / Address for Service**

**Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter:   
(Or person authorised to sign on behalf of submitter. A signature is not required if you make your submission by electronic means)

**COLIN HARDACRE**  
Authorised agent  
Director- Hardacre Planning Ltd  
BRP (Massey University 1980), MNZPI (23 July 1986)

Date: 20 January 2023.

Copy to: Mr. Brian McClure  
BA Trustees Ltd  
507/101 Customs Street West  
Viaduct Harbour  
Auckland City 1010.

Fletcher Living Ltd  
Private Bag 99922  
Newmarket  
Auckland 1149.

Attention: Mr. Aidan Donnelly

By email: kbergin@frl.co.nz



**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 78 - BA Trustees Ltd  
**Date:** Friday, 20 January 2023 1:01:03 pm  
**Attachments:** [PC 78 BA Trustees Further Submission to Universal Homes Submission 2083.pdf](#)

---

The following customer has submitted a Unitary Plan online further submission.

**Contact details**

Full name of person making a further submission: BA Trustees Ltd

Organisation name: BA Trustees Ltd

Full name of your agent: Colin Hardacre - Hardacre Planning Ltd

Email address: [colin@hardacreplanning.co.nz](mailto:colin@hardacreplanning.co.nz)

Contact phone number: 0272808409

Postal address:  
Level 1  
Accounting Chambers  
642 Great South Road  
Ellerslie  
auckland  
auckland 1051

**Submission details**

**This is a further submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

**Original submission details**

Original submitters name and address:  
Universal Homes Ltd  
C/- Campbell Brown Planning Ltd  
Po Box 147001  
Ponsonby, Auckland 1144

Submission number: 2083

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number See HPL attachment

The reasons for my or our support or opposition are:  
See HPL attachment

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
See HPL attachment.

Submission date: 20 January 2023

Supporting documents

PC 78 BA Trustees Further Submission to Universal Homes Submission 2083.pdf

**Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Business Mixed Use and Business Local Centre zone landowner

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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

**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

**Further Submitter details**

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

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	<input type="text" value="PC 78"/>
Plan Change/Variation Name	<input type="text" value="Intensification"/>

I support :  Oppose  (tick one) the submission of:

*(Please identify the specific parts of the original submission)*

*(Original Submitters Name and Address)*

Submission Number	Point-Number
<input type="text" value="2083"/>	<input type="text" value="2083"/>

Universal Homes Ltd

**The reasons for my support / opposition are:**

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) See HPL attachment

of the original submission be **allowed**

**disallowed**

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

*Colin Hadzovic*

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

20 January 2023  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Getting you the planning go ahead to build

19 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF UNIVERSAL HOMES LTD – (Submission Number 2083)**

**1. The Further Submission subject is: H10 Business – Town Centre Zone, H11. Business – Local Centre Zone, H12 Business – Neighbourhood Centre Zone and H13 the Business – Mixed Use Zone.**

**2. The reasons for this Further Submission are:**

1. the Plan Change needs to be amended to ensure that Plan Change 78 will:
  - (i) contribute to well-functioning urban environments;
  - (ii) be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
  - (ii) meet the criteria under section 32 of the RMA;
  - (iv) meet the reasonably foreseeable needs of future generations;
  - (v) be consistent with sound resource management practice and principles;

