

Additional Topic¹ Allocation Form

Submitter name	Andrew Body
Submission number	374
Further submission number	
Date	Two submissions submitted on 20 and 27 September 2022

This form is to be completed by submitters who wish to have their submissions allocated to additional hearing topics. Please use the [Guide to creating topic and subtopic parties lists](#) to determine your current hearing topics.

You must send your Additional Topic Allocation Form (Form) to the Hearing Advisor npsudhearings@aucklandcouncil.govt.nz, as soon as possible or no later than 10 working days before the council's evidence is due.

On receipt of your Form, the Independent Hearing Panel (IHP) chair will determine whether to allow the request.

The IHP will make all Forms and its decision available on the Independent Hearing Panel webpage.

Note: Submitters will retain allocation of original hearing topics whether or not the chair grants the request.

Additional Topic Allocation Criteria

The allocation request will only be permitted where:

- The primary submission is directly 'on' the requested topic, or if indirectly 'on' the requested topic reasons are to be provided why the additional allocation should be granted.
- The requested topic has not already been heard.
- The request is received no later than 10 working days prior to the council evidence exchange for the hearing topic (generally 25 working days before the hearing)
- The decision is consistent with the principles set out in [IHP Hearing Procedures](#) document dated December 2022 and any other Panel document.

Please complete the table(s) below:

¹ Topic in this context means topic or subtopic depending on specificity of the request.



Request 1

Submission point number (if any)	374.3
Requested topic allocation	In addition to the currently allocated topic 015E another topic 014G-I should be allocated
Requested subtopic allocation	014G-I
Reasons	My submission point 374.3 involves Topic 14 (height of 19m) and 15 (HIRB of 14m + 60 degrees) for THAB.
Text of submission 'on' the topic	Building height and height-in-relation to boundary (HIRB) rules for THAB zone in the Operative Unitary Plan and PC78 outside the walkable catchments and containing more than 3 dwellings are the same. In its Residential and Business Zones Section 32 Evaluation Report, Auckland Council and its consultants are clear that the Operative Unitary Plan does not achieve its objectives for the THAB zone and by implication neither does PC78. The 8m + 60 degrees HIRB rule and 16m maximum height rules do not enable predominantly or at least 5 storey buildings to be built on a typical site in the THAB zone areas of the Auckland region. In order for the PC78 THAB HIRB and Height rules for outside the walkable catchments and 3 storey areas to meet their description and objectives they must be changed. As a suggestion the new HIRB and Height rules for outside the walkable catchments and 3 storey areas could be changed to 14m + 60 degrees and 19m respectively.

Request 2

Submission point	
Requested topic allocation	
Requested subtopic allocation	
Reasons	
Text of submission 'on' the topic	

You are welcome to attach additional pages if more space is required.

Panel Decision – if granted in part, please specify below.			
Granted 	Declined	Date: 14 February 2024	Signature: 

Reason:

The requested topics have not been heard. The request was received more than 10 working days prior to the council's exchange of evidence.

Request 1 is Granted submission point 374.3 is additionally allocated to Topic 014I as it is 'on' the topic.

Topics 014G, 014H, and 014I, together, address the matter of height within residential zones in the context of the National Policy Statement – Urban Development. 014G, 014H and 014I provides granularity by dividing the matter of height into policy principles (that is the appropriate response to providing at least 6 storeys as outlined by NPS-UD policies 3(b) and 3(c)), strategic approach (the planning mechanism whereby to achieve the policy response), and technical elements (the detailed specifications of provisions of the planning mechanism, that is, matters such as how to measure a storey), respectively.

The requester's identified submission point seeks to change the building height and height in relation to boundary standards of the Terrace Housing and Apartment Buildings Zone as applied to development outside of walkable catchment. The requesters full submission provides additional context that the change was sought to ensure the THAB zone meets its existing objective of enabling five storey buildings. Taken together, while the submission is on height, it is not on height in the context of applying NPS-UD Policy 3.

Notwithstanding, it is clear that the submission point is concerned with whether a certain height (as expressed in meters) will sufficiently provide for an identified number of storeys. Topic 014I will address this matter, and while in the context of NPS-UD Policy 3, any determination in that topic will have consequential effect on the broader application of height/storeys. Therefore, due to this causal link, the submission point is 'on' Topic 014I. For the reasons above, the submission point is not 'on' Topics 014G and 014H.

We also note that the submission point is allocated to Topic 015E Residential – Terrace Housing and Apartment Buildings Zone which provides the opportunity to address these matters in the context of residential standards more generally.