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I hereby give notice that a hearing by commissioners will be held on:

**Date:** Friday 1 October, Monday 4 October &  
Tuesday 5 October 2021  
**Time:** 9.30am  
**Meeting room:** Reception Lounge  
**Venue:** Level 2, Auckland Town Hall  
301 Queen Street, Auckland

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**PLAN CHANGE 60**  
**HEARING REPORT**  
**OPEN SPACE AND OTHER REZONING**  
**MATTERS**  
**AUCKLAND COUNCIL**

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**COMMISSIONERS**

**Chairperson** Janine Bell  
**Commissioner** Nicki Williams

Laura Ager  
KAITOHUTOHU WHAKAWĀTANGA / MĀTANGA  
MATAAMUA WHAKAWĀ  
SENIOR HEARINGS ADVISOR

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**Note:** The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

## **WHAT HAPPENS AT A HEARING**

### **Te Reo Māori and Sign Language Interpretation**

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

### **Hearing Schedule**

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

### **Cross Examination**

No cross examination by submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

### **The Hearing Procedure**

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- The **reporting officer** may provide a brief overview of the plan change.
- **Submitters** (for and against the plan change) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
  - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
  - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

### **Please note**

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

**A NOTIFIED PLAN CHANGE TO THE AUCKLAND UNITARY PLAN**

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**Reporting officer, Tony Reidy, Planner**

Reporting on a proposed plan change that seeks to:

- (a) Rezone 49 land parcels recently vested or acquired for open space purposes, so that the zoning of the land reflects its purpose and intended use;
- (b) Correct 22 open space zoning errors (usually private land that has been incorrectly zoned as open space);
- (c) Rezone 24 land parcels approved for disposal. (Note, three parcels have subsequently been withdrawn from PC60). These parcels are currently zoned as open space or shown as road in the AUP. They are proposed to be rezoned to either a residential or business zone, depending on the zoning of adjacent land; and
- (d) Rezone 8 land parcels (or groups of land parcels) to enable redevelopment by Kāinga Ora and/or to improve the quality of open space or access to it.







## **Hearing Report for Proposed Plan Change 60: Open Space (2020) and Other Rezoning Matters**

Section 42A Hearing Report under the Resource Management Act 1991

**Report to:** The Hearing Commissioners

**Date:** 1, 4 & 5 October 2021

**Subject** Proposed Plan Change 60: Open Space (2020) and Other Rezoning Matters

**File:** Hearing Report – Proposed Plan Change 60

**File Reference** U:\CPO\RLP\FC\LUP\OP PLANS\AUPModifications-Plan changes\PC 060 – Open Space (2020) and Other Rezoning Matters

**Report Author** Tony Reidy, Senior Policy Planner, Regional, North, West & Islands Planning, Plans and Places

**Report Approver** Eryn Shields, Team Leader, Regional, North, West and Islands Planning, Plans and Places

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## Summary of Proposed Plan Change 60 (PC60)

<b>Plan subject to change</b>	Auckland Unitary Plan 2016 (Operative in part)
<b>Number and name of change</b>	Proposed Plan Change 60: Open Space (2020) and Other Rezoning Matters
<b>Status of Plan</b>	Operative in part
<b>Type of change</b>	Council initiated proposed plan change.
<b>Committee date of approval (or adoption) for notification</b>	Planning Committee – 3 December 2020
<b>Parts of the Auckland Unitary Plan affected by the proposed plan change</b>	Planning maps only
<b>Date draft proposed plan change was sent to iwi for feedback</b>	27 October 2020
<b>Date of notification of the proposed plan change and whether it was publicly notified or limited notified</b>	28 January 2021  Publicly notified
<b>Plan development process used – collaborative, streamlined or normal</b>	Normal
<b>Submissions received (excluding withdrawals)</b>	107
<b>Date summary of submissions notified</b>	25 March 2021
<b>Number of further submissions received (numbers)</b>	28
<b>Legal Effect at Notification</b>	Nil
<b>Main issues or topics emerging from all submissions</b>	<p>Opposition to the rezoning of 142 Triangle Road, Massey (Maps 4 &amp; 37)</p> <p>Opposition to the proposed zone for 2157 East Coast Road, Stillwater (Map 71)</p> <p>Opposition to Auckland Council's rezonings and land sale:</p> <ul style="list-style-type: none"> <li>• All Auckland Council's rezonings</li> <li>• 1-5 Lippiatt Road, Otahuhu (Map 73)</li> <li>• 23 Waipuna Road, Mount Wellington (Map 75)</li> <li>• 12R Rockfield Road, Ellerslie (Map 76)</li> <li>• 11R Birmingham Road, Otara (Map 77)</li> </ul>

- 2R Keeney Court, Papakura (Map 78)
- Brandon Road walkway, Glen Eden (Map 79)
- 45 Georgina Street, Freemans Bay (Map 81)
- 36 Cooper Street, Grey Lynn (Map 82)
- 13 Davern Lane, New Lynn (Map 85)
- 67 East Street, Pukekohe (Map 86)
- Princes Street West, Pukekohe (Map 87)
- R105 Stott Avenue, Birkenhead (Map 93)
- 5R Ferguson Street, Mangere East (Map 94)
- 26 Princes Otahuhu (Map 96)

Support for and opposition to Kāinga Ora’s rezoning and “land swap” proposals

- R1 Greenslade Crescent, & 140 Lake Road, Northcote (Map 97)
- 27 and 33R Watchfield Close, Mangere (Maps 99 & 101)
- 117 Richardson Road, Owairaka (Map 98) and 14-16 Cassino Terrace, Owairaka (Map 102)
- 50 & 62 Mayflower Close, Mangere East (Maps 100 & 105)

Support for rezoning:

- 2 Timatanga Rise, Glen Innes (Map 8)
- R60 Rawene Road, Birkenhead (Map 11)
- 4 & 8 Peak Road, Kaukapakapa (Map 103)

Support for and opposition to rezoning:

- Trojan Crescent, New Lynn (Map 84)
- 1337 Whangaparaoa Road, Army Bay (Map 104)

Out of scope submissions (x2)

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## Abbreviations

Abbreviation	Meaning
AUP	Auckland Unitary Plan 2016 (Operative in Part)
NZCPS	New Zealand Coastal Policy Statement 2010
NPSIB	Proposed National Policy Statement for Indigenous Biodiversity
Eke Panuku	Eke Panuku Development Auckland
PC60	Proposed Plan Change 60
RMA	Resource Management Act 1991

Attachments	
Attachment 1	Plan Change 60: Open Space (2020) and Other Rezoning Matters – Proposed Map Changes
Attachment 2	Section 32 Reports – Auckland Council & Eke Panuku on Behalf of Auckland Council
Attachment 3	Relevant Legislative and Policy Framework
Attachment 4	Submissions and Further Submissions
Attachment 5	Recommended Changes to Plan Change 60
Attachment 6	Assessments of the Proposed Zone Changes Against the Relevant Sections of the Auckland Unitary Plan RPS
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Attachment 8	Qualifications and Experience

## EXECUTIVE SUMMARY

1. Proposed Plan Change 60 ('PC60') has four components. These apply to 103 land parcels/groups of land parcels and seek to:
  - (a) Rezone 49 land parcels recently vested or acquired for open space purposes, so that the zoning of the land reflects its purpose and intended use;
  - (b) Correct 22 open space zoning errors (usually private land that has been incorrectly zoned as open space);
  - (c) Rezone 24 land parcels approved for disposal. (Note, three parcels have subsequently been withdrawn from PC60). These parcels are currently zoned as open space or shown as road in the AUP. They are proposed to be rezoned to either a residential or business zone, depending on the zoning of adjacent land; and
  - (d) Rezone 8 land parcels (or groups of land parcels) to enable redevelopment by Kāinga Ora and/or to improve the quality of open space or access to it.
2. The plan change process set out in Schedule 1 of the RMA was adhered to in developing PC60.
3. PC60 was notified on 28 January 2021. The closing date for submissions was 1 March 2021. 107 submissions were received. Further submissions were notified on 25 March 2021 and closed on 12 April 2021. 28 further submissions were received.
4. In preparation for hearing on PC60, this hearing report has been prepared in accordance with section 42A of the RMA.
5. This report considers the issues raised by submissions on PC60, the Section 32 Assessments and site visits. The discussion and draft recommendations contained in this report are intended to assist the Hearing Commissioners, and those persons or organisations that lodged submissions on PC60. The recommendations contained within this report are not the decision of the Hearing Commissioners.
6. The report also forms part of council's ongoing reporting obligations, which is to consider the appropriateness of the proposed provisions, as well as benefits and costs of any policies, rules or other methods, as well as the consideration of issues raised by submissions on PC60.
7. Two reports in accordance with section 32 of RMA have also been prepared for this purpose and are attached in **Attachment 2** (one for the recently vested lots, the errors and Kāinga Ora's land redevelopment and one for Auckland Council's disposals). These 'Section 32 evaluation reports' and associated documentation related to PC60 are available on the council's website and should be considered in making decisions on PC60.
8. It is recommended that PC60 be approved, subject to the following amendments:

The proposed plan change be rejected for the following sites:

- 12R Rockfield Road, Ellerslie (Map 76)
- 11R Birmingham Road, Otara (Map 77)
- 2R Keeney Court, Papakura (Map 78)
- 45 Georgina Street, Freemans Bay (Map 81)
- 36 Cooper Street, Grey Lynn (Map 82)

- 13 Davern Lane, New Lynn (Map 85)
- R105 Stott Avenue, Birkdale (Map 93)
- 26 Princes Street, Otahuhu (Map 96)

The proposed plan change be amended for the following sites:

- 2157 East Coast Road, Stillwater (Map 71) – to be rezoned to Residential - Mixed Housing Urban zone
- Brandon Road Walkway, Glen Eden (Map 79) – retain the bulk of the walkway. A small section is recommended to be rezoned - that portion south-west of the “accessway to vest”, or alternatively an easement be created to maintain pedestrian access (see Attachment 5)
- Trojan Crescent, New Lynn (Map 84) – to be rezoned if Kāinga Ora agree to a replacement pocket park when the area is redeveloped
- 62 Mayflower Close, Mangere East (Map 105) - Rezone the site to road and open space informal recreation zone and follow the outline of those lot boundaries as shown on Attachment 5.

9. The reasons for rejecting the plan change for the above sites are outlined in this report and include:

- a deficiency of open space in an area
- the current zoning allows for intensification (e.g. Mixed Housing Suburban, Mixed Housing Urban, and Terrace Housing and Apartment Building)
- the open space provides a pedestrian or cycle connection and encourages walking and or cycling
- the open space contains significant trees or vegetation which would likely be lost as a result of development (and is contrary to the Auckland Council’s Urban Ngahere Strategy 2019 and Climate Plan 2020)
- the open space is a flood prone area and/or has an overland flow path
- the open space has heritage value.

10. In addition to this plan change, Auckland Council is also undertaking parallel reserve revocation processes under the Reserves Act 1977 for the following sites:

- R 24 Linwood Avenue Forrest Hill
- 1-5 Lippiatt Road Otahuhu
- 37 Olive Road Penrose
- 23 Waipuna Road Mount Wellington
- 12R Rockfield Road Ellerslie
- 11R Birmingham Road Otara
- 2R Keeney Court Papakura
- Brandon Road Glen Eden
- 67A Glengarry Road Glen Eden
- Princes Street West Pukekohe
- Paerata Road Pukekohe
- 39R Pohutukawa Road Beachlands
- 17W Hawke Crescent Beachlands
- 8 Magnolia Drive Waiuku
- 5R Ferguson Street Mangere East
- 31R Killington Crescent Mangere

## 1.0 BACKGROUND AND EXISTING PLAN PROVISIONS

11. PC60 has four components. The plan change seeks to:
  - a) Rezone 49 land parcels recently vested in or acquired by Auckland Council for open space purposes, so that the zoning of the land reflects its purpose and intended use;
  - b) Correct 22 open space zoning errors or anomalies (typically private land that has been incorrectly zoned as open space);
  - c) Rezone 24 land parcels that are currently zoned as open space or shown as road to an appropriate residential or business zone, depending on the zoning of adjacent land. Auckland Council has approved the sale of these land parcels. (note: three land parcels were subsequently withdrawn from the plan change); and
  - d) Rezone 8 land parcels or groupings of land parcels to facilitate redevelopment on behalf of Kāinga Ora and to better reflect the use of land.
12. Typically, over 100 new land parcels are either vested upon subdivision or acquired (through purchase) by Auckland Council as open space annually. The rezoning of recently vested or acquired land for open space purposes is necessary so that an appropriate zoning is applied to the land. The proposed zoning reflects the land's open space qualities and intended use and development (for open space/recreation purposes).
13. This is the fourth update to the zoning of open space since the AUP became operative in part in 2016. (Plan Change 4, Plan Change 13 and Plan Change 36 have previously updated the zoning of open spaces). These are all operative.
14. PC60 also includes corrections to some open space zoning errors and anomalies (a total of 22). These include privately owned land that has been zoned open space in error, open space that requires an appropriate zoning and situations where zonings do not follow cadastral boundaries. These errors and anomalies have been identified by either the general public or council staff.
15. PC60 also involves the rezoning of open space zoned land (or road) that has been through the rationalisation process, identified as surplus or not having a service need and is approved for disposal by Auckland Council. These are included in the Section 32 report prepared by Eke Panuku on behalf of Auckland Council.
16. Eke Panuku is a council-controlled organisation that resulted from the merging of Auckland Council Property Limited and Waterfront Auckland. One of the roles of Eke Panuku is the release of land or properties that can be better utilised by others.
17. 23 council-owned parcels of land which are surplus to Auckland Council's requirements have been approved for sale by Auckland Council. The 'Section 32 report' prepared by Eke Panuku on behalf of Auckland Council contained in **Appendix 2** outlines the process for identifying land parcels for sale.
18. PC60 seeks to rezone these parcels to a zone compatible with appropriate future uses given they are no longer required for council purposes. In most cases this is the zone of the adjoining land. Rezoning the sites for development prior to sale indicates to future purchasers the scale and intensity of development compatible with the site's qualities and the surrounding environment.



19. Where a parcel of land to be disposed of is adjacent to more than one zone, the zoning of the land to which it is likely to be amalgamated with, has been used to determine its zoning.
20. Auckland Council's decision to dispose of or sell the land parcels is separate from the zoning of the land. Zoning is a method used to implement the AUP's objectives and policies and to achieve the purpose of the RMA. The merit of any rezoning of land (from open space to residential or business) therefore must be assessed against the purpose of the RMA and the relevant AUP objectives and policies.
21. 16 of Auckland Council's land parcels are vested as reserve under the Reserves Act 1977 (refer to paragraph 10). A parallel process to uplift the reserve status is also underway. The Minister of Conservation must approve any reserve status revocation (or uplifting).
22. PC60 also proposes to rezone eight land parcels or groupings of land parcels to:
  - a) enable redevelopment by Kāinga Ora
  - b) improve the quality of open space/access to open space
  - c) or in the case of privately owned land, to better reflect its current use (for example, as golf course or cemetery).
23. This report assesses the appropriateness of the proposed changes in zoning for the 103 lots against the relevant legislation, national policy statements, AUP and other relevant plans and strategies.

## 2.0 PROPOSED CHANGES FOR PROPERTIES APPROVED FOR SALE

### 2.1 The Land Parcels

24. Table 1 below lists the 23 land parcels to be rezoned (Note: initially there were 26 land parcels and three have been withdrawn – 30 Willerton Avenue, New Lynn, 28R Simon Owen Place, Howick and 13 Davern Lane, New Lynn), the existing zone, the proposed zone under the AUP and the date of the Council resolution and the committee approving the disposal.
25. The rezoning and sale of these properties is part of Auckland Council's Covid – 19 Recovery Budget (2021 – 2031).