- (vi) be consistent with Part 2 of the RMA; and
  - (vii) be consistent with the proposed Built and Environment Bill and Act;
2. the reasoning by the is generally correct in planning fact and law;
  3. the submission stating that the NPSUD and MDRS intention is a simplify the planning process – not complicated and enabling development and intensification and the supply of affordable housing throughout the Auckland urban region is supported;
  4. there are sites within the walkable catchments of Business Zones where more than 6 storey buildings will be appropriate and consistent with the NPSUD and MDRS Density Standards;
  5. as proposed, the Plan Change will not provide for building heights for the commercial activity and community services within and adjacent to Business Mixed-Use, Town Centre, Neighbourhood Centre and Local Centre zones and as such, will be contrary to Policy 3d;
  6. additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial, commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  7. by the Council's section 32 material, Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options;
  8. in these Business Mixed-Use, Town Centre and Local Centre Zones, greater NPSUD urban environment efficiency and effectiveness is required and a greater redevelopment opportunities and development potential are required than the Council's proposed 6 storeys – which is actually only 5 storeys – as required to enable and support a feasible higher density developments within the Auckland urban context. This approach is supported by Walter Christaller's "Central Place Theory" and other land economics studies;
  9. the Submitter's submission point 8, referencing policy 6 (b) of the NPSUD is supported;
  10. the Council's plan change as advertised, will not give effect to the NPSUD objectives, policies and purpose; and
  11. as advertised, the Plan Change will not promote appropriate NPSUD and MDRS Density Standards and enable Intensification.

**5. Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by the Original Submission; or
- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

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

**Contact details / Address for Service****Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter: Colin Hardacre  
 (Or person authorised to sign on behalf of submitter. A signature is not required if you make your submission by electronic means)

**COLIN HARDACRE**  
**Authorised agent**  
**Director- Hardacre Planning Ltd**

Date: 20 January 2023.

Copy to: Mr. Brian McClure  
 BA Trustees Ltd  
 507/101 Customs Street West  
 Viaduct Harbour  
 Auckland City 1010.

Universal Homes Ltd

C/- Campbell Brown Planning Ltd  
PO Box 147001  
Ponsonby  
Auckland 1114

By email: [michael@campbellbrown.co.nz](mailto:michael@campbellbrown.co.nz)

---

**From:** UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Friday, 20 January 2023 12:31 pm  
**To:** Unitary Plan  
**Subject:** Unitary Plan further submission - Plan Change 78 - BA Trustees Ltd  
**Attachments:** PC 78 BA Trustees Ltd Further Submission to Property Council NZ Submission 871.pdf

The following customer has submitted a Unitary Plan online further submission.

**Contact details**

Full name of person making a further submission: BA Trustees Ltd

Organisation name: BA Trustees Ltd

Full name of your agent: Hardacre Planning Ltd - Colin Hardacre

Email address: colin@hardacreplanning.co.nz

Contact phone number: 0272808409

Postal address:  
Level 1  
Accounting Chambers  
642 Great South Road  
Ellerslie  
auckland  
auckland 1051

**Submission details**

**This is a further submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

**Original submission details**

Original submitters name and address:  
Property Council NZ

Submission number: 871

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number See HPL attachment

The reasons for my or our support or opposition are:  
See HPL attachment

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
See HPL attachment.

Submission date: 20 January 2023

Supporting documents

PC 78 BA Trustees Ltd Further Submission to Property Council NZ Submission 871.pdf

### Attend a hearing

I or we wish to be heard in support of this submission: Yes

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

### Declaration

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:

Business Mixed Use and Business Local Centre zone landowner

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

**Further Submitter details**

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

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number

Plan Change/Variation Name

I support :  Oppose  (tick one) the submission of:

*(Please identify the specific parts of the original submission)*

*(Original Submitters Name and Address)*

**Submission Number**

**Point-Number**

Property Council NZ	871	871
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**The reasons for my support / opposition are:**

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) Housing Instensifaction In Mixed USE Areas and Height Controls

of the original submission be allowed

disallowed

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

*Colin Hardacre*

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

Date

*20 January 2023*

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

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

Getting you the planning go ahead to build

19 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF PROPERTY COUNCIL NEW ZEALAND SUBMISSION –  
(Submission Number 871)**

**1. The Further Submission subject is: Heights controls - Submission points 871.1, 871.2, 871.3, 871.4, 871.5, 871.10, 871.11 and 871.12.**

