

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT AUCKLAND**

**I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHAKĒ
TĀMAKI MAKĀURĀU**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the hearing of submissions on the **Proposed
Private Plan Changes 50, 60 and 61**

**MEMORANDUM OF COUNSEL ON BEHALF OF
KĀINGA ORA - HOMES AND COMMUNITIES**

(PARTIAL WITHDRAWAL OF SUBMISSIONS)

11 JUNE 2021

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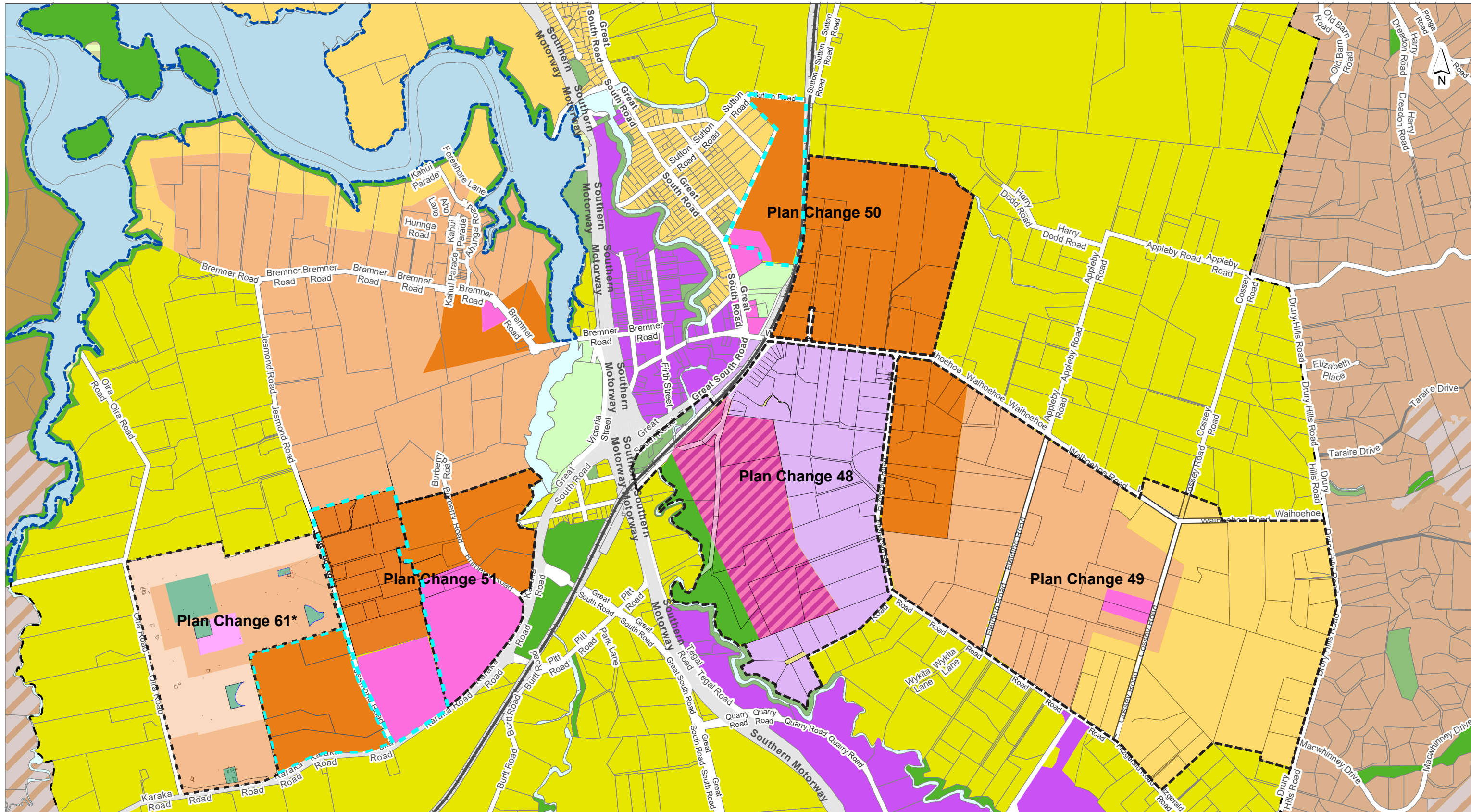
MAY IT PLEASE THE COMMISSIONERS:

1. This memorandum is filed on behalf of Kāinga Ora - Homes and Communities (Kāinga Ora).
2. Kāinga Ora is a submitter on a number of the private plan changes that are collectively being progressed as the “Drury Plan Changes”.
3. As part Private Plan Changes 50, 51 and 61, Kāinga Ora filed a submission seeking that additional areas of land be added to the plan change land to be rezoned. These additional areas are shown in the map attached as Schedule 1 (collectively, **rezoning relief**).
4. In light of recent developments, Kāinga Ora does not wish to proceed with the rezoning relief as part of these private plan change processes, and formally withdraws those submissions seeking the rezoning relief. Schedule 2 describes in more detail the submissions and further submissions withdrawn pursuant to this memorandum.
5. Kāinga Ora maintains its interest in all of its other submissions and further submissions on the Drury Plan Changes.

**B J Matheson****Counsel for Kāinga Ora - Homes and Communities**

SCHEDULE 1

MAP OF REZONING RELIEF TO BE WITHDRAWN



DISCLAIMER:
 This map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Land Parcel Boundary information from LINZ (Crown Copyright Reserved). Whilst due care has been taken, Auckland Council gives no warranty as to the accuracy and plan completeness of any information on this map/plan and accepts no liability for any error, omission or use of the information. Height datum: Auckland 1946.

Proposed Rezoning Map Plan Change 50, 51, 61 Submissions Withdrawn



Scale @ A3
 = 1:15,000

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Legend

- Metropolitan Centre Zone
- Mixed Use Zone
- Terraced Housing and Apartment Building Zone
- Mixed Housing Urban Zone
- Mixed Housing Suburban Zone

- Local Centre Zone
- Open Space Zone
- Notified Plan Change areas
- Proposed Zoning submission withdrawn

SCHEDULE 2

LIST OF SUBMISSION AND FURTHER SUBMISSION POINTS BEING WITHDRAWN

PC50 – Submission point 32.1 [**withdraw in part only**]

Approve the plan change, subject to inclusion of sites at 1 and 1A East Street for rezoning (see Attachment Two to the submission). Zone 1 East Street as THAB and 1A East Street as LCZ.

PC50 – Submissions point 32.2 [**withdraw in part only**]

Approve the plan change, subject to:

- *application of a 22.5m Height Variation Control across the proposed THAB zone (including 1 East St, Drury) (see Attachment Three to submission);*
- ~~*application of a 27m Height Variation Control over the extent of the proposed LCZ (including 1A East St, Drury and 200-212 Great South Rd) (see Attachment Three to submission)*~~

PC51 – Submission point 43.1 [**withdraw in part only**]

Approve the plan change, subject to:

- ~~*The zoning of 41 Jesmond Road, Drury as Business—Town Centres Zone. This aligns with the identified location of the future centre under the Drury Opāheke Structure Plan 2019;*~~
- ~~*The zoning of 85 Jesmond Road, Drury (owned by Kāinga Ora—Homes and Communities) as Terrace Housing and Apartment Buildings Zone; and*~~
- ~~*The zoning of the balance of land north of 85 Jesmond Road on the eastern side of Jesmond Road as Terrace Housing and Apartment Buildings Zone.*~~

PC51 – Submission point 43.2 [**withdraw in part only**]

Kāinga Ora submit it is appropriate to apply a 19.5m Height Variation Control over the extent of the proposed THAB zone (both within the Proposed extent of the Drury 2 precinct and THAB zoning sought within Kāinga Ora’s submission—refer Attachment Three), to better provide for design flexibility in achieving six storey development in proximity to centres and rapid transit stops.

PC61 - Submission point 20.3 [**withdraw**]

Kāinga Ora submit that it is appropriate for the land indicated in Attachment 1 of its submission to be included as part of PC61, and to be zoned Residential—Terrace Housing and Apartment Buildings (‘THAB’) in accordance with the Drury Opāheke Structure Plan. For the avoidance of doubt, that land comprises the following: 16 Jesmond Road, Drury; 64 Jesmond Road, Drury; 54 Jesmond Road, Drury; and 84 Jesmond Road, Drury.

PC 61- Attachment 1 [**withdraw**]