**Table 1: List of 24 land parcels proposed to be rezoned: Existing and proposed zones**

Address	Legal Description	Auckland Unitary Plan zone (Operative in part)	Proposed Zone	Local Board	Resolution Approving Disposal/Land Swap
R 24 Linwood Avenue Forrest Hill Auckland 0620	Part of Lot 251 DP 53183	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone	Devonport-Takapuna	FIN/2020/31 16 July 2020
1-5 Lippiatt Road Otahuhu Auckland 1062	Lot 2 DP 189032	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone	Mangere-Otahuhu	FIN/2020/31 16 July 2020

Address	Legal Description	Auckland Unitary Plan zone (Operative in part)	Proposed Zone	Local Board	Resolution Approving Disposal/Land Swap
37 Olive Road Penrose Auckland 1061	Lot 5 DP 98115	Open Space - Informal Recreation Zone	Business - Light Industry Zone	Maungakiekie-Tamaki	FIN/2020/31 16 July 2020
23 Waipuna Road Mount Wellington Auckland 1060	Section 2 SO 399704	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone	Maungakiekie-Tamaki	FIN/2020/31 16 July 2020
12R Rockfield Road Eilerslie Auckland 1061	Lot 9 DP 18690	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone	Maungakiekie-Tamaki	FIN/2020/31 16 July 2020
11R Birmingham Road Otara Auckland 2013	Lot 35 DP 57069	Open Space - Informal Recreation Zone	Business - Light Industry Zone	Otara-Papatoetoe	FIN/2020/31 16 July 2020
2R Keeney Court Papakura Auckland 2110	Lot 1 DP 88704	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone	Papakura	FIN/2020/31 16 July 2020
Brandon Road Glen Eden Auckland 0602	Lot 4 DP 49387	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone	Waitakere Ranges	FIN/2020/31 16 July 2020
67A Glengarry Road Glen Eden Auckland 0602	Lot 3 DP 57164	Road	Residential - Mixed Housing Urban	Waitakere Ranges	FIN/2020/31 16 July 2020
45 Georgina Street Freemans Bay Auckland 1011	Lot 3 DP 71812	Open Space - Informal Recreation Zone	Residential - Single House Zone	Waitemata	FIN/2020/31 16 July 2020
36 Cooper Street Grey Lynn Auckland 1021	Lot 1 DP 87358	Open Space - Informal Recreation Zone	Residential - Single House Zone	Waitemata	FIN/2020/31 16 July 2020
<del>30 Willerton Avenue New Lynn Auckland 0600</del>	<del>Lot 4 DP 38999</del>	<del>Open Space - Informal Recreation Zone</del>	<del>Residential - Mixed Housing Urban Zone</del>	<del>Whau</del>	<del>FIN/2020/31 16 July 2020 Withdrawn at the request of Eke Panuku</del>
Trojan Crescent New Lynn Auckland 0600	Lot 6 DP 119411	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone	Whau	FIN/2020/31 16 July 2020
13 Davern	Lot 13 DP	Open Space	Residential -	Whau	FIN/2020/31

Address	Legal Description	Auckland Unitary Plan zone (Operative in part)	Proposed Zone	Local Board	Resolution Approving Disposal/Land Swap
Lane New Lynn Auckland 0600	160552	- Informal Recreation Zone	Mixed Housing Urban Zone		16 July 2020 Withdrawn at the request of Eke Panuku
67 East Street Pukekohe Auckland 2120	Lot 2 DP 88435	Open Space - Informal Recreation Zone	Residential - Single House Zone	Franklin	FIN/2019/61 18 June 2019
Princes Street West Pukekohe Auckland 2120	Section 1 SO 430835	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone	Franklin	FIN/2019/61 18 June 2019
Paerata Road Pukekohe Auckland 2120	Lot 6 DP 16500	Open Space - Informal Recreation Zone	Residential - Single House Zone	Franklin	FIN/2019/61 18 June 2019
39R Pohutukawa Road Beachlands Auckland 2018	Lot 89 DP 19657	Open Space - Conservation Zone, Open Space - Informal Recreation Zone	Residential - Single House Zone	Franklin	Franklin Local Board – 26 March 2019 Parks etc 13 Feb 2020 PAC/2020/9 - Reserve Revocation
17W Hawke Crescent Beachlands Auckland 2018	Lot 11 DP 19523	Road	Residential - Single House Zone	Franklin	Franklin Local Board – 26 March 2019 Parks etc 13 Feb 2020 PAC/2020/9 - Reserve Revocation
8 Magnolia Drive Waiuku Auckland 2123	Lot 1 DP 190074	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone	Franklin	FIN/2020/31 16 July 2020
<del>28R Simon Owen Place Howick Auckland 2013</del>	<del>Lot 10 DP 444679</del>	<del>Open Space - Informal Recreation Zone</del>	<del>Residential - Mixed Housing Suburban Zone</del>	<del>Howick</del>	FIN/2020/31 16 July 2020 Withdrawn at the request of Eke Panuku
R 105 Stott Avenue Birkenhead Auckland 0626	Lot 3 DP 68569	Open Space - Conservation Zone	Residential - Single House Zone	Kaipatiki	FIN/2020/31 16 July 2020
5R Ferguson Street Mangere East Auckland 2024	Lot 46 DP 19985	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone	Mangere-Otahuhu	FIN/2020/31 16 July 2020
31R Killington Crescent	Lot 145 DP 58967	Open Space - Informal	Residential - Mixed Housing	Mangere-Otahuhu	FIN/2020/31 16 July 2020

Address	Legal Description	Auckland Unitary Plan zone (Operative in part)	Proposed Zone	Local Board	Resolution Approving Disposal/Land Swap
Mangere Auckland 2022		Recreation Zone	Urban Zone		
26 Princes Street Otahuhu Auckland 1062	Part Allot 9 Sec 1 Village of Onehunga	Open Space - Informal Recreation Zone	Business - Mixed Use Zone	Mangere-Otahuhu	FIN/2020/31 16 July 2020
R1 Greenslade Crescent, Northcote 0626 & 140 Lake Road, Northcote 0626	Lot 1 DP 54824, Lot 5 DP 66691, Lot 6 DP 66691, Lot 7 DP 66691	Open Space - Sport and Active Recreation & Residential - Terrace Housing and Apartment Buildings Zone	Residential - Terrace Housing and Apartment Buildings Zone & Open Space - Sport and Active Recreation	Kaipatiki	ENV/2019/116 10 July 2019

26. The process for identifying and approving council-owned properties for disposal is described in the background of the Section 32 report (Appendix 2) prepared by Eke Panuku on behalf of Auckland Council. Eke Panuku undertakes the sales process, including the required statutory processes on behalf of Auckland Council.

27. In summary, the process involves:

- Identification of a property that is non-service (i.e. not used to deliver infrastructure or a council service)
- Preparation of a rationalisation report
- Commercial evaluation
- Internal business consultation e.g. AC, AT & other CCO's, parks policy (Note: Parks policy assess any proposed disposal against their Open Space Provision Policy 2016)
- Preparation of a business case
- Mana whenua engagement
- Local board engagement
- Finance and Performance Committee decision
- Eke Panuku undertakes the disposal process including the required statutory processes (e.g. reserve revocation, road stopping)

28. Although the Council has resolved that the lots be disposed of, a planning assessment of the proposed new zoning is still required. A key question is whether the land is required to be zoned open space in order to achieve the objectives and policies of the AUP and the purpose of the RMA.

29. This is recognised in the resolution of the Finance and Performance Committee (Resolution: FIN/2020/31 – 16 July 2020) which states:

*(c ) recommend that Governing Body approve, subject to the satisfactory conclusion of any required statutory processes (including Mana Whenua engagement) the disposal of*

*the properties detailed in Schedule A with the final terms and conditions to be approved under the appropriate delegations.*

## **2.2 Withdrawal of Part of the Plan Change**

30. The Council can withdraw a plan change in whole or in part using Clause 8D of Schedule 1 of the Resource Management Act 1991 (the Act). The Council is required to publicly notify the withdrawal, and to give reasons for the withdrawal.
31. The following land parcels and the associated maps have been withdrawn from PC60:  
  
Map 83 - 30 Willerton Avenue, New Lynn  
Map 92 - 28R Simon Owen Place, Howick
32. The reasons for the withdrawal are:
  - 30 Willerton Avenue, New Lynn – development is severely constrained by the location of underground wastewater and stormwater infrastructure
  - 28R Simon Owen Place, Howick - is a flood plain and the possibility of future development requires further investigation.
33. The withdrawal of 30 Willerton Ave and 28R Simon Owen Place was publicly notified on 1 July 2021.

## **3.0 HEARINGS AND DECISION MAKING CONSIDERATIONS**

34. Clause 8B of Schedule 1 of the RMA requires that a local authority shall hold hearings into submissions on its proposed plan.
35. Hearing Commissioners have been appointed to determine council's decisions on submissions on PC60 under section 34 of the RMA. The Hearing Commissioners will not be recommending a decision to the council, but will be issuing the decision directly.
36. In accordance with section 42A of the RMA, this hearing report seeks to assist the Hearing Commissioners in hearings and deliberations.
37. This report summarises and discusses submissions received on PC60. It makes recommendations on whether to accept, in full or in part; or reject, in full or in part; each submission. This report also identifies what amendments, if any, should be made to address matters raised in submissions. Any recommendations in this report are not binding on the Hearing Commissioners.
38. The Hearing Commissioners will consider PC60, the Section 32 Reports and all the information in submissions together with evidence presented at the hearing.
39. Three late submissions were received:
  - i. 105 – CNC Design Ltd – in relation to 11R Birmingham Road, Otara
  - ii. 106 – MF Soponga – in relation to 5R Ferguson Street, Mangere
  - iii. 107 – Forest and Bird – in relation to Panuku's surplus land and rezoning's
40. The hearing commissioners will determine whether these late submissions should be accepted.

41. This report has been prepared by the following author and draws on technical advice provided by the following evaluative and technical experts:

Author and Section 32 Evaluation Report (Auckland Council)	Tony Reidy
Technical expert – Parks Policy	Ezra Barwell
Technical experts – Eke Panuku land disposal process/regeneration project and Section 32 Evaluation Report (Eke Panuku)	Carl May, Anna Papaconstantinou

#### 4.0 STATUTORY AND POLICY FRAMEWORK

42. The RMA requires that unitary authorities consider a number of statutory and policy matters when developing proposed plan changes.
43. PC60 was developed under the relevant statutory and policy matters. The submissions on PC60 were also considered under the relevant statutory and policy matters. The following section summarises this statutory and policy framework. Further detail is contained in **Attachment 3**.

#### 4.1 RESOURCE MANAGEMENT ACT 1991

44. Part 2 of the RMA sets out the purpose of the RMA. Consistency with Part 2 is discussed in more detail in the 'Section 32 Evaluation reports' attached in **Attachment 2**. I rely on the analysis contained in the Section 32 reports for PC36.
45. PC60 is a change to district level provisions within the AUP. As such, sections 31, 32, 73, 74, 75 and 76 of the RMA set out specific provisions that must be considered in the preparation of plan changes and are considered for PC60. These are summarised in Table 2 below and detailed in **Attachment 3**.

**Table 2: Sections of the Resource Management Act 1991 to be considered**

Relevant Act/ Policy/ Plan	Section	Matters
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 31	Functions of territorial authorities in giving effect to the RMA
Resource Management Act 1991	Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Resource Management Act 1991	Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan
Resource Management Act 1991	Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This

Relevant Act/ Policy/ Plan	Section	Matters
Act 1991		includes its functions under section 31, Part 2 of the RMA, national policy statements, other regulations and other matters
Resource Management Act 1991	Section 75	Outlines the requirements in the contents of a district plan
Resource Management Act 1991	Section 76	Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objectives and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effects (including adverse effects), of activities in the proposal, on the environment
Resource Management Act 1991	Schedule 1	Sets out the process for the preparation and change of policy statements and plans by local authorities

46. The mandatory requirements for plan preparation under the RMA are comprehensively summarised by the Environment Court in *Long Bay-Okura Great Park Society Incorporated and Others v North Shore City Council* (Decision A078/2008)<sup>1</sup>. The Court set out the following measures in this case for evaluating objectives, policies, rules and other methods.

Decision A078/2008:

#### **A. General requirements**

1. *A district plan (change) should be designed to accord with, and assist the territorial authority to carry out - its functions so as to achieve, the purpose of the Act.*
2. *When preparing its district plan (change) the territorial authority must give effect to any national policy statement or New Zealand Coastal Policy Statement.*
3. *When preparing its district plan (change) the territorial authority shall:*
  - (a) *have regard to any proposed regional policy statement;*
  - (b) *not be inconsistent with any operative regional policy statement.*
4. *In relation to regional plans:*
  - (a) *the district plan (change) must not be inconsistent with an operative regional plan for any matter specified in section 30(1) [or a water conservation order]; and*
  - (b) *must have regard to any proposed regional plan on any matter of regional significance etc.;*
5. *When preparing its district plan (change) the territorial authority must also:*
  - *have regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register and to various fisheries regulations; and to consistency with plans and proposed plans of adjacent territorial authorities;*
  - *take into account any relevant planning document recognised by an iwi authority; and*
  - *not have regard to trade competition;*

<sup>1</sup> Subsequent cases have updated the Long Bay summary, including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55.

6.	<i>The district plan (change) must be prepared in accordance with any regulation (there are none at present);</i>
7.	<i>The formal requirement that a district plan (change) must also state its objectives, policies and the rules (if any) and may state other matters.</i>
<b>B. Objectives [the section 32 test for objectives]</b>	
8.	<i>Each proposed objective in a district plan (change) is to be evaluated by the extent to which it is the most appropriate way to achieve the purpose of the Act.</i>
<b>C. Policies and methods (including rules) [the section 32 test for policies and rules]</b>	
9.	<i>The policies are to implement the objectives, and the rules (if any) are to implement the policies;</i>
10.	<i>Each proposed policy or method (including each rule) is to be examined, having regard to its efficiency and effectiveness, as to whether it is the most appropriate method for achieving the objectives of the district plan taking into account:</i> <i>(a) the benefits and costs of the proposed policies and methods (including rules); and</i> <i>(b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.</i>
<b>D. Rules</b>	
11.	<i>In making a rule the territorial authority must have regard to the actual or potential effect of activities on the environment.</i>
<b>E. Other statutes:</b>	
12.	<i>Finally territorial authorities may be required to comply with other statutes. Within the Auckland Region they are subject to:</i> <ul style="list-style-type: none"> <li>• <i>The Reserves Act 1974</i></li> <li>• <i>the Hauraki Gulf Maritime Park Act 2000;</i></li> <li>• <i>the Waitakere Ranges Heritage Area Act 2008</i></li> <li>• <i>the Local Government (Auckland) Amendment Act 2004.</i></li> </ul>

47. These requirements have been applied (with any necessary modifications from changes in legislation), since the Long Bay decision.

48. In the *Appealing Wanaka Inc v Queenstown Lakes District Council* (2015) NZEnvC 139 appeal, the Environment Court suggested that, apart from the formal requirements as to what a plan must (and may) contain, the sections outlined above impose three sets of positive obligations when preparing or changing a plan.