**2. The reasons for this Further Submission are:**

1. the Plan Change needs to be amended and modified to ensure that Plan Change 78 will:
  - (i) contribute to well-functioning urban environments;
  - (ii) be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
  - (ii) meet the criteria under section 32 of the RMA;
  - (iv) meet the reasonably foreseeable needs of future generations;
  - (v) be consistent with sound resource management practice and principles;

- (vi) be consistent with Part 2 of the RMA: and
  - (vii) will be consistent with the proposed Built and Environment Bill and Act;
2. the Council has taken the minimum 6 storey height and development potential within walkable catchments under the NPSUD as a maximum;
  3. the Council's section 32 material including Jasmx Architects Ltd technical advice in support of the plan change acknowledges that only a 5 storey redevelopment options would result rather than the minimum required by the NPSUD of 6 storeys minimum;
  4. the Council has taken the minimum 6 storey development opportunities to be a maximum;
  5. there are sites within the walkable catchments of Business Zones where more than 6 storey buildings will be appropriate and consistent with the NPSUD and MDRS Density Standards;
  6. as proposed, the Plan Change will not provide for building heights to be enabling with the level commercial activity and community services within and adjacent to Business Mixed-Use, Town Centre and Local Centre zones and as such will be contrary to Policy 3d;
  7. additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial, commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  8. by the Council's section 32 material, Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options;
  9. in these Business Mixed-Use, Town Centre and Local Centre Zones, greater NPSUD urban environment efficiency and effectiveness is required and a greater redevelopment opportunities and development potential are required than the Council's proposed 6 storeys – which is actually only 5 storeys – as required to enable and support a feasible higher density developments within the Auckland urban context. This approach is supported by Walter Christaller's "Central Place Theory" and other land economic studies;
  10. the Council's plan change as advertised, will not give effect to the NPSUD objectives, policies and purpose;
  11. as advertised, the Plan Change will not promote appropriate NPSUD and MDRS Density Standards and enable Intensification;

**5. Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by the Property Council New Zealand as per their Original Submission under the heading "Heights controls" being Submission Number 871; or
- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

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

**Contact details / Address for Service****Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter: Colin Hardacre  
 (Or person authorised to sign on behalf of submitter. A signature is not required if you make your submission by electronic means)

**COLIN HARDACRE**  
**Authorised agent**  
**Director- Hardacre Planning Ltd**

Date: 20 January 2023.

Copy to: Mr. Brian McClure  
 BA Trustees Ltd  
 507/101 Customs Street West  
 Viaduct Harbour  
 Auckland City 1010.

Property Council New Zealand  
PO Box 1033  
Auckland 1140

Attention: Ms Leonie Freeman.

---

**From:** UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Friday, 20 January 2023 12:01 pm  
**To:** Unitary Plan  
**Subject:** Unitary Plan further submission - Plan Change 78 - BA Trustees Ltd  
**Attachments:** PC78 BA Trustees Ltd Further Submission 2 to Fletchers Submission 1080.pdf

The following customer has submitted a Unitary Plan online further submission.

**Contact details**

Full name of person making a further submission: BA Trustees Ltd

Organisation name: BA Trustees Ltd

Full name of your agent: Colin Hardacre - Hardacre Planning Ltd

Email address: colin@hardacreplanning.co.nz

Contact phone number: 0272808409

Postal address:  
Level 1  
Accounting Chambers  
642 Great South Road  
Ellerslie  
Auckland  
auckland 1051

**Submission details**

**This is a further submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

**Original submission details**

Original submitters name and address:  
Fletcher Residential Living Ltd  
Private Bag 99922  
Newmarket  
Auckland 1149

Submission number: 1080

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number 1080

The reasons for my or our support or opposition are:  
See HPL attachment

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
See HPL attachment.

Submission date: 20 January 2023

Supporting documents  
PC78 BA Trustees Ltd Further Submission 2 to Fletchers Submission 1080.pdf

**Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Business Mixed Use and Business Local Centre landowner

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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.