49. These are:

- to ensure the plan or change accords with the council's functions, including management of the effects of development, use and protection of natural and physical resources in an integrated way;



- to give proper consideration to Part 2 of the RMA and the lists of relevant statutory documents; and
  - to evaluate the proposed plan or change under Section 32 of the RMA.
50. In addition, a relevant recent case on the issue of zoning private land as open space is *Golf (2012) Limited v Thames – Coromandel District Council & others* (Decision No. (2019) NZEnC 112).
  51. The above decision addressed the issue of the appropriateness of zoning privately owned land as open space. It concerned the land at Matarangi presently occupied by a golf course and the provisions applicable to it in the Thames-Coromandel District Council's proposed District Plan, particularly the zoning of the Site and the controls in Section 27.3 - Matarangi Structure Plan of the proposed Plan.
  52. Paragraph 141 of the decision states “...*there remains the question whether the proposed zoning is the most appropriate way to achieve the objectives of the proposed Plan. In that assessment, the appellant's revised relief must be identified as a reasonably practicable option and assessed in terms of efficiency and effectiveness in achieving those objectives, as required under s 32(1)(b)RMA*”.
  53. This Section 42A Report therefore addresses the issue of whether the zoning of land as open space or an alternative zone is the most appropriate way to achieve the objectives of the AUP.

#### **4.2 NATIONAL POLICY STATEMENTS AND NATIONAL ENVIRONMENTAL STANDARDS OR REGULATIONS**

54. The New Zealand Coastal Policy Statement (NZCPS) 2010 is relevant to PC60. The proposed rezoning of “esplanade” reserves to an open space zone will assist in achieving the objectives of the NZCPS.
55. The proposed National Policy Statement for Indigenous Biodiversity (NPSIB) sets out the objectives and policies to identify, protect, manage and restore indigenous biodiversity under the RMA. The rezoning of land containing indigenous biodiversity to one of the Auckland Council’s open space zones (particularly the Open Space – Conservation and Open Space – Informal Recreation zones) will assist in achieving the purpose of the proposed NPSIB.
56. The National Policy Statement: Urban Development (NPS:UD) aims to ensure that New Zealand’s towns and cities are well-functioning urban environments that meet the changing needs of diverse communities. The National Policy Statement on Urban Development directs local authorities to enable greater supply of land for housing and business and ensures that planning is responsive to changes in demand, while seeking to ensure that new development capacity enabled by councils is of a form and in locations that meet the diverse needs of communities and encourages well-functioning, liveable urban environments. It also requires councils to remove overly restrictive rules that affect urban development outcomes in NZ cities. Auckland Council is currently investigating the implications of the NPS:UD with a view to notifying a plan change around August 2022.
57. Objective 1: of the NPS:UD is that 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.

58. Policy 1 defines well-functioning urban environments as having or enabling a variety of homes that as a minimum:

- (a)(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*
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (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*
- (d) support, and limit as much as possible adverse impacts on, the competitive operation of land and development markets; and*
- (e) support reductions in greenhouse gas emissions; and*
- (f) are resilient to the likely current and future effects of climate change.*

59. Auckland Council is undertaking a comprehensive approach to giving effect to the NPS-UD intensification requirements, in accordance with the timeframes specified for this by the Government (i.e. by August 2022 being two years after the commencement date of the NPS-UD), and is currently investigating whether there is further scope for urban intensification. Specifically, the Council will be investigating what existing capacity is already enabled throughout the zones in the region under the AUP and whether the residential capacities required are being met, then investigate development feasibility in areas required to be intensified.

60. The Environment Court considered the impact of the NPS-UD on a private plan change in its decision (*Eden-Epsom Residential Protection Society Incorporated v Auckland Council* [2021] NZEnvC 082) dated 9 June 2021 (released by the Court on 15 June 2021). The Environment Court decision is that the only NPS-UD objectives and policies that are relevant to the merits of a private plan change request (and by inference a Council initiated plan change) accepted by the Council are those that include specific reference to ‘planning decisions’ i.e. Objectives 2, 5 and 7 and Policies 1 and 6. In the absence of the Council having completed the work envisaged by other policies, it appears that currently only some sub-clauses of Policy 6 would apply.

61. There are no National Environmental Standards or Regulations relevant to PC60.

#### **4.3 AUCKLAND UNITARY PLAN (OPERATIVE IN PART) 2016**

62. For a plan change, the relevant regional policy statement and plans are also required to be considered in the preparation and in the analysis of the submissions for PC60.

63. Table 3 below lists the relevant regional policy statement and regional plan matters as well as district level provisions relevant to PC60.

**Table 3: Relevant regional policy statements and district provisions in Auckland Unitary Plan**

<b>Relevant Act/ Policy/ Plan</b>	<b>Section</b>	<b>Matters</b>
Auckland Unitary Plan – Regional Policy Statement	B2.3	A Quality Built Environment
Auckland Unitary Plan – Regional Policy Statement	B2.7	Open space and recreation facilities

<b>Relevant Act/ Policy/ Plan</b>	<b>Section</b>	<b>Matters</b>
Auckland Unitary Plan – Regional Policy Statement	B.3.3	Transport
Auckland Unitary Plan – Regional Policy Statement	B4.2	Outstanding natural features and landscapes
Auckland Unitary Plan – Regional Policy Statement	B4.4	Waitakere Ranges Heritage Area
Auckland Unitary Plan – Regional Policy Statement	B4.5	Notable trees
Auckland Unitary Plan – Regional Policy Statement	B5.2	Historic heritage
Auckland Unitary Plan – Regional Policy Statement	B6.3	Recognising mana whenua values
Auckland Unitary Plan – Regional Policy Statement	B6.5	Protection of mana whenua cultural heritage
Auckland Unitary Plan – Regional Policy Statement	B7.2	Indigenous biodiversity
Auckland Unitary Plan – Regional Policy Statement	B7.3	Freshwater systems
Auckland Unitary Plan – Regional Policy Statement	B7.4	Coastal water, freshwater & geothermal water
Auckland Unitary Plan – Regional Policy Statement	B8.2	Natural character
Auckland Unitary Plan – Regional Policy Statement	B8.3	Subdivision, use and development
Auckland Unitary Plan – Regional Policy Statement	B8.4	Public access and open space
Auckland Unitary Plan – Regional Policy Statement	B8.5	Managing the Hauraki Gulf
Auckland Unitary Plan – district provisions	H7	Open Space Zones

64. The rezoning and disposal of some of the 24 parcels of public open space or road is, in my opinion, inconsistent with the RPS. The reasons for this include proposed changes to the open space zoning of land where:

- there is a deficiency of open space in an area
- the current zoning allows for significant intensification (e.g. Mixed Housing Suburban, Mixed Housing Urban, and Terrace Housing and Apartment Building)
- the open space provides a pedestrian or cycle connection and encourages walking and or cycling

- the open space contains significant trees or vegetation which would likely be lost as a result of development (and is contrary to the Auckland Council’s Urban Ngahere Strategy and Climate Plan 2020)
- the open space has heritage value.

65. An assessment of the land to be disposed of (that attracted submissions in opposition) against the RPS objectives and policies contained in B2.7 Open Space and Recreation Facilities is in Attachment 6.

#### 4.4 OTHER RELEVANT LEGISLATION

##### Reserves Act 1977

66. Auckland Council manages a large proportion of its open spaces under the Reserves Act 1977. Part 3 of the Act sets out the classification and purpose of the reserves. Where appropriate, consideration of the reserve classification and resulting purpose listed in gazette notices has been taken into account when determining the most appropriate AUP open space zone.
67. The Reserves Act 1977 is also relevant to the land disposal process for PC60. The properties listed in Table 4 below were or are vested as reserve. As part of the land disposal process, this vesting has either been cancelled or is in the process of being cancelled in accordance with section 27 of the Reserves Act 1977.
68. There are two parallel process underway – the revocation of the reserve status under the Reserves Act 1977 and a change of zoning to the AUP under the RMA.
69. A conflict may arise if the Minister of Conservation declines to revoke the reserve status but a zone change is approved by the commissioners under PC60. Ideally, the reserve revocation process should be concluded prior to a plan change being notified. This has not occurred due to the length of time required to complete this process.
70. Note, if the Minister of Conservation approves a reserve revocation but the commissioners decline the proposed plan change, an issue does not arise. This is because many open spaces in the Auckland Region are not vested as reserve under the Reserves Act 1977.

**Table 4: Other relevant legislation**

Relevant Act/ Policy/ Plan	Section	Matters
The Reserves Act 1977	Section 24 - 27	The following properties were/are vested as a reserve but have had their reserves status uplifted, or the uplifting is in progress: R 24 Linwood Avenue Forrest Hill 1-5 Lippiatt Road Otahuhu 37 Olive Road Penrose 23 Waipuna Road Mount Wellington 12R Rockfield Road Ellerslie 11R Birmingham Road Otara 2R Keeney Court Papakura Brandon Road Glen Eden 67A Glengarry Road Glen Eden Princes Street West Pukekohe Paerata Road Pukekohe

Relevant Act/ Policy/ Plan	Section	Matters
		39R Pohutukawa Road Beachlands 17W Hawke Crescent Beachlands 8 Magnolia Drive Waiuku 5R Ferguson Street Mangere East 31R Killington Crescent Mangere  R1 Greenslade Crescent, Northcote is a reserve, and 140 Lake Road, Northcote is not. There is a land exchange under s.15 Reserves Act 1977

#### Local Government Act 2002

71. Where open space is not subject to the Reserves Act 1977, Auckland Council manages it under the Local Government Act 2002. Specific sections on open space include s138, and s139 which refer to disposal of parks and the protection of regional parks under Orders in Council. Other sections include s205 and s206, which outline the use of development contributions for reserves. The Local Government Act does not provide a specific classification system for open space. In accordance with s32(1)(c) Local Government Act 2002, the power to approve disposal of assets is a governing body decision that cannot be delegated. The properties contained in this report have been approved for sale by Auckland Council's governing body.

#### Waitakere Ranges Heritage Area Act 2008

72. Under the Waitakere Ranges Heritage Area Act 2008, the Waitakere Ranges are identified as a heritage area. When preparing District Plans or plan changes, under s11 council must give effect to the purpose of the Act and its objectives.
73. The zoning of land within the Waitakere Ranges heritage area as open space (where it has either been vested as reserve or acquired for open space purposes) will assist in achieving the purpose of the 2008 Act, particularly the protection and enhancement of its heritage features for present and future generations.

#### Hauraki Gulf Marine Park Act 2000

74. Section 3 sets out the purpose of the Act, which is to:
- (a) *integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:*
  - (b) *establish the Hauraki Gulf Marine Park:*
  - (c) *establish objectives for the management of the Hauraki Gulf, its islands, and catchments:*
  - (d) *recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:*
  - (e) *establish the Hauraki Gulf Forum*
75. The acquisition and appropriate management (via zoning) of open space within the catchment of the Hauraki Gulf is one of the methods available to achieve the purpose of the Act and the purpose of the Hauraki Gulf Marine Park.

#### 4.5 AUCKLAND PLAN 2050

76. The Auckland Plan is a spatial plan prepared under section 79 of the Local Government (Auckland Council) Act 2009. It is a relevant strategic document that council should have regard to under section 74(2) of the RMA. The Auckland Plan was “refreshed” in 2018. The of the long-term goals of the Auckland Plan which are relevant to PC60, are summarised in Table 5 below.

**Table 5: Relevant sections of the Auckland Plan 2050**

Outcome	Directives and Focus Areas	Relevance to PC 60
Outcome: Belonging and Participation	<p>Direction 2: Improve health and wellbeing for all Aucklanders by reducing harm and disparities in opportunities.</p> <p>Focus area 1: Create safe opportunities for people to meet, connect, participate in, and enjoy community and civic life.</p> <p>Focus area 2: Provide accessible services and social and cultural infrastructure that are responsive in meeting peoples evolving needs.</p> <p>Focus area 7: Recognise the value of arts, culture, sport and recreation to the quality of life.</p>	<p>Rezoning land as open space will enable these “spaces” to be used and developed for open space and recreation purposes, thereby enhancing the quality of life.</p> <p>The rezoning of some land parcels will result in a loss of recreational opportunities in local neighbourhoods. This is discussed in greater detail in section 6 of this report.</p> <p>(Note: Council’s parks policy team support disposal as in their view, the sites are not required as part of the open space network)</p>
Outcome: Homes and places	<p>Direction 1: Develop a quality compact urban form to accommodate Auckland’s growth.</p> <p>Direction 4: Provide sufficient public places and spaces that are inclusive, accessible and contribute to urban living.</p> <p>Focus area 5: Create urban places for the future.</p>	<p>Rezoning land as open space will enable it to be used for recreation and sporting activities. This will contribute to the quality of urban (and rural) environments.</p> <p>The rezoning of some land parcels will result in a loss of recreational opportunities in local neighbourhoods. This is discussed in greater detail in section 6 of this report.</p> <p>(Note: Council’s parks policy team support disposal as in their view, the sites are not required as part of the open space network)</p>

Outcome	Directives and Focus Areas	Relevance to PC 60
		Kainga Ora's proposed changes provide higher quality and safer access to/from open space.
Outcome: Transport and access	Direction 1: Better connect people, places, goods and services. Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland. Direction 3: Maximise safety and environmental protection. Focus area 4: Make walking, cycling and public transport preferred choices for many more Aucklanders. Focus area 7: Develop a sustainable and resilient transport system.	Rezoning land as open space will facilitate connections, particularly to the coast and rivers and streams. The development of walking and cycling infrastructure (which is a permitted activity across all open space zones) will further enhance these connections. With the exception of the Brandon Road pedestrian accessway, none of the other land parcels that are the subject of rezoning from open space to another zone form part of a network or provide potential for walking and cycling connections.  Kainga Ora's proposed changes provide higher quality and safer access to/from open space.

77. Some of the proposed changes in PC60 are, in my opinion, not consistent with some of the above directions and focus areas of the Auckland Plan. This is discussed in more detail under the analysis of submissions in section 6 of this report.

#### 4.6 OTHER MANAGEMENT PLANS, POLICIES OR STRATEGIES

##### Reserve Management Plans

78. If the reserve revocation process is confirmed by the Minister of Conservation, then none of the twenty-three land parcels that are proposed to be disposed of will be subject to a Reserve Management Plan. The reserve status for the parcels, outlined in Table 3, has either been removed or is in the process of being removed.

##### Iwi Management Plans

79. There are relevant iwi management plan's covering the areas affected by PC60. For example, Ngati Whatua Orakei's recently revised iwi management plan 2018. Iwi however have indicated they do not wish to be involved in PC60 as it largely concerns applying an open space zone to land acquired for open space purposes. In addition,

Eke Panuku liaise with the relevant iwi when land disposals have been approved by Auckland Council.

### **Open Space Network Plans**

80. Open Space Network Plans are strategic planning documents prepared by Auckland Council for each local board area. They identify and prioritise actions to improve local parks and open spaces in response to local diversity and preferences.
81. These plans assist local boards to identify projects for consideration in the development of local board plans and project funding bids through the Long-Term Plan process and other funding processes. They also enable local boards to advocate their priorities to others who are responsible for implementing projects in the respective local board area.
82. The different types of actions in Open Space Network Plans include operational activities, developing new assets, acquiring new parks, planning asset renewals, working with community groups, seeking technical reports from specialists and promoting heritage and recreational opportunities. Some of the projects to be actioned are ready to implement. Others require feasibility assessments and further planning before moving them into an implementation phase.
83. Where appropriate, the relevant Open Space Network Plan has been referred to in the analysis of PC60 in section 6 of this report.

### **Greenway Plans**

84. Auckland's Greenways plans are a series of linked, visionary plans being developed from the "ground up" by Local Boards and their communities with the long-term aim of improving walking, cycling and ecological connections across the region.
85. Greenway Plans aim to provide cycling and walking connections while also improving local ecology and access to recreational opportunities. To achieve this, greenways may cross existing areas of parkland and follow street connections between parks. The network typically follows natural landforms such as streams and coastlines as well as man-made features such as streets and motorways.
86. Where appropriate, the relevant greenway plans were assessed for those land parcels where a zone change has been requested, to determine the importance of the open space in the overall network and if they formed part of an existing or future greenway link.