**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

**Further Submitter details**

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

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	<input type="text" value="PC 78"/>
Plan Change/Variation Name	<input type="text" value="Intensification"/>

I support :  Oppose  (tick one) the submission of:

*(Please identify the specific parts of the original submission)*

*(Original Submitters Name and Address)*

**Submission Number**

**Point-Number**

Fletcher Residential Living Ltd	<input type="text" value="1080"/>	<input type="text" value="1080"/>
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**The reasons for my support / opposition are:**

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) PC 78 Heights in Commercaill Zones

of the original submission be allowed

disallowed

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

Colin Hardwell - agent  
Signature of Further Submitter  
(or person authorised to sign on behalf of further submitter)

20 January 2023  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Getting you the planning go ahead to build

18 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF FLETCHER RESIDENTIAL LIVING LTD'S SUBMISSION –  
(Submission Number 1080)**

- 1. The Further Submission subject is: Heights within Commercial Zones**
  
- 2. The reasons for this Further Submission are:**
  1. the Plan Change needs to be amended and/or modified to ensure that Plan Change 78 will:
    - (i) contribute to well-functioning urban environments;
    - (ii) will be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
    - (ii) will meet the criteria under section 32 of the RMA;
    - (iv) will meet the reasonably foreseeable needs of future generations;
    - (v) will be consistent with sound resource management practice and principles;

- (vi) will be consistent with Part 2 of the RMA; and
  - (vii) will be consistent with the proposed Built and Environment Bill and Act;
2. the Council has taken the minimum 6 storey height and development potential within walkable catchments under the NPSUD as a maximum;
  3. the Council by its own admission and the Jasmex Architects Ltd technical advice in support of the plan change acknowledges that only a 5 storey redevelopment options would result rather than the minimum required by the NPSUD of 6 storeys minimum;
  4. the plan change will not provide for building heights to be enabling with the level commercial activity and community services within and adjacent to Business Mixed-Use, Town Centre and Local Centre zones and as such will be contrary to Policy 3d;
  5. additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial and commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  6. by the Council's section 32 material, Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options;
  7. in these Business Mixed-Use, Town Centre and Local Centre Zones, greater NPSUD urban environment efficiency and effectiveness is required and a minimum of 8 storey redevelopment opportunities and development potential to enable and support a feasible higher density developments within the Auckland urban context. This approach is supported by Walter Christaller's "Central Place Theory" and other land economic studies;
  8. the Council's plan change as advertised, will not give effect to the NPSUD objectives, policies and purpose; and
  9. as advertised, the Plan Change will not promote appropriate NPSUD and MDRS Density Standards and enable Intensification.

5. **Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by Fletcher Residential Living Ltd as per their Original Submission Including Appendix 1 under the heading "Heights within Commercial Zones" being Submission Number 1080; or

- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

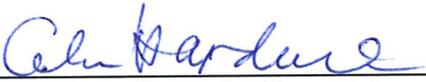
If others make a similar submission, I will consider presenting a joint case with them at a hearing.

**Contact details / Address for Service**

**Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter:   
 (Or person authorised to sign on behalf of submitter. A signature is not required if you make your submission by electronic means)

**COLIN HARDACRE**  
**Authorised agent**  
**Director- Hardacre Planning Ltd**

Date: 20 January 2023.

Copy to: Mr. Brian McClure  
 BA Trustees Ltd  
 507/101 Customs Street West  
 Viaduct Harbour  
 Auckland City 1010.