### **Parks and Open Space Acquisition Policy (2013)**

87. This policy provides guidance on:
  - Why Auckland Council acquires land for parks and open space
  - The policies and legislation that influence Auckland Council acquiring parks and open space
  - The methods Auckland Council uses to fund and acquire land for parks and open space
  - How Auckland Council will assess whether land should be acquired for new parks and open space
  - How opportunities to acquire land for parks and open space are prioritised; and
  - When Auckland Council will consider disposing of parks and open space.



## **Open Space Provision Policy 2016**

88. The Open Space Provision Policy 2016 informs the council's investment, asset and acquisition activities in open space, and guides spatial planning by both the council and the private sector.
89. The focus for investment in open space in the existing urban areas is:
  - investing in the established open space network to offer a wider range of activities for more people
  - improving linkages between open space, such as establishing greenways
  - optimising assets through land exchange and reconfiguration
  - acquiring new open spaces as opportunities allow, particularly in large brownfield developments.
90. The focus for investment in open space in greenfield areas is:
  - investing in new open space when growth occurs
  - integrating open space with stormwater, transport, schools and community facilities
  - creating a resilient and multi-functional open space network that can evolve with changing community needs over time
  - connecting new and existing open space networks.
91. The Open Space Provision Policy 2016 also contain metrics for the provision of open space.
92. The Park's Policy team use both the Parks and Open Space Acquisition Policy (2013) and the Open Space Provision Policy (2016) when undertaking assessments for both acquisitions and disposals of open space.
93. The Parks and Recreation Policy team's Acquisition Review Group assessed the properties included for disposal in this plan change during 2018 and 2019. They were assessed against the following criteria – meeting community needs; connecting our parks and open spaces; protecting and restoring Auckland's unique features; and improving the parks and open space we already have. All sites were identified as non-strategic assets that were not required for open space purposes. Auckland Council generally currently does not purchase or acquire new pocket parks. This is largely driven by the limited budget the council has to acquire open space.

## **Auckland's Urban Ngahere (Forest) Strategy – March 2019**

94. This strategy consolidates and builds upon existing directives that support the urban ngahere (forest) and sets out a framework to protect and grow Auckland's urban ngahere.
95. The majority of Auckland's urban ngahere – 61 per cent – is located on privately-owned land. The remaining 39 per cent is on public land, with seven per cent on Auckland Council parkland, nine per cent on road corridors, and 23 per cent on other public land, such as schools.
96. The strategy's vision is *“that Aucklanders are proud of their urban ngahere, that Auckland has a healthy and diverse network of green infrastructure, that it is flourishing*

*across the region and is celebrated, protected, and cared for by all. The urban ngahere is equally distributed across our communities and brings significant benefits to the city. It contributes to our resilience, enhances stormwater management, delivers energy savings, supports biodiversity, and improves health outcomes and quality of life for all Aucklanders. Expanding and improving the urban ngahere is enabled through strong, collaborative partnerships across Auckland. Communities, government, businesses and citizens work together to make our urban ngahere flourish”.*

97. The strategy outcomes include:

- Increase the average canopy cover to 30 per cent across Auckland’s urban area with no local board area having less than 15 per cent canopy cover.
- Increased resilience to existing and future pressures.
- No net loss of canopy cover at the scale of local board areas.
- No loss of percentage of trees larger than 10 metres. No net loss of notable trees.

98. The strategy states that a key mechanism in successfully implementing the vision is the effective management of existing and future urban ngahere on public land through coordinated planning, strategic planting, smart and innovative urban design, and facilitating best practice standards for work on and around trees through maintenance contracts.

99. High level actions include:

- Increase canopy cover in road corridors, parks and open spaces to support an average of 30 per cent canopy cover across Auckland’s urban area with no local board area having less than 15 per cent canopy cover.
- Identify and prioritise locations for future planting on public land in partnership with mana whenua and local boards. Use science and ongoing engagement with local boards, mana whenua and communities to inform decisions in relation to types of planting. Increase the capacity of nursery programmes (including maraes) to increase the supply of eco-sourced plants.
- Leverage partnerships established through existing initiatives (eg the Mayor’s Million Trees programme).

100. It is therefore clear from the strategy that publicly owned land will play a key role in increasing the tree canopy cover.

### **Auckland’s Climate Plan 2020**

101. The core goals in Auckland’s Climate Plan are to:

- *to reduce our greenhouse gas emissions by 50 per cent by 2030 and achieve net zero emissions by 2050*
- *to adapt to the impacts of climate change by ensuring we plan for the changes we face under our current emissions pathway.*

102. Climate actions and targets include:

#### ***Transport***

*Vehicle kilometres travelled by private vehicles reduced by 12% as a result of avoided motorised vehicle travel, through actions such as remote working and reduced trip lengths*

*Public transport mode share to increase from 7.8% to 24.5% (2030)*

*Public transport mode share to increase from 7.8% to 35% (2050)*

*Cycling mode share to increase from 0.9% to 7% (2030)*

*Cycling mode share to increase from 0.9% to 9% (2050)*

*Walking mode share to increase from 4.1% to 6% (2030)*

*Walking mode share to increase from 4.1% to 6% (2050)*

***Agriculture, forestry and land use***

*Plant 80% of 19,350 hectares of new forest (15,480 hectares) (2030)*

*Plant 100% of 19,350 hectares of new forest (2050)*

103. Targets already established for the region include the following. These will be retained and strengthened over the coming years:

- *Plant 1.5 million trees by 2023*
- *Plant 15,480 hectares of new forest by 2030 and 19,350 hectares by 2050*
- *Increase canopy cover to 30 per cent across Auckland's urban area, and at least 15 per cent in every local board area by 2050*

104. The strategy emphasises the need to capture more carbon and to plant more trees:

***We need to capture carbon***

*Increasing the potential to capture carbon in terrestrial and marine environments is key to meeting our goal of reducing emissions. It is estimated that in 2016, carbon sequestration from Auckland's forests reduced the region's gross emissions by just over 10 per cent. We need to protect existing carbon sinks, including mature forests and other terrestrial and freshwater ecosystems, coastal ecosystems, and healthy soils.*

***We need more trees***

*We also need to plant more trees and expand these carbon-capturing ecosystems to enhance carbon sequestration in the future. Access to green space is not equal across the region, as shown by tree canopy cover. In the southern suburbs, tree cover dips as low as 8 per cent, but in the northern and western suburbs it increases to 30 per cent. This affects air and water quality, access to shading, biodiversity, safety and mental health, resulting in real impacts on the quality and length of peoples' lives.*

105. Some of the action areas identified in the strategy include:

*Optimising public spaces*

*Action area B8: Ensure public spaces support a low carbon, climate resilient Auckland and optimise multi-functional benefits*

- *embed climate change mitigation and adaptation measures into all park plans for the region*
- *ensure public spaces meet the growing demands of a growing population and urban intensification by optimising spaces for multiple functions such as recreation, water management and biodiversity enhancement*
- *explore initiatives to reduce travel needs and adapt locations and scheduling for more local events such as sporting events*
- *use underutilised land for opportunities such as energy generation and carbon sequestration*

*Change our travel options*

*Action area T1: Changing the way we all travel*

- encourage the use of public transport, walking and micro-mobility devices, rather than driving
- shorten private vehicle trips, and fulfil several travel needs at once including for business purposes
- choose lower emissions vehicles when purchasing, sharing, or leasing
- reduce private vehicle travel and encourage lower emissions travel options by introducing pricing and parking measures.

*Improve walking infrastructure*

*Action area T4: Improve safety, connectivity and amenity of walking infrastructure*

- accelerate investment in high-quality, safe and connected pathways
- improve road crossings, where pedestrians are disadvantaged because of high exposure to traffic, long waits at signals or significant distances between controlled crossing points
- prioritise improvements to walking infrastructure at major destinations including public transport hubs and educational facilities.

106. The role of Auckland Council includes advocacy, leadership, planning, funding and delivery, support and the enabling of climate action outcomes.

107. In terms of advocacy, the strategy states:

*“The Auckland Council group advocates to central government on a range of policies and issues to ensure the most benefit to Aucklanders. Many of these issues deal directly or indirectly with climate change. The council’s advocacy to government ensures that the policy settings, frameworks, and funding are aligned and give effect to our climate change needs. Without strong alignment, the delivery of this plan and its ambitious targets will be difficult, if not impossible”.*

108. Under leadership, the strategy states:

*“Auckland Council leads by example and influences change beyond its direct roles and responsibilities. This is visible in the:*

- buildings and facilities we operate
- materials and services we procure
- public spaces that we shape and build”.

109. This strategy has implications for public land that Auckland Council seeks to dispose of.

## **Auckland Design Manual (Park Design)**

110. Relevant sections of the Auckland Design Manual include:

### **Streets and Parks**

#### **Global Street Design Guide**

##### *Pedestrian networks*

##### *Permeable*

*Create pedestrian links in order to shorten walking routes when possible. Paths and streets that end in cul-de-sacs should be extended to connect to nearby streets. Encourage the creation of pedestrian links through large blocks to achieve a finer-grain urban fabric and improve connectivity.*

### *Pedestrian Spaces*

*Pedestrian spaces must be safe for all users at different times of the day. They should be well-lit, provide accessible slopes and gradients, be free of obstructions, and offer eyes on the street for natural surveillance and crime prevention.*

### *Pedestrian Networks*

*Fine-grain pedestrian networks with a variety of pedestrian-priority spaces support a walkable city. Continuous sidewalks that are free of obstructions, frequent at-grade crossings, and small blocks allow pedestrians to conveniently and safely reach their destinations. Interesting and permeable building edges designed with human scale in mind provide an engaging and enjoyable walking experience.*

## **General Park Design Principles**

### **Introduction**

*Develop parks that are well connected with the surrounding environment, both visually and physically. Ensure that designs maximise accessibility, and provide safe and legible movement networks that cater for a range of people.*

### **Connect our parks to one another and to the surrounding neighbourhood.**

*Develop greenways that connect our parks, streets and esplanade reserves to create a green movement network across Auckland and around the coast. Create or improve connections with surrounding transport networks, community facilities and local businesses. Use wayfinding signage to help people find their way.*

### **Design for Safety**

#### **Introduction**

*To get more people to use public spaces, it is important that they can be easily reached by users.*

*To provide safe access to public places, pathways need to be designed in a way that makes their destination clear.*

*A safe route is one that is direct, has unobstructed visibility, and is legible to users, something that becomes increasingly important when it is dark and visibility decreases.*

*They should also have multiple entrances and exits and no dead ends, allowing people to move through freely, without being funnelled by their surroundings.*

*Environments that cause users to feel restricted may be perceived as unsafe.*

#### **Provide clear access**

*Provide clear, direct, and well-connected routes that are accessible by everyone (i.e. pedestrians, cyclists, and people pushing prams or wheelchairs).*

*Public accessways should:*

*Be as wide as possible - The walking route should be at least 1.8m wide or greater to avoid crowding on footpaths. Reducing crowdedness also reduces possible tension between the users of the space. This is particularly important in places with higher foot traffic, such as areas with bars, restaurants, or other entertainment venues.*

*Be straight - Direct connections provide clear access, making users feel safer by increasing their confidence in navigating the space. If it is not possible to design straight footpaths, the design should focus on increasing visibility through the path, especially around corners.*

*Have clear visibility through the space - People feel safer when they can get a clear understanding of their surroundings, including both the environment and other users.*

*Designs should focus on increasing visibility around any corners or setbacks by manipulating landscaping, fencing or glazing.*

*Be well lit - Visibility is decreased when there is little light, therefore lighting can increase the perception of safety on dark paths. However, lighting should only be used on paths that are intended for use at night.*

111. The above design guidance has particular relevance for Kāinga Ora’s land swaps, rezoning’s and redevelopment as these involve pedestrian access to parks.

## 5 CONSULTATION AND NOTIFICATION

112. A summary of consultation undertaken as part of the preparation of PC60 is outlined in the Section 32 Reports, attached in **Attachment 2** of this report.

### 5.1 Iwi Feedback

113. A draft copy of PC60 was sent to all Auckland’s 19 mana whenua entities on 27 October 2020, as required under the RMA.
114. Feedback was received from Ngāti Manuhiri who sought additional time to consider PC60, Waikato Tainui who supported manawhenua to take the lead role and Tūpuna Maunga Authority who had general comments on the effects of PC60 on any volcanic viewshafts.
115. No formal submissions were received from iwi.

### 5.2 Local Board Feedback

116. The table below summarises the feedback received from local boards. There is both support for and opposition to the proposed zone changes:

Local Board	Feedback	Resolution Number/Meeting Date
Albert-Eden	Support in principle PC60 as it applies to the Albert-Eden Local Board area with relation to rezoning land recently acquired or vested as open space, but wish to receive and consider specific feedback on the land swap consultation related to accesses to Murray Halberg Reserve, Owairaka which is expected to be received by the local board in June 2021 and may, depending on that feedback, provide additional views at the PC 60 hearing	AE/2021/66 – 18 May 2021
Aotea/Great Barrier	N/a	
Devonport - Takapuna	Do not support those parts of PC60 which are for the purposes of selling open space and reserves noting that the vast majority of submissions (85 of 115) opposed the plan change and that a number of local boards also oppose the sale of parks, open spaces, and	DT/2021/66 – 18 May 2021

Local Board	Feedback	Resolution Number/Meeting Date
	reserves Oppose the revocation of reserve status of part of Linwood Reserve, Forrest Hill	
Franklin	Support the rezoning of reserve status for 67 East Street, Pukekohe (Map 86) and Princes Street West, Pukekohe (Map 87)	FR/2021/73 – 25 May 2021
Henderson - Massey	Support the proposed rezoning of 142 Triangle Road, Massey; 21 Fred Taylor Drive, Massey; & 5 Tawhia Drive Massey	HM/2021/71 – 18 May 2021
Hibiscus and Bays	Supports the rezoning of 1337 Whangaparaoa Road, Army Bay to become Open Space – Sports and Active Recreation zone. Supports the recognition of land recently vested or acquired as open space, correction of zoning errors or anomalies, and facilitation of the Panuku land rationalisation and disposal process	HB/2021/49 – 20 May 2021
Howick	<p>1) express concern that Panuku has already started the disposal process for some of the pocket reserves in the Howick Ward even before the Howick Local Board had a chance to submit on PC60. This is contrary to paragraph 3 of the item under 'Executive Summary' which clearly states that "Each local board has a responsibility to communicate the interests and preferences of people in its area on Auckland Council policy documents, including plan changes.</p> <p>i) Panuku needs to define its 'surplus to requirements' rationale when referring to land parcels proposed for sale. The proposed sale of pocket reserves across the city appears to be based solely on what Panuku determines are as 'surplus to requirements' and does not take into account public opinion or feedback. These reserves are owned by the public, not Panuku, and therefore the public's opinion on whether or not they are surplus to local needs should have been canvassed prior to Panuku making any decision to sell them.</p> <p>ii) if Auckland Council / Panuku has funding available to acquire additional land parcels, for whatever intended purpose, then there is no need, or justification, for Panuku to sell off pocket reserves that are clearly valued by local residents, for the purpose of plugging financial gaps in the</p>	HW/2021/84 - 17 June 2021

Local Board	Feedback	Resolution Number/Meeting Date
	<p>council's budget.</p> <p>iii) generally supports the feedback comments provided in paragraph 19 of the agenda item.</p> <p>iv) provide views on PC60 relating to the Climate Impact Statement, relating to paragraph 23 of the item. Disposal of pocket reserves and the ensuing changes to land classification to enable residential development will certainly lead to the loss of tree canopy. This will contribute negatively to climate change by reducing the potential for CO2 absorption across the city. Additionally, the inevitable increase in impermeable surface areas will elevate the risk of flooding, and both stream bank and coastal erosion.</p> <p>v) does not support the sale of Public Open Space (POS) land but accepts that some parcels of land previously set aside for other purposes should be able to be sold if required. We think that PC60 is too 'all encompassing' and needs specific measures and procedures to protect local reserves and pocket parks that are consistently well utilised and valued by the community.</p>	
Kaipātiki	<p>Support the proposed changes for 85B Aeroview Drive, Beach Haven; R60 Rawene Road, Birkenhead; 136 Birkdale Road, Birkdale; 31F Fraser Avenue, Northcote and R1 Greenslade Crescent, Northcote and 140 Lake Road, Northcote. Oppose the proposed change for R105 Stott Avenue, Birkenhead (located behind 57C Lancaster Road, Beach Haven)</p>	KT/2021/66 – 19 May 2021
Māngere-Ōtāhuhu	<p>i. support PC60</p> <p>ii. that Kainga Ora seek meaningful engagement with the local community, local board including mana whenua to enhance its planned development designs, to reflect local culture and needs, like car parking and access to open spaces</p> <p>iii. the local area has the least tree canopy in the Auckland region. The local board seek more trees to be planted by Kainga Ora in and around their developments. It is suggested that KO lead engagement with Auckland Transport, Auckland Council and local community groups to work</p>	MO/2021/86 - 16 June 2021



Local Board	Feedback	Resolution Number/Meeting Date
	together and consider the locations these trees can be planted and enhance the local area	
Manurewa	<p>Supports the proposed rezoning of recently acquired open space land parcels</p> <p>Supports the proposed rezoning of land parcels to correct open space zoning errors and anomalies</p> <p>Supports continuing and expanding the sale of non-strategic and non-services assets to fund council investments and services but defers to the views of the relevant local boards regarding this part of the proposed plan change</p> <p>supports in principle the proposed rezoning of land to facilitate Kāinga Ora land swaps/redevelopment but defers to the view of the relevant local boards regarding this part of PC60</p>	MR/2021/69 – 20 May 2021
Maungakiekie-Tāmaki	<p>Endorse PC60</p> <p>Acknowledge the community submissions in relation to the cultural and heritage values to site 12R Rockfield Road, Ellerslie and requests that investigation is done on this particular aspect before any decisions are made</p>	MT/2021/74 – 25 May 2021
Ōrākei	Noted that the board has no assets being considered under this proposed plan change	OR/2021/68 – 20 May 2021
Ōtara-Papatoetoe	<p>Support, in principle, land rationalisation and housing development while noting that the board has in its feedback to council's 10-year Budget supported:</p> <ul style="list-style-type: none"> <li>i) the sale of non-strategic and non-services assets to fund investments and services, as part of the 10-year Budget</li> <li>ii) that resources from asset recycling be directed to areas of historical under-investment and deprivation and the reinvestment should be in the local areas from where revenue is generated</li> <li>iii) council response to housing development and growth prioritises focusing the limited funding to maximise residential yield, affordable housing, job creation and supporting deprived communities</li> </ul> <p>Oppose the rezoning of 11R Birmingham Road as it has an established and dedicated public use. The site has future potential to</p>	OP/2021/71 – 18 May 2021

Local Board	Feedback	Resolution Number/Meeting Date
	improve the open space network in an area used by workers within a community affected by deprivation and historic under-investment in public amenities. We refer officers to resolution OP/2021/54	
Papakura	Supports retaining 2R Keeney Court as open space	PPK/2021/81 – 26 May 2021
Puketāpapa	<p>a) note that none of the sites effected by PC60 are in the Puketāpapa Local Board area</p> <p>b) request that Eke Panuku further examine those sites proposed for rezoning where the proposal has been opposed by the relevant local board, to address any concerns those local boards have, prior to rationalisation or disposal</p>	PKTPP/2021/81 - 20 May 2021
Rodney	<p>Support PC60 recommendations for land within the Rodney Local Board area with these exceptions:</p> <p>A) Lot 17 DP539945 Moya Road, Matakana from Open Space – Informal Recreation Zone to Open Space - Conservation Zone</p> <p>B) Lot 11 DP539350 Makarau Road, Makarau from Open Space – Informal Recreation Zone to Open Space - Conservation Zone</p> <p>C) Lot 22 DP535293, 19 Vogwill Road, Huapai from Open Space – Informal Recreation Zone to Open Space - Conservation Zone</p>	RD/2021/252 – 19 May 2021
Upper Harbour	Receive the report on PC60, noting there were no submissions received from Upper Harbour residents	UH/2021/51 – 20 May 2021
Waiheke	n/a	
Waitākere Ranges	<p>i) the Waitākere Ranges Local Board opposes PC60, particularly for the purpose of facilitating land rationalisation and disposal process</p> <p>ii) the Waitākere Ranges Local Board supports the Whau Local Board Notice of Motion of 24 March 2020 (WH/2021/16) opposing the sale of Davern Lane Reserve</p> <p>iii) the Waitākere Ranges Local Board is concerned that identification of underperforming and non-service properties is based predominately on financial criteria rather than the level of use by local communities</p> <p>iv) the Waitākere Ranges Local</p>	WTK/2021/59 - 27 May 2021

Local Board	Feedback	Resolution Number/Meeting Date
	<p>Board notes that natural features, such as mature native trees, on such identified properties are not taken into account when properties are identified for the land rationalisation and disposal process and note that the retention of mature trees is an essential component of addressing climate change and is consistent with the Local Board's objective of increasing tree canopy cover</p> <p>v) the Waitākere Ranges Local Board notes that the Auckland region is undergoing a significant increase in density and that intensification means that existing green spaces need to be retained and ask how current green space provision will service the anticipated population increase and associated community need</p> <p>vi) the Waitākere Ranges Local Board notes that these green spaces create spaces for nature to thrive in an urban environment, removing them exacerbates the biodiversity crisis</p> <p>vii) the Waitākere Ranges Local Board notes that some identified properties are green spaces for local residents made possible through developers' levies, reflecting reduced section sizes in housing developments over recent decades</p> <p>viii) the Waitākere Ranges Local Board notes that the process for asset recycling undertaken in 2020 did not include formal feedback or agreement from Local Boards and that PC60 further reduces the ability of local boards to influence / control the sale / recycling of local assets</p> <p>ix) the Waitākere Ranges Local Board notes that feedback has consistently been given that asset sales / recycling is the Board's least preferred lever in terms of Auckland Council's debt reduction.</p>	
Waitematā	Opposes the proposed rezoning and disposal of 45 Georgina Street, Freemans Bay and 36 Cooper Street, Grey Lynn	WTM/2021/106 – 18 May 2021
Whau	Opposes the plan change, particularly for the purpose of facilitating land rationalisation and	WH/2021/52 – 26 May 2021

Local Board	Feedback	Resolution Number/Meeting Date
	disposal processes. Opposes the sale of Davern Lane reserve.	

### 5.3 Revocation of Reserves Under the Reserves Act

117. Section 24 of the Reserves Act 1977 outlines the process for changing the classification or purpose or revocation of reserves.
118. Eke Panuku on behalf of Auckland Council has notified the public under S.24 Reserves Act 1977 of Council's proposal to revoke the reserve status of the land parcels outlined in section 4.4 Table 4. This process is running in parallel with the plan change process under the RMA.
119. There are 16 properties that are in the S.24 process. Independent commissioners have been appointed to consider the submissions received.
120. The hearing of submissions will take place throughout August 2021. The independent commissioners will make a recommendation to the Minister of Conservation. The Minister of Conservation must approve any reserve revocation. It is unlikely that the Ministers decision will be known prior to this plan change hearing.
121. There are three options available to the plan change hearing commissioners. These are:
- (a) Make a decision on the plan change matters independent of the reserve revocation process
  - (b) Defer making a planning decision on the land parcels subject to the reserve revocation process until after the Minister of Conservations decision is known
  - (c) Defer making a planning decision on the plan change as a whole until after the Minister of Conservations decision is known
122. There is some urgency on the Kāinga Ora land swaps and rezoning. Kāinga Ora is seeking to commence redevelopment of this land as soon as possible. Option 2 is therefore recommended.

### 5.4 Notification

123. Under Clause 5 of the First Schedule:
- (1) A local authority that has prepared a proposed policy statement or plan must—
    - (a) prepare an evaluation report for the proposed policy statement or plan in accordance with [section 32](#) and have particular regard to that report when deciding whether to proceed with the statement or plan; and
    - (b) if the local authority decides to proceed with the proposed policy statement or plan, do one of the following, as appropriate:
      - (i) publicly notify the proposed policy statement or plan:
      - (ii) give limited notification, as provided for in [clause 5A](#).
- PC60 was publicly notified.
124. "Public notice" is defined in the RMA as:

## 2AB Meaning of public notice

If this Act requires a person to give public notice of something, the person must—

(a) publish on an Internet site to which the public has free access a notice that—

(i) includes all the information that is required to be publicly notified; and

(ii) is in the prescribed form (if any); and

(b) publish a short summary of the notice, along with details of the Internet site where the notice can be accessed, in 1 or more newspapers circulating in the entire area likely to be affected by the matter to which the notice relates.

(2) The notice and the short summary of the notice must be worded in a way that is clear and concise.

125. In addition to the public notice, adjacent landowners/occupiers were sent letters advising them of PC60. This is current practice for Council initiated plan changes.
126. The public notice for PC60 together with the letters to adjacent landowners/occupiers meets the legislative requirements.
127. In addition to the public notification under the RMA, additional processes are also occurring under the Reserves Act 1977.

## 6.0 ANALYSIS OF SUBMISSIONS AND FURTHER SUBMISSIONS

128. The following sections of this report address the submissions received on PC60, discuss the relief sought in the submissions and make recommendations to the Hearing Commissioners. Submissions that address the same land parcel have been grouped together.

### 6.1.1 Submissions on all Proposed Changes from an Open Space Zone To Another Zone

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
59.1	Justin Peter Schilder	Decline the plan change and any rezoning or sale that means a loss of open space, especially in Otahuhu (the sale and rezoning of each and every one of the spaces that are being proposed for change in zone from informal recreation zones to residential/ terrace housing or business zone, but particularly those in Otahuhu, 1-5 Lippiatt Road and 26 Princes Street)	FS11 - Dave King-support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept in part
94.1	Friends of the Earth NZ Ltd (FoENZ) c/- Robert Ernest Tait	Decline the plan change and variation (consultation and notification has been flawed and inadequate; the process should be restarted with proper notification; our submission on the Emergency Budget is relevant to this plan change; many trees are threatened)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota	Accept in part

			Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King- support FS18 - Kathryn le Grove-support FS19 - T&T Fashions Ltd FS20 - Johannink Property Ltd- support FS21 – Andrew & Dahlia Forlong- support FS22 – Redentor Bueno-support FS28 – Tom Ang- oppose	
95.1	Mark Lockhart	Decline the plan change, especially where sites have significant trees or function as valued community spaces (Auckland is rapidly intensifying and since 2012, tree loss has been unprecedented. With intensification which provides valuable housing, we need pocket parks and to protect our trees. The permitted intense site developments with limited space for trees and the "blank slate" approach, taken by most developers, results in not only further loss of trees but restricted space for re-planting. Covid aside, the loss of these spaces is incredibly short sighted and contradicts councils climate change commitment and urban ngahere strategy)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King- support FS19 - T&T Fashions Ltd FS20 - Johannink Property Ltd- support FS21 – Andrew & Dahlia Forlong- support FS22 – Redentor Bueno-support FS28 – Tom Ang oppose	Accept in part
107 (late)	Forest and Bird	Opposes the rezoning of all Panuku's surplus land	(not in the summary of submissions)	Accept in part

### Summary of submission and discussion

129. **Submissions 59.1, 94.1, 95.1 and 107** oppose PC60, particularly where there is a loss in open space and/or where sites have significant trees or function as valued community spaces.
130. The reasons why PC60 is opposed are:
- (i) a loss of open space, especially in Otahuhu
  - (ii) consultation and notification is considered to have been flawed and inadequate
  - (iii) many trees are threatened - Auckland is rapidly intensifying and since 2012, tree loss has been unprecedented. With intensification which provides valuable housing, we need pocket parks and to protect our trees

- (iv) The permitted intense site developments with limited space for trees and the "blank slate" approach, taken by most developers, results in not only further loss of trees but restricted space for re-planting
- (v) sites function as valued community spaces
- (vi) Covid aside, the loss of these spaces is incredibly short sighted and contradicts council's climate change commitment and urban ngahere strategy
- (vii) Auckland Council should consider and acknowledge extensive, global published literature which shows that access to greenspace is beneficial for health and wellbeing
- (viii) Auckland Council should take a more innovative, forward-thinking and sustainable approach to addressing 'surplus' land to generate revenue that does not need to result in re-zoning and selling land for more housing development.

a) Loss of open space/valued community spaces (Items i, v, vi)

131. The loss of open space is particularly an issue in areas where there is already a shortfall or deficiency and/or where the current zoning provides for a significant increase in development. I (as the report writer) consider this to be an issue for the following proposed changes:

- 12R Rockfield Road, Ellerslie
- 11R Birmingham Road, Otara
- 2R Keeney Court, Papakura
- 45 Georgina Street, Freemans Bay
- 36 Cooper Street, Grey Lynn
- Trojan Crescent, New Lynn
- 26 Princes Street, Otahuhu

132. This issue is discussed in more detail in relation to the specific submissions on these land parcels.

133. It should be noted that all sites approved for disposal have been considered by the Parks Policy team as not being required as part of the open space network. This was also considered by the Governing Body in its decision making to approve the disposal of these sites.

b) Consultation and notification (Item ii)

134. Refer to the discussion on notification in Section 5.4 of this report.

c) Loss of trees/lack of opportunity for tree planting/Auckland Council's Urban Ngahere Strategy/ Auckland Councils climate change commitment (Items iii, iv)

135. Auckland Council's Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover.

136. Auckland's Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

137. Publicly owned open space provides an opportunity to both retain and increase tree canopy cover. The existing trees on those land parcels subject to this plan change that contain trees would be removed as a result of a zone change and subsequent development. Auckland's Urban Ngahere Strategy indicates that 39% of Auckland

urban trees are located on public land. Some of the 61% that are located on private land is under threat as a result of more intensive development. This is particularly so in the THAB and Mixed Housing Urban zones.

138. The loss of trees/vegetation is discussed in more detail in relation to the specific submissions on the land parcels.

d) Proposed Changes Not Subject to Specific Submissions

139. The following proposed changes in zoning were not subject to specific submissions:

- R24 Linwood Avenue, Forrest Hill (Map 72)
- 37 Olive Road, Penrose (Map 74)
- 67A Glengarry Road, Glen Eden (Map 80)
- Parerata Road, Pukekohe (Lot 6 DP 16500) (Map 88)
- 39R Pohutakawa Road, Beachlands (Map 89)
- 17W Hawke Crescent, Beachlands (Map 90)
- 8 Magnolia Drive, Waiuku (Map 91)

140. R24 Linwood Avenue, Forrest Hill is a narrow, unformed pedestrian accessway to Linwood Reserve. It does not contain any vegetation and its rezoning will not reduce useable open space in the area. There is access to the park from its Woodstock Road frontage approximately 60 metres to the northeast. This is a wider accessway with a formed path. The Devonport – Takapuna Local Board oppose the proposed rezoning of the site.

141. 37 Olive Road, Penrose (Tanner Reserve) is an area (519 sqm) of informal open space within the Penrose light industrial area. It does contain trees and vegetation. There is minimal open space in the vicinity.

142. Open space within walking distance of 37 Olive Road is:

Name	Location	Zoning	Area (ha)
Bassant Reserve	45 Walls Road, Penrose	Open Space – Informal Recreation	1.0187
Olive Road Reserve	5D Olive Road, Penrose	Open Space – Informal Recreation	0.0155

143. The Open Space Provision Policy 2016 does not specifically refer to or envisage open space within industrial areas (light or heavy).

144. The size and configuration of this park means that it is not particularly useable.

145. 67A Glengarry Road, Glen Eden is a narrow “access strip” that is shown as road in the AUP. It does not contain any vegetation, although the canopies of adjacent trees do overhang the area. Its rezoning will not reduce useable open space in the area.

146. Parerata Road, Pukekohe (Lot 6 DP 16500) is an undeveloped informal area of open space. It does not contain any trees or vegetation. There is little open space in the area (the nearest is 600 metres away). The surrounding area is however zoned Future Urban and there will be opportunity to provide additional open space in appropriate locations when this area is developed. A structure planning process is



required for future urban areas. One of the roles of a structure plan is to determine the location of future open space.

147. Both 39R Pohutakawa Road, Beachlands and 17W Hawke Crescent, Beachlands provide access to the coast. There are alternative access points in the vicinity. 39R Pohutakawa Road does not contain any mature trees/vegetation while 17W Hawke Crescent, Beachlands does have trees/vegetation over the rear (coastal) half of the property.
148. 8 Magnolia Drive, Waiuku is a small pocket park of 312 sqm. There is an absence of informal open spaces in the general area. The surrounding area is zoned Mixed Housing Suburban, Mixed Housing Urban and Business – Mixed Use. Sportsfields are approximately 355m away. A large mature tree is located at the rear of the site. Its canopy occupies almost half the site.

#### Auckland Unitary Plan – Regional Policy Statement

149. An assessment of the proposed rezoning of the above land parcels against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:
  - 37 Olive Road, Paerata Road, & 8 Magnolia Drive provide open space and contain mature trees around the periphery. They provide some opportunity for social and cultural vitality
  - All properties except for R24 Linwood Ave, & 67A Glengarry Road provide opportunity to mitigate stormwater/flooding effects
  - Due to the size, location and proposed rezoning of the properties, they would not contribute to achieving a quality compact urban form (if they were rezoned)
  - Mature trees assist in mitigating the effects of climate change. Additional vegetation could be planted
  - Better quality open spaces are available in the vicinity or could be provided in the future (e.g Paerata Road)
  - Different functions from other open space include stormwater management and 39R Pohutakawa Road & 17W Hawke Crescent provide access to the Coastal Marine Area
  - There is a shortfall of open space in the vicinity of Olive Road (light industrial area), although as noted the Open Space Provision Policy 2016 does not envisage open space in industrial areas
  - There is minimal open space in the vicinity of Paerata Road but the future urban zone provides opportunity to address this when urbanisation occurs.

#### Recommendations on submission

150. I recommend that **submissions 59.1, 94.1 and 95.1** be accepted in part for the following reasons:

Some of the proposed zone changes have been recommended to be rejected. These are discussed further under the relevant topic hearings. The reasons for this include one or more of the following:

- a deficiency of open space in an area
- the current zoning allows for intensification (e.g. Mixed Housing Suburban, Mixed Housing Urban, and Terrace Housing and Apartment Building)

- the open space provides a pedestrian or cycle connection and encourages walking and or cycling
- the open space contains significant trees or vegetation which would likely be lost as a result of development (and is contrary to the Auckland Council's Urban Ngahere Strategy and Climate Plan 2020)
- the open space is a flood prone area and/or has an overland flow path
- the open space has heritage value.

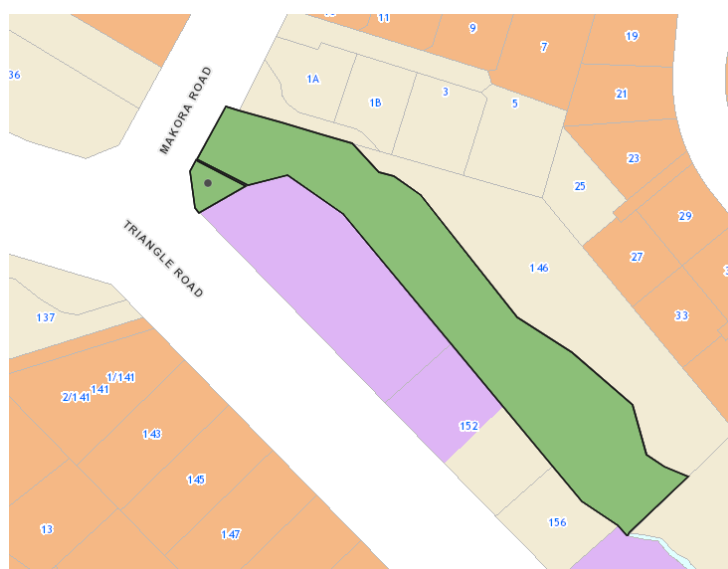
151. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

### 6.1.2 Submission on 142 Triangle Road, Massey (Maps 4 & 37)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
52.1	Triangle 786 Properties Limited c/- Longgang Shui and Yashokant Sharma	Approve the plan change for 142 Triangle Road, Massey with the amendments I request - rezone 146 Triangle Road from Single House to Mixed Housing Suburban to be consistent.	FS11 - Dave King-support FS28 - Tom Ang-oppose	Reject

#### Summary of submission and discussion

152. **Submission 52.1** requests that 146 Triangle Road, Massey be rezoned from Single House to Mixed Housing Suburban.



153. The reasons why PC60 is opposed are:

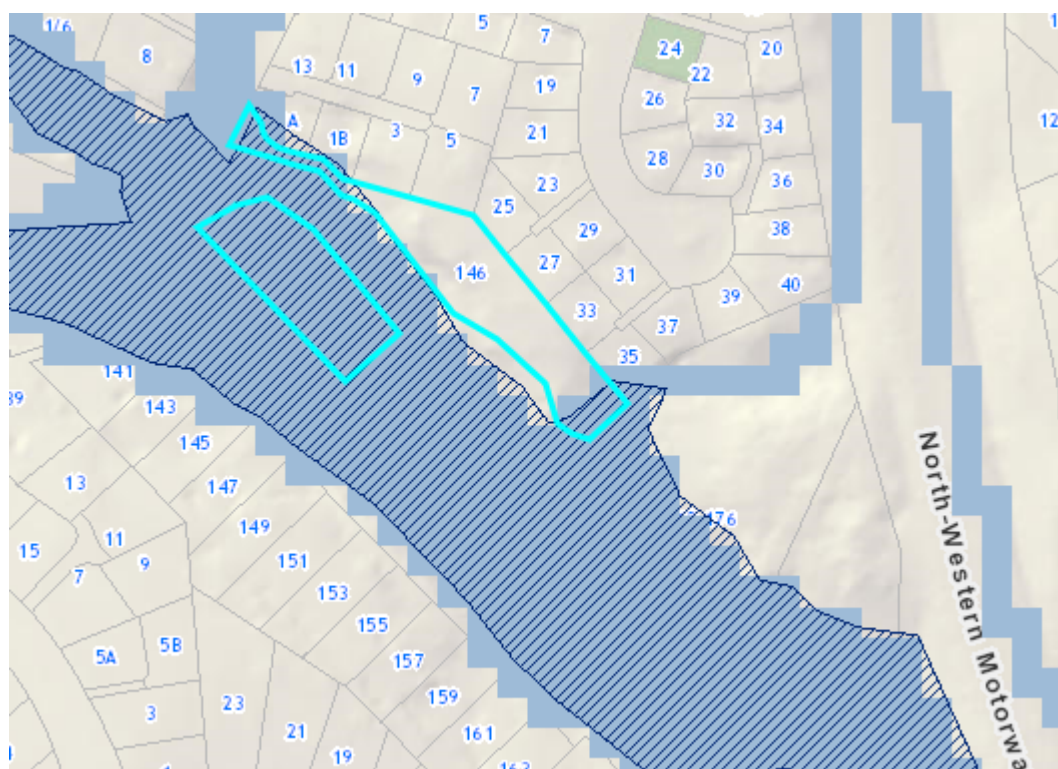
- (i) The single house zone in this locality lacks logic reasoning and inconsistent with other parts of the city.

a) Zoning of 146 Triangle Road (Item i)

- 154. PC60 seeks to rezone 142 Triangle Road, Massey from Residential - Single House zone and Business – Mixed Use zone to Open Space – Informal Recreation zone. 142 Triangle Road is owned by Auckland Council.
- 155. The property at 146 Triangle Road, Massey is not part of PC60. This property is owned by the submitter - Triangle 786 Properties Limited. The submission is therefore out of scope.
- 156. A portion of 146 Triangle Road lies within a flood plain and is identified as a flood prone area on Auckland Council's Geomaps. Residential land within a flood plain has typically been zoned Residential – Single House in the Unitary Plan.
- 157. The Single House zoning is in response to the following RPS Natural Hazards and Flooding policy (E36.3):

*(4) Control subdivision, use and development of land that is subject to natural hazards so that the proposed activity does not increase, and where practicable reduces, risk associated with all of the following adverse effects:*

- (a) accelerating or exacerbating the natural hazard and/or its potential impacts;*
- (b) exposing vulnerable activities to the adverse effects of natural hazards;*
- (c) creating a risk to human life; and*
- (d) increasing the natural hazard risk to neighbouring properties or infrastructure.*





Recommendations on submission

158. I recommend that **submission 52.1** be rejected for the following reasons:

- The property at 146 Triangle Road, Massey is not part of PC60 and the submission is therefore out of scope;
- It is noted that the above property is identified as being within a flood prone area and flood plain.
- The Unitary Plan has typically applied a Residential – Single House zone to residential sites within flood plains/flood prone areas in response to policy E36.3.

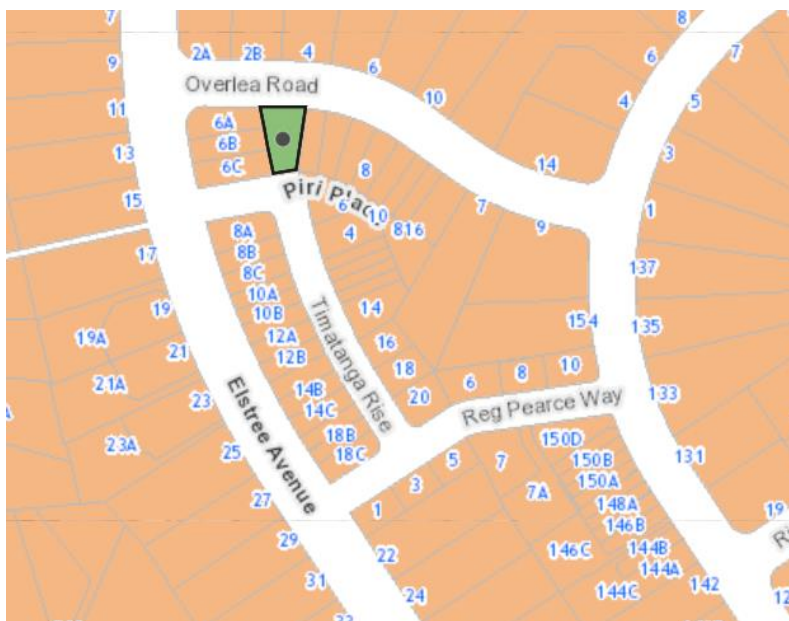
159. There are no consequential amendments associated with this recommendation.

**6.1.3 Submission on 2 Timatanga Rise, Glen Innes (Map 8)**

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.1	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site as notified (reserve has been vested)	FS25 - Penny Rodway-oppose FS28 - Tom Ang-oppose	Accept

Summary of submission and discussion

160. **Submission 63.1** requests that 2 Timatanga Rise, Glen Innes be rezoned as notified.



161. The reasons why the proposed rezoning for 2 Timatanga Rise, Glen Innes is supported are:
- (i) Kāinga Ora supports rezoning of recently vested land to better reflect the anticipated land uses as a result of recent redevelopment. This will support the use of the site for open space amenity by the local residents including Kāinga Ora customers.
  - (ii) The site has been vested with Auckland Council as local reserve and rezoning of the site is appropriate to reflect the correct land uses anticipated for the site.
- a) 2 Timatanga Rise, Glen Innes (Items i, ii)
162. PC60 seeks to rezone 2 Timatanga Rise, Glen Innes from Residential - Mixed Housing Urban zone to Open Space – Informal Recreation zone.
163. 2 Timatanga Rise, Glen Innes has been vested in Auckland Council as a recreation reserve as part of the Tamaki regeneration project.
164. An Open Space – Informal Recreation zone is appropriate as it will reflect the intended use and development of the site as a local reserve for informal recreation activities.

#### Recommendations on submission

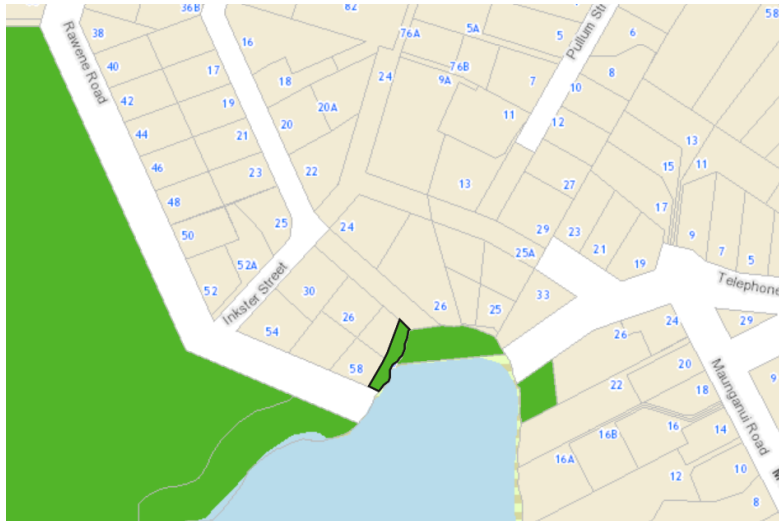
165. I recommend that **submission 63.1** be accepted for the following reasons:
- 2 Timatanga Rise, Glen Innes has been vested in Auckland Council as a recreation reserve and the proposed zoning is consistent with the reserve classification
  - An Open Space – Informal Recreation zone is appropriate as it will reflect the intended use and development of the site for passive recreation
166. There are no consequential amendments associated with this recommendation.

#### 6.1.4 Submission on R60 Rawene Road, Birkenhead (Map 11)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
100.1	Patrick John Reddington and Letitia Maude Reddington	Accept the plan change with amendments: The proposed 60 Rawene Road was our privately owned waterfront land. It joins our property 58 Rawene Road. The Birkenhead Council needed legal access over our waterfront land to get access.	FS28 - Tom Ang-oppose	Accept in part

#### Summary of submission and discussion

167. **Submission 100.1** requests that the proposed rezoning for R60 Rawene Road, Birkenhead be accepted with amendments. There are no amendments specified in the submission.



168. The reasons why the proposed rezoning is supported by the submitter with amendments are:

- (i) 60 Rawene Road was originally part of the submitters land;
- (ii) It was acquired by the former Birkenhead City Council to provide legal access to the coast.

a) R60 Rawene Road, Birkenhead (Items i, ii)

169. The proposed plan change seeks to rezone R60 Rawene Road, Birkenhead from Residential - Single House zone to Open Space - Conservation zone.

170. R60 Rawene Road, Birkenhead is currently a local purpose reserve (esplanade). It is vested in Auckland Council.

171. Adjacent esplanade reserves are also zoned Open Space – Conservation. These are typically bush – clad. Some of the bush in the locality (but not R60 Rawene Road) has been identified as a Significant Ecological Area (via the SEA overlay). The subject property contains mature trees and/or the canopies of adjacent mature trees.

172. An Open Space – Conservation zone is therefore appropriate as it will reflect the identified environmental values and the intended use and development.

173. In discussions with the submitter, the other amendments sought are considered to be outside the scope of the plan change. These are being addressed separately and involve the trimming of trees (including a notable tree) and animal (dog) management.