Fletcher Living Ltd  
 Private Bag 99922  
 Newmarket  
 Auckland 1149

Attention: Mr. Aidan Donnelly

By email: kbergin@frl.co.nz

**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only
Further Submission No:
Receipt Date:

**Further Submitter details**

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

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number

Plan Change/Variation Name

I support :  Oppose  (tick one) the submission of:

(Please identify the specific parts of the original submission)

(Original Submitters Name and Address)

**Submission Number** **Point-Number**

NZ Housing Foundation

938	938
-----	-----

**The reasons for my support / opposition are:**

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) See HPL attachment

of the original submission be allowed

disallowed

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

*Colin Gardner*

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

Date

*20 January 2023*

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Getting you the planning go ahead to build

19 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF NEW ZEALAND HOUSING FOUNDATION – (Submission Number  
938)**

**1. The Further Submission subject is: H10 Business – Town Centre Zone,  
H11. Business – Local Centre Zone, H12 Business – Neighbourhood Centre Zone  
and H13 the Business – Mixed Use Zone.**

**2. The reasons for this Further Submission are:**

1. the Plan Change needs to be amended or modified to ensure that Plan Change 78 will
  - (i) contribute to well-functioning urban environments;
  - (ii) will be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
  - (ii) will meet the criteria under section 32 of the RMA;
  - (iv) will meet the reasonably foreseeable needs of future generations;

- (v) will be consistent with sound resource management practice and principles;
  - (vi) will be consistent with Part 2 of the RMA; and
  - (vii) will be consistent with the proposed Built and Environment Bill and Act;
2. The submission stating that the NPSUD and MDRS intention is a simplify the planning process – not complicated and enabling development and intensification and the supply of affordable housing throughout the Auckland urban region is supported;
  3. There are sites within the walkable catchments of Business Zones where more than 6 storey buildings will be appropriate and consistent with the NPSUD and MDRS Density Standards;
  4. As proposed, the Plan Change will not provide for building heights for the commercial activity and community services within and adjacent to Business Mixed-Use, Town Centre, Neighbourhood Centre and Local Centre zones and as such, will be contrary to Policy 3d;
  5. additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial, commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  6. by the Council's section 32 material, Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options;
  7. in these Business Mixed-Use, Town Centre and Local Centre Zones, greater NPSUD urban environment efficiency and effectiveness is required and a greater redevelopment opportunities and development potential are required than the Council's proposed 6 storeys – which is actually only 5 storeys – as required to enable and support a feasible higher density developments within the Auckland urban context. This approach is supported by Walter Christaller's "Central Place Theory" and other land economics studies;
  8. The Submitter's submission point 8, referencing policy 6 (b) of the NPSUD is supported;
  9. the Council's plan change as advertised, will not give effect to the NPSUD objectives, policies and purpose; and
  10. as advertised, the Plan Change will not promote appropriate NPSUD and MDRS Density Standards and enable Intensification.

**5. Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by the Original Submission; or
- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

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

**Contact details / Address for Service****Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter: \_\_\_\_\_



**COLIN HARDACRE**  
**Authorised agent**  
**Director- Hardacre Planning Ltd**

Date: \_\_\_\_\_ 2023.



Copy to: Mr. Brian McClure  
 BA Trustees Ltd  
 507/101 Customs Street West  
 Viaduct Harbour  
 Auckland City 1010.

NZ Housing Foundation  
 C/- Campbell Brown Planning Ltd  
 PO Box 147001  
 Ponsonby Auckland 1114

By email: [michael@campbellbrown.co.nz](mailto:michael@campbellbrown.co.nz)

**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only
Further Submission No:
Receipt Date:

**Further Submitter details**

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

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	PC 78
Plan Change/Variation Name	Intensification

I support :  Oppose  (tick one) the submission of:

*(Please identify the specific parts of the original submission)*

*(Original Submitters Name and Address)*

**Submission Number** **Point-Number**

Kianga Ora Homes and Communities	873	873

**The reasons for my support / opposition are:**

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) See HPL attachment

of the original submission be **allowed**

**disallowed**

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

Colin Hardacre

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

23 January 2023  
Date

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Getting you the planning go ahead to build

19 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF KAIANGA ORA – (Submission Number 873)**

**1. The Further Submission subject is: their Submission in relation to the Business Zones, Walkable Catchments and the Height Variation Control and Appendix 3. Walkable Catchment and Height Variation Control Methodology.**

**2. The reasons for this Further Submission are:**

1. the Plan Change needs to be amended or modified to ensure that it will:
  - (i) contribute to well-functioning urban environments;
  - (ii) be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
  - (ii) meet the criteria under section 32 of the RMA;
  - (iv) meet the reasonably foreseeable needs of future generations;
  - (v) be consistent with sound resource management practice and principles;

- (vi) be consistent with Part 2 of the RMA; and
  - (vii) be consistent with the proposed Built and Environment Bill and Act;
2. The submission stating that the NPSUD and MDRS intention is a simplify the planning process – not complicated and enabling development and intensification and the supply of affordable housing throughout the Auckland urban region is supported;
  3. There are sites within the walkable catchments of Business Zones where more than 6 storey buildings will be appropriate and consistent with the NPSUD and MDRS Density Standards;
  4. As proposed, the Plan Change will not provide for building heights for the commercial activity and community services within and adjacent to Business Mixed-Use, Town Centre, Neighbourhood Centre and Local Centre zones and as such, will be contrary to Policy 3d;
  5. additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial, commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  6. by the Council's section 32 material, Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options;
  7. in these Business Mixed-Use, Town Centre and Local Centre Zones, greater NPSUD urban environment efficiency and effectiveness is required and a greater redevelopment opportunities and development potential are required than the Council's proposed 6 storeys – which is actually only 5 storeys – as required to enable and support a feasible higher density developments within the Auckland urban context. This approach is supported by Walter Christaller's "Central Place Theory" and other land economics studies;
  8. the Submitter's submission point 8, referencing policy 6 (b) of the NPSUD is supported;
  9. the Council's plan change as advertised, will not give effect to the NPSUD objectives, policies and purpose; and
  10. as advertised, the Plan Change will not promote appropriate NPSUD and MDRS Density Standards and enable Intensification;

**5. Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by the Original Submission; or
- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

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

**Contact details / Address for Service****Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter: \_\_\_\_\_

(Or person authorised to sign on behalf of submitter.)

**COLIN HARDACRE**  
**Authorised agent**  
**Director- Hardacre Planning Ltd**

Date: 23 January 2023.

Copy to: Mr. Brian McClure  
 BA Trustees Ltd  
 507/101 Customs Street West  
 Viaduct Harbour  
 Auckland City 1010.

Kaianga Ora – Homes and Communities  
 PO Box 74598  
 Green Lane

Auckland 1051

Attention: Mr Brendan Liggett

By email:  
development[planning@kianagora.govt.nz](mailto:planning@kianagora.govt.nz)

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 78 - BA Trustees Ltd  
**Date:** Friday, 20 January 2023 3:01:08 pm  
**Attachments:** [BA Trustees Ltd Further Submission to Kaianga Ora Submission 873.pdf](#)

---

The following customer has submitted a Unitary Plan online further submission.

**Contact details**

Full name of person making a further submission: BA Trustees Ltd

Organisation name: BA Trustees Ltd

Full name of your agent: Hardacre Planning Ltd

Email address: colin@hardacreplanning.co.nz

Contact phone number: 0272808409

Postal address:  
Level 1  
Accounting Chambers  
642 Great South Road  
Ellerslie  
auckland  
auckland 1051

**Submission details**

**This is a further submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

**Original submission details**

Original submitters name and address:  
Kaianga Ora  
PO Box 74598  
Greenlane  
Auckland 1051

Submission number: 873

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number See HPL attachment

The reasons for my or our support or opposition are:  
See HPL attachment

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
See HPL attachment.

Submission date: 20 January 2023

Supporting documents

BA Trustees Ltd Further Submission to Kaianga Ora Submission 873.pdf

**Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Business Mixed Use and Business Local Centre zoned landowner

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



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.

**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



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

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

For office use only Further Submission No:
Receipt Date:

**Further Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

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

BA Trustees Ltd

**Address for service of Further Submitter**

C/- Hardacre Planning Ltd, Level 1, Accounting Chambers, 642 Great South Road, Ellerslie, Auckland 1051

Attention: Colin Hardacre

Telephone:  Fax/Email:

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the following proposed plan change / variation:

Plan Change/Variation Number	<input type="text" value="PC 78"/>
Plan Change/Variation Name	<input type="text" value="Intensification"/>

I support :  Oppose  (tick one) the submission of:

(Please identify the specific parts of the original submission)

(Original Submitters Name and Address)

Submission Number

Point-Number

Civitas Planning Consultants Ltd	<input type="text" value="812"/>	<input type="text" value="812"/>
----------------------------------	----------------------------------	----------------------------------

The reasons for my support / opposition are:

See Hardacre Planning Ltd info attached

(continue on a separate sheet if necessary)

I seek that:

the whole :

or part  (describe precisely which part) See HPL attachment

of the original submission be allowed

disallowed

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

*Colin Hardacre*

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

Date

*23 January 2023*

**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)

Landowner and ratepayer of sites in the Business Local Centre and Business Mixed Use zones.

\_\_\_\_\_  
\_\_\_\_\_

**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

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

Getting you the planning go ahead to build

19 January 2023

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

By email: unitaryplan@aucklandcouncil.govt.nz

Dear Sir/Madam,

**Information in support of a CROSS SUBMISSION to the Auckland Council's  
Proposed Plan Change 78 Intensification**

**Clause 8 of First Schedule, Resource Management Act 1991**

**FURTHER SUBMITTER: B.A. TRUSTEES LTD (Submission Number 1671)**

**IN SUPPORT OF CIVITAS PLANNING CONSULTANTS LTD SUBMISSION –  
(Submission Number 812)**

**1. The Further Submission subject is: Business zones and attached Table –  
Submission points 812.1, 812.2, 812.3 and 812.4.**

**2. The reasons for this Further Submission are:**

1. the Plan Change needs to be amended to ensure that Plan Change 78 will
  - (i) contribute to well-functioning urban environments;
  - (ii) will be consistent with the sustainable management of physical resources and the purpose and principles of the RMA;
  - (ii) will meet the criteria under section 32 of the RMA;
  - (iv) will meet the reasonably foreseeable needs of future generations;
  - (v) will be consistent with sound resource management practice and principles;

- (vi) will be consistent with the Part 2 of the RMA; and
  - (vii) will be consistent with the proposed Built and Environment Bill and Act;
2. the Council has taken the minimum 6 storey height and development potential within walkable catchments under the NPSUD as a maximum;
  3. the Council's section 32 material including Jasmax Architects Ltd technical advice in support of the plan change acknowledges that only a 5 storey redevelopment options would result rather than the minimum required by the NPSUD of 6 storeys minimum. The plan changes advertised imposes a 21.0 m high height limit whereas this Council section 32 report advises that a 22.5 m height limit will enable greater flexibility, amenity and cost efficiency;
  4. the Council has taken the minimum 6 storey development opportunities to be a maximum;
  5. there are sites within the walkable catchments of Business Zones where more than 6 storey buildings will be appropriate and consistent with the NPSUD and MDRS Density Standards;
  6. as proposed, the Plan Change will not provide for building heights to be enabling with the level commercial activity and community services within and adjacent to Business Mixed-Use, Town Centre, Neighbourhood Centre and Local Centre zones and as such will be contrary to Policy 3d;
  7. additional height and density requirements and opportunities are required within the Business Mixed Use, Town Centre, and Local Centre and Neighbourhood Centre Zones to facilitate high density apartment developments given that these zones have high accessible land to public transport, employment opportunities and options, business, commercial, commercial service, food and beverage and rest and recreation activities (Policies 3a, 3d, 4 and 6);
  8. by the Council's section 32 material, Plan Change 78 will not achieve the minimum 6 storeys as required by the NPSUD. It will only achieve 5 storey development and redevelopment options;
  9. in these Business Mixed-Use, Town Centre and Local Centre Zones, greater NPSUD urban environment efficiency and effectiveness is required and a greater redevelopment opportunities and development potential are required than the Council's proposed 6 storeys – which is actually only 5 storeys – as required to enable and support a feasible higher density developments within the Auckland urban context. This approach is supported by Walter Christaller's "Central Place Theory" and other land economics studies;
  10. the Council's plan change as advertised, will not give effect to the NPSUD objectives, policies and purpose; and
  11. as advertised, the Plan Change will not promote appropriate NPSUD and MDRS

Density Standards and enable Intensification.

5. **Decision / Relief sought:**

I seek the following decision from the Auckland Council:

- The relief sought by the Civitas Planning Consultants Ltd as per their Original Submission under the heading "Business zones of the AUP" being Submission Number 812; or
- Any alternative, consequential and/or other changes that will address the concerns of the Further Submitter.

The Further Submitter wishes to be heard in support of their submission.

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

**Contact details / Address for Service**

**Hardacre Planning Ltd – Colin Hardacre**

Telephone: mobile 027-280-8409.

Email: colin@hardacreplanning.co.nz

Signature of Submitter: \_\_\_\_\_

*Colin Hardacre*

**COLIN HARDACRE**  
**Authorised agent**  
**Director- Hardacre Planning Ltd**

Date: \_\_\_\_\_ 2023.

*20 January*

Copy to: Mr. Brian McClure  
 BA Trustees Ltd  
 507/101 Customs Street West  
 Viaduct Harbour  
 Auckland City 1010.

Civitas Property Consultants Ltd  
PO Box 47020,  
Ponsonby,  
Auckland 1144

Attention: Iain McManus

By email: [iain@civitas.co.nz](mailto:iain@civitas.co.nz)

**From:** [UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanFurtherSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan further submission - Plan Change 78 - BA Trustees Ltd  
**Date:** Friday, 20 January 2023 3:17:24 pm  
**Attachments:** [BA Trustees PC 78 Further Submission to Civitas Submission 812.pdf](#)

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The following customer has submitted a Unitary Plan online further submission.

**Contact details**

Full name of person making a further submission: BA Trustees Ltd

Organisation name: BA Trustees Ltd

Full name of your agent: Hardacre Planning Ltd - Colin Hardacre

Email address: [colin@hardacreplanning.co.nz](mailto:colin@hardacreplanning.co.nz)

Contact phone number: 0272808409

Postal address:  
[colin@hardacreplanning.co.nz](mailto:colin@hardacreplanning.co.nz)  
auckland  
auckland 1051

**Submission details**

**This is a further submission to:**

Plan change number: Plan Change 78

Plan change name: PC 78: Intensification

**Original submission details**

Original submitters name and address:  
Civitas Planning Consultants Ltd  
PO Box 47020  
Ponsonby  
Auckland 1144

Submission number: 812

Do you support or oppose the original submission? I or we support the submission

Specific parts of the original submission that your submission relates to:  
Point number See HPL attachment

The reasons for my or our support or opposition are:  
See HPL attachment.

I or we want Auckland council to make a decision to: Allow part of original submission

Specify the parts of the original submission you want to allow or disallow:  
See HPL attachment.

Submission date: 20 January 2023

Supporting documents  
BA Trustees PC 78 Further Submission to Civitas Submission 812.pdf

**Attend a hearing**

I or we wish to be heard in support of this submission: Yes

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

**Declaration**

What is your interest in the proposal? I am a person who has an interest in the proposal that is greater than the interest that the general public has

Specify upon which grounds you come within this category:  
Business Mixed Use and Business Local Centre zone landowner

I declare that:

- I understand that I must serve a copy of my or our further submission on the original submitter within five working days after it is served on the local authority
- I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

Girl wearing swimming goggles playing at an Auckland splash pad.



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