#### Recommendations on submission

174. I recommend that **submission 100.1** be accepted in part for the following reasons:

- R60 Rawene Road, Birkenhead is a local purpose reserve (esplanade)
- It is vested in Auckland Council
- Adjacent esplanade reserves are also zoned Open Space – Conservation
- The subject property contains mature trees and/or the canopies of adjacent mature trees

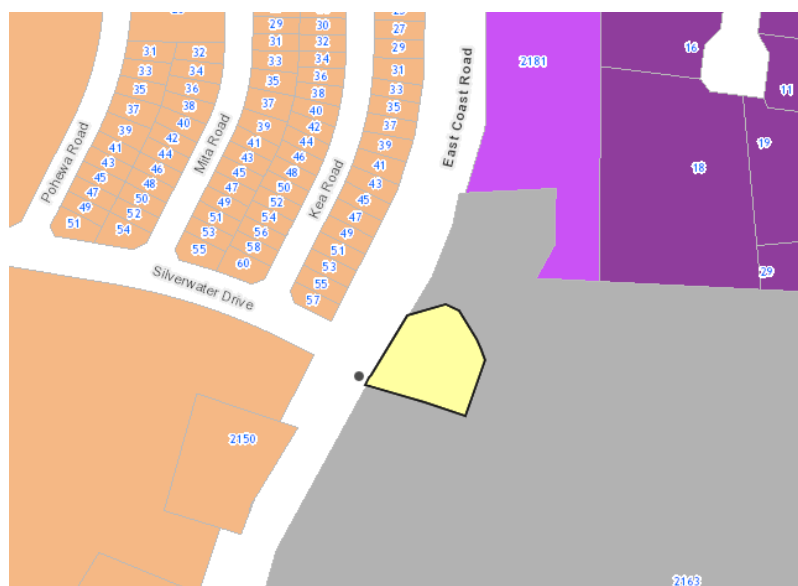
- An Open Space – Conservation zone is appropriate as it will reflect the intended use and development of the site
- Some of the matters raised by the submitter are out of scope of the plan change.

### 6.1.5 Submissions on 2157 East Coast Road, Stillwater (Map 71)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's recommendation
6.1	Auckland Memorial Park and Cemetery Ltd / Hibiscus Trust c/- Graeme Cummins	Accept the plan change without any amendments; 2157 East Coast Road, Stillwater (not required for cemetery purposes)	FS28 - Tom Ang-oppose	Accept in part
89.1	Dennis Family Trust c/- Daniel Shaw	Approve the plan change for 2157 East Coast Road, Stillwater with the amendments I request: Large Lot zone inefficient; Mixed Housing Urban more appropriate given the context.	FS28 - Tom Ang-oppose	Accept

#### Summary of submissions and discussion

175. **Submission 6.1** seeks that the rezoning be accepted without any amendments while **submission 89.1** seeks that the rezoning be accepted with amendments with a Mixed Housing Urban zoning rather than the proposed Large Lot zoning.



176. The reasons why the proposed rezoning of this site is supported/supported with amendments are:

- (i) The property in question is no longer owned by the Auckland Memorial Park and Cemetery Ltd / Hibiscus Trust, and therefore no longer for required for cemetery purposes
- (ii) The Large Lot zone is an inefficient zoning for this site and Auckland Council has not considered a reasonable range of alternative residential zones
- (iii) A Mixed Housing Urban zoning is considered a more appropriate zone for this site given its locational context relative to the RUB, other zones, services, arterial roads, public transport as well as employment opportunities and community facilities.

a) Zoning of 2157 East Coast Road, Stillwater/NPS:UD (Items i, ii, iii)

177. It is acknowledged that the property no longer forms part of the Auckland Memorial Park and Cemetery. There are two options for rezoning the land. Option 1 – Large Lot Residential zone. This reflects that zoning of residential land on the eastern side of East Coast Road in the vicinity of the property. Option 2 – Mixed Housing Urban zone. This reflects the zoning of residential land on the western side of East Coast Road.

178. The National Policy Statement on Urban Development 2020 (NPS:UD) directs local authorities to enable greater supply and ensure that planning is responsive to changes in demand, while seeking to ensure that new development capacity enabled by councils is of a form and in locations that meet the diverse needs of communities and encourages well-functioning, liveable urban environments. It also requires councils to remove overly restrictive rules that affect urban development outcomes in New Zealand cities.

179. The NPS:UD is required to be given effect to by local authorities. Under Section 55 (2B) of the RMA:

*(2B) The local authority must also make all other amendments to a document that are required to give effect to any provision in a national policy statement that affects the document.*

In the above context, reference to “the document” includes a proposed plan or a plan.

180. Objective 3 of the NPS:UD requires:

*Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- (a) the area is in or near a centre zone or other area with many employment opportunities*
- (b) the area is well-serviced by existing or planned public transport*
- (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*

181. Policy 1 of the NPS:UD states:

*Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that:*

- (i) meet the needs, in terms of type, price, and location, of different households;*
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*



(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  
(e) support reductions in greenhouse gas emissions; and  
(f) are resilient to the likely current and future effects of climate change.

*Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*

*(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)*

*(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity*

182. Auckland Council is currently assessing the implication of the NPS:UD for the AUP. A plan change to give effect to the NPS:UD is not scheduled to be notified until August 2022.
183. As discussed in section 4.2 of this report, Objectives 2, 5 & 7 and policies 1 & 6 are particularly relevant to this plan change. These all deal with planning decisions.
184. The site at 2157 East Coast Road, Stillwater is an approximate 10-minute walk to the Silverdale park and ride facility and a 15-minute walk to the old Silverdale town centre. It is therefore an area that is near a centre zone (Silverdale town centre), it is well-served by public transport. Based on current construction activity, there appears to be a high demand for housing in this area.
185. A Mixed Housing: Urban zone is therefore more appropriate in this locality and would better give effect to the NPS: UD objective 3, than a Large Lot zoning.

#### Recommendations on submissions

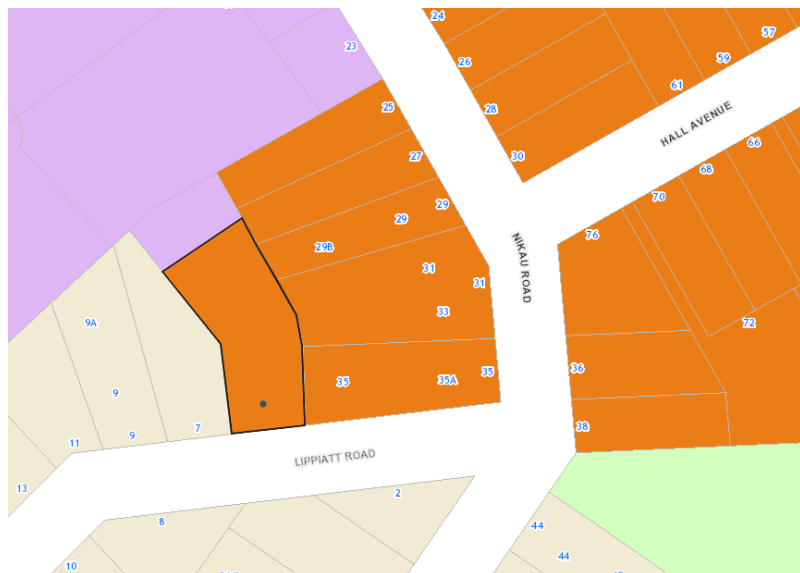
186. I recommend that **Submission 6.1 be accepted in part** and **submission 89.1 be accepted** for the following reasons:
- The property is no longer owned by the Auckland Memorial Park and Cemetery Limited / Hibiscus Trust, and therefore no longer for required for cemetery purposes
  - The Large Lot zone is an inefficient zoning (in terms of enabling intensive development) for this site
  - The NPS:UD requires district plans to enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply – areas in or near centre zones or other areas with many employment opportunities, areas well-served by public transport and where there is a high demand for housing or business in the area
  - A Mixed Housing Urban zoning is therefore considered a more appropriate zone for this site given its ability to provide for greater residential intensification adjacent to services, arterial roads, public transport as well as employment opportunities and community facilities.
187. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

### 6.1.6 Submissions on 1-5 Lippiatt Road, Otahuhu (Map 73)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
57.1	Reggie Kohu	Decline the plan change for 1-5 Lippiatt Road (The proposed rezoning would have a significant negative impact on our enjoyment of our neighbourhood and the home that we live in; the section 32 report has not adequately assessed the cost, benefits and risks of rezoning)	FS11 - Dave King – support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Reject
65.1	Claire Emma Valkenborg	Decline the plan change for 1-5 Lippiatt Road; or rezone to Single House zone (loss of valuable reserve and trees needed as area develops; rezoning contradicts Unitary Plan heritage and development policies; Pegler Brothers Housing Area would be adversely affected; reserve acts as buffer to THAB to east; THAB would bring adverse effects for adjoining sites)	FS11 - Dave King – support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Reject
85.1	Stephen Robert Faulkner	Decline the plan change for 1-5 Lippiatt Road; or subdivide for relocated houses of same era (inadequate notification; apartments inconsistent with AUP Heritage Overlay; land is subject to flooding, not a good site to sell for funds).	FS11 - Dave King – support FS12 - Shirley Waru-support FS13 - Reinard Abe Poelman-support FS15 - Anthony David Carson-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Reject
86.1	Alison Mary Faulkner	Decline the plan change for 1-5 Lippiatt Road; or relocate house(s) of same era to site (open space well used; plan change contrary to heritage status of street; land subject to flooding, not suited to development; lack of due diligence by council)	FS11 - Dave King – support FS12 - Shirley Waru-support FS13 - Reinard Abe Poelman-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Reject
93.1	Heritage New Zealand Pouhere Taonga c/- Susan Andrews	Decline the plan change for 1-5 Lippiatt Road, in the absence of any investigation or analysis of the potential historic heritage values - historic, archaeological, social, etc of the reserve within the Lippiatt Road Pegler Brothers Housing Historic Heritage Area (Schedule 14.2 ID. 2564)	FS11 - Dave King – support FS28 - Tom Ang-oppose	Reject
103.1	Elisabeth Jobbins	Decline the plan change for 1-5 Lippiatt Road (green areas needed in ever increasing housing areas; climate change/greenhouse effects; site subject to flooding, historical stream - leave site as it is)	FS11 - Dave King – support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Reject

## Summary of submissions and discussion

188. **Submissions 57.1, 65.1, 85.1, 86.1. 93.1 and 103.1** all oppose the proposed rezoning of 1-5 Lippiatt Road, Otahuhu.



189. The reasons for opposing the rezoning include:
- (i) The proposed rezoning would have a significant negative impact on our enjoyment of our neighbourhood and the home that we live in
  - (ii) The section 32 report has not adequately assessed the cost, benefits and risks of rezoning
  - (iii) Loss of valuable reserve and trees needed as area develops, green areas needed in ever increasing housing areas
  - (iv) Rezoning contradicts Unitary Plan heritage and development policies - Pegler Brothers Housing Area would be adversely affected, apartments inconsistent with AUP Heritage Overlay, absence of any investigation or analysis of the potential historic heritage values - historic, archaeological, social, etc of the reserve within the Lippiatt Road Pegler Brothers Housing Historic Heritage Area (Schedule 14.2 ID. 2564)
  - (v) Reserve acts as buffer to THAB to east
  - (vi) THAB would bring adverse effects for adjoining sites
  - (vii) Inadequate notification
  - (viii) Land is subject to flooding, not a good site to sell for funds
  - (ix) Climate change/greenhouse effects
190. PC60 proposes to rezone 1-5 Lippiatt Road, Otahuhu from Open Space – Informal Recreation zone to Residential – THAB zone. The land parcel is part of Auckland Council’s land disposal process.
- a) Effects of a Residential – Terrace Housing and Apartment Buildings (THAB) Zoning (Items i, iv)
191. The THAB zoning enables buildings to a height of 16m. There are no density controls. Where sites in the THAB zone adjoin: (a) a site in the Residential – Single

House zone then buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site. There are other standards relating to yards, maximum impervious area, building coverage, landscaped area, outlook space, daylight and outdoor living space, that also apply.

192. There are a number of areas around the Auckland region where the THAB zone is adjacent to the Single House zone. This is particularly so in heritage and special character areas. The AUP contains standards to manage the effects of development at this interface.

b) Section 32 Report (Item ii)

193. The Section 32 Report includes the two section 32 reports associated with the notified plan change (one prepared by Auckland Council relating to newly vested/acquired land, errors and anomalies and the rezoning of land to better facilitate redevelopment and one prepared by Eke Panuku for Auckland Council's rezoning's and land disposal).

194. This section 42a hearing report also forms part of the section 32 report, as is the evaluation undertaken by the hearing commissioners and their decision. I am of the opinion that collectively, these documents adequately assess the costs, benefits and risks of the proposed rezoning.

c) Loss of valuable reserve and trees/reserve acts as a buffer to THAB zone (Items iii, v, ix)

195. There will be a loss of 1369 sqm of open space if the rezoning of 1-5 Lippiatt Road is approved.

196. There is significant open space within walking distance of 1-5 Lippiatt Reserve – Sturges Park (sports fields), Fairburn Reserve (Otahuhu pool and leisure centre and grounds) and Otahuhu College grounds (playing fields).

197. The Māngere-Ōtāhuhu Area Plan 2013 identifies six key moves.

198. Under the Economic and community development theme

*A variety of high-quality and safe public open spaces providing coastal and recreational opportunities.*

*Residents and visitors have access to safe, high-quality social infrastructure.*

199. Under the Natural environment, heritage and character theme:

Māngere-Ōtāhuhu's built environment is known and valued for its green spaces, connected neighbourhoods, sustainable buildings and vibrant centres.

200. The Māngere-Ōtāhuhu Local Board Plan 2020 identifies the following opportunities:

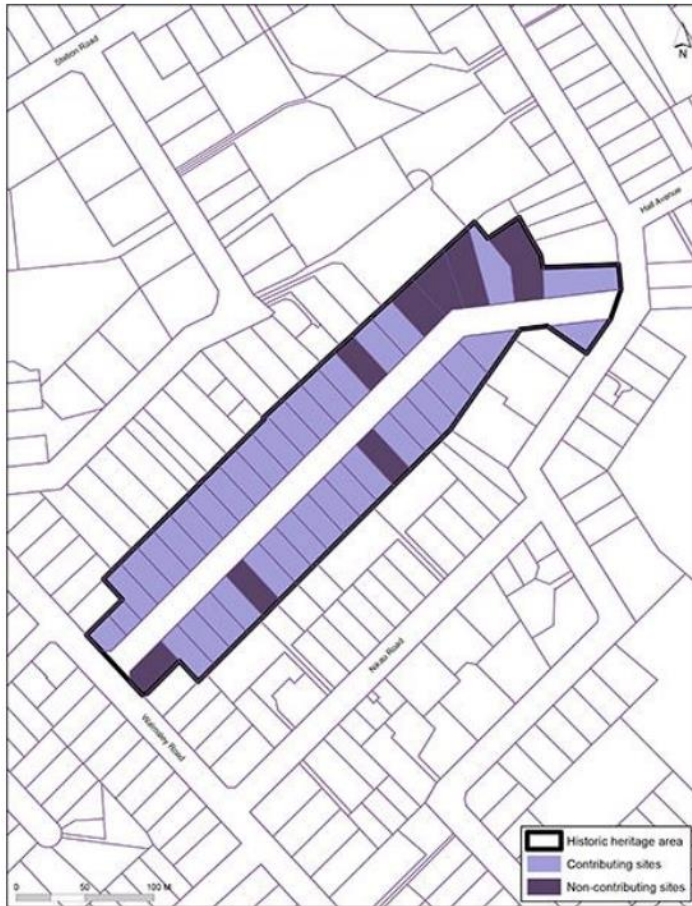
*Opportunities*

*• Deliver more quality parks facilities and fit-for purpose sport facilities through Increasing Aucklanders' Participation in Sport: Investment Plan 2019-2039 and other strategic documents to meet a growing population that is young and active.*

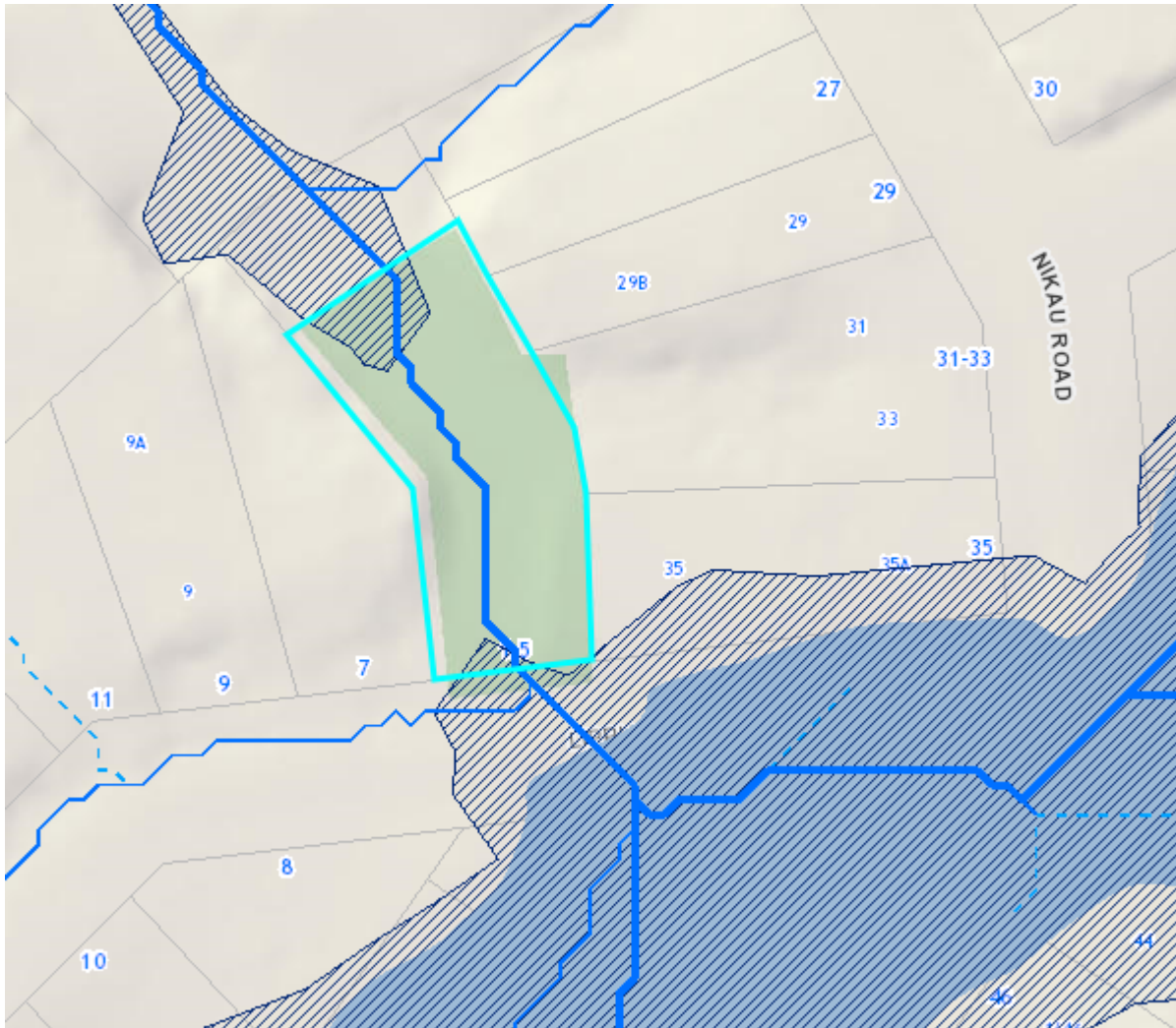
• *Expanding our review of recreation and play areas to ensure we design quality learning equipment and safer, friendlier play spaces for our children and young people.*




201. Both the Area Plan and the Local Board Plan have a focus on high quality and safe public open spaces. Both Sturges Park (sports fields), Fairburn Reserve (Otahuhu pool and leisure centre and grounds) are high quality open spaces. 1-5 Lippiatt Road is of lesser quality.
- d) Effects On Heritage (Item iv)
202. Lippiatt Road is identified as a historic heritage area (Pegler Brothers Housing Area) in the AUP. The site 1-5 Lippiatt Road is identified as a “non – contributing” site (Defined as: “Buildings, structures or features within the extent of a scheduled historic heritage area that make little or no contribution to, or detract from, the values for which the area has been scheduled”).
203. Historic heritage areas are subject to the provisions of D17 Historic Heritage Overlay (which includes objectives D17.2 and Policies D17.3). New buildings or structures in non-contributory sites/features are a restricted discretion activity.
204. Matters of discretion (17.8.1) include:
- (a) effects on the known heritage values of a historic heritage place from the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;*
  - (b) effects on the inter-relationship between buildings, structures and features within the place;*
  - (c) effects of the proposal on the overall significance of the place;*
205. Assessment criteria (17.8.2) include:
- (a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;*
  - (b) whether the proposed works will maintain or enhance the heritage values of the place, including by:*
    - (i) avoiding or minimising the loss of fabric that contributes to the significance of the place;*
    - (ii) removing features that compromise the heritage values of the place;*
    - (iii) avoiding significant adverse effects on the place, having regard to the matters set out in B5 Historic heritage and special character;*
206. Special information requirements (D17.9) include:
- (1) An application for resource consent for works affecting scheduled historic heritage places must be accompanied by a heritage impact assessment that is commensurate to the effects of the proposed works on the overall significance of a historic heritage place, and taking into account whether the works affect a primary, non-primary, non-contributing or excluded site or feature.*
207. The provisions of D17 Historic Heritage Overlay, including the objectives, policies, standards and assessment criteria therefore appropriately manage any new development on the subject site.

Map 14.2.6.1 Historic Heritage Area: Lippiatt Road Pegler Brothers Housing Area:



208. Lippiatt Reserve is named after the Lippiatt family. William, Thomas and Fredrick Liappiatt were early Otahuhu nurseryman. “The House, Lippiatt, Sturges and Robertson families gave land, some not under land or town planning laws, when subdividing family estate lands as generous provisions” (Otahuhu Historic Heritage Survey, Mathews and Mathews Architects Ltd et al, August 2014, P.14). Although the reserve is not a historic heritage place under the AUP, it is associated with an important Otahuhu family. This is also reflected in the street name.
- e) Notification (Item vii)
209. Refer to the discussion on notification in section 5.4 of this report.
- f) Land is Subject to Flooding (Item viii)



- ✓ Flood Prone Areas 
- ✓ Flood Sensitive Area 
- ✓ Flood Plains 
- ✓ Overland Flow Paths

210. The above map from Auckland Council's Geomaps identifies land that is either a flood prone area, flood sensitive area, within a flood plain or has an overland flow path. A portion of 1-5 Lippiatt Road, Otahuhu is a flood prone area and contains an overland flow path.
211. Flood prone areas and overland flow paths are subject to the provisions in E36 – Natural hazards and Flooding – where they are in the 1 per cent annual exceedance probability (AEP) floodplain.
212. “All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain” are a restricted discretionary activity under E36.
213. In the AUP, the Annual exceedance probability is defined as *“the probability of exceeding a given threshold within a period of one year. It can be applied to any type*

*of risk. For example in relation to flooding, a one per cent AEP flood plain is the area that would be inundated in a storm event of a scale that has a one per cent or greater probability of occurring in one year”.*

214. The AUP therefore has standards that manage development in flood prone areas and where there are overland flowpaths, including at 1-5 Lippiatt Road.
- g) Climate change/greenhouse effects (Item iv)
215. 1-5 Lippiatt Road does contain mature trees around the edge of the park and it also provides opportunity for future planting on public land. The rezoning of the land to THAB zone and its subsequent development will likely limit opportunity for the planting of trees that upon maturity, are large.
216. Auckland Council Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland’s urban area with no local board area having less than 15 per cent canopy cover. Publicly owned land provides an opportunity to not only retain existing trees and vegetation but also to undertake additional planting.
217. Auckland’s Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

#### Auckland Unitary Plan – Regional Policy Statement

218. An assessment of the proposed rezoning against the the relevant sections of the AUP’s RPS is contained in Attachment 6. In summary:
- Location, area and design means that 1-5 Lippiatt Road provides limited opportunity for social and cultural vitality
  - Mature trees assist in mitigating the effects of climate change. Additional vegetation could be planted
  - Better quality open spaces are a short walk away in the vicinity
  - There is not a deficiency of open space in the general vicinity given Sturges Park (sports fields), and Fairburn Reserve (Otahuhu pool and leisure centre and grounds).

#### Recommendations on submissions

219. I recommend that **Submissions 57.1, 65.1, 85.1, 86.1. 93.1 and 103.1** be rejected, for the following reasons:
- The proposed THAB zone contains standards which mitigate the effects of development on the adjacent Single House zone. There are also a number of areas around the Auckland region where the THAB zone is adjacent to the Single House zone. This is particularly so in heritage and special character areas
  - The Section 32 Report together with this section 42a report satisfy the section 32 requirements of the RMA
  - There is significant open space within walking distance of 1-5 Lippiatt Reserve – Sturges Park (sports fields), Fairburn Reserve (Otahuhu pool and leisure centre and grounds) and Otahuhu College grounds (playing fields). These are higher quality open spaces and are available to existing and future residents of 1-5 Lippiatt Road
  - Lippiatt Road is identified as a historic heritage area (Pegler Brothers Housing Area) in the AUP. The site 1-5 Lippiatt Road is a “non – contributing” site.



Historic heritage areas are subject to the provisions of D17 Historic Heritage Overlay which also manages new buildings or structures on non-contributory sites as a restricted discretion activity.

- Any new development in flood prone areas is subject to the provisions in E36 – Natural Hazards and Flooding.

220. There are no consequential amendments associated with this recommendation.

### 6.1.7 Submission on 23 Waipuna Road, Mount Wellington (Map 75)

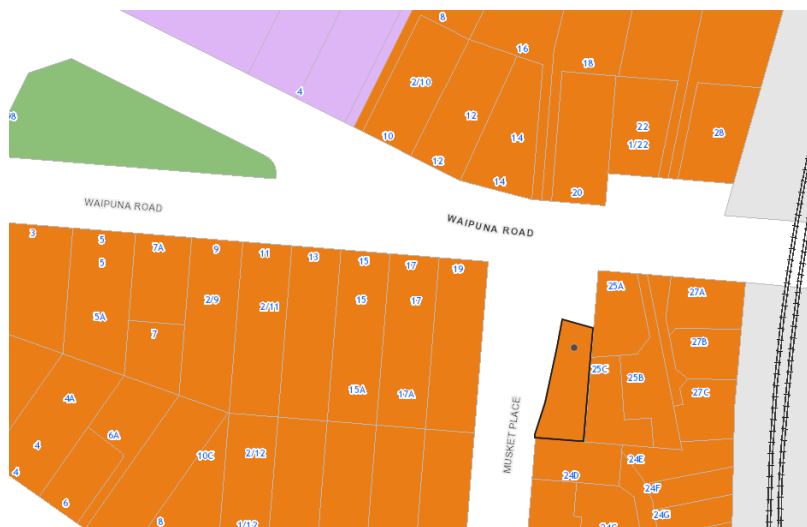
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's recommendations
71.1	Ky Sit Lh Sit F Jiang	Decline the plan change for 23 Waipuna Road, Mt Wellington (losing a fantastic open space for leisure; THAB zone development would generate adverse effects for our property and the locality)	FS11 - Dave King – support FS28 - Tom Ang- oppose	Reject

#### Summary of submissions and discussion

221. **Submission 71.1** seeks that the proposed rezoning of 23 Waipuna Road, Mt Wellington be declined.

222. The reasons provided by the submitter include:

- (i) Losing a fantastic open space for leisure
- (ii) Potential structural damage our property which is situated right adjacent to 23 Waipuna Rd during construction
- (iii) Day to day disturbance to the occupants and neighborhoods, e.g. air quality, noise traffic disruption and/or congestion around the intersection between Musket place and Waipuna Road for a considerable long period of time
- (iv) The THAB zone development would generate adverse effects for our property (i.e. height of buildings) and the locality.



223. PC60 proposes to rezone 23 Waipuna Road, Mount Wellington from Open Space – Informal Recreation zone to Residential – THAB zone. The land parcel is part of Auckland Council’s land disposal process.
- a) Open Space (Item i)
224. 23 Waipuna Road, Mount Wellington is a pocket park of 874 sqm in an area of THAB zoning.
225. Open space in the vicinity includes the esplanade reserve around the edge of Panmure Basin (Panmure Basin reserve), an “island” of open space at the centre of the intersection of Mt Wellington Highway, Waipuna Road and Penrose Road and the Hamlin Park sports fields off Mt Wellington Highway.
- b) Construction Effects (Item ii)
226. The noise and vibration effects associated with construction are managed under Section E25 – Noise and Vibration, of the AUP. The objectives of these controls in E25.2 are:
- (1) People are protected from unreasonable levels of noise and vibration.*  
*(2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.*  
*(3) Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.*  
*(4) Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.*
227. Policy E25.3.10 addresses Construction, demolition and maintenance activities and states:
- (10) Avoid, remedy or mitigate the adverse effects of noise and vibration from construction, maintenance and demolition activities while having regard to:*  
*(a) the sensitivity of the receiving environment; and*  
*(b) the proposed duration and hours of operation of the activity; and*  
*(c) the practicability of complying with permitted noise and vibration standards.*
228. The objective and policy are implemented via E25.6 Standards. These, in my view, adequately address the potential effects from construction.
- c) Effects on Amenity Values (Item iii)
229. There will be effects on adjacent single detached residential dwellings associated with the development and use of 23 Waipuna Road under the THAB zoning. These effects will be similar to those in the surrounding area which is also zoned THAB and may include loss of privacy, some loss of daylight/sunlight associated with higher buildings, an increase in noise and traffic from a greater density of development. These effects will be most noticeable as the area transitions from predominantly single dwellings to apartment buildings and terrace housing.
- d) Effects of THAB Zoning (Item iv)
230. The THAB zoning enables buildings to a height of 16 m. There are no density controls. Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along the side and rear boundaries.

There is also an alternative height in relation to boundary control within the THAB zone. There are other standards relating to yards, maximum impervious area, building coverage, landscaped area, outlook space, daylight and outdoor living space, that also apply.

231. The area surrounding 23 Waipuna Road is zoned THAB. There will be adverse effects from THAB developments on single detached residential dwellings as the area transitions from predominantly single dwelling to apartment buildings and terrace housing. This level of effect is however envisaged by the AUP and is managed by the Standard E25.6 referred to above.

#### Auckland Unitary Plan – Regional Policy Statement

232. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:

- The open space provides amenity values e.g openness, space for informal recreation, particularly for the adjacent properties
- There are other informal recreation reserves in the vicinity e.g. the esplanade reserve around the edge of Panmure Basin, an “island of open space at the centre of the intersection of Mt Wellington Highway, Waipuna Road and Penrose Road and the Hamlin Park sports fields off Mt Wellington Highway
- There is potentially a deficiency in open space once redevelopment of the area for intensive housing occurs.

#### Recommendations on submissions

233. I recommend that **Submission 71.1 be rejected** for the following reasons:

- There are other open spaces in the vicinity which include the esplanade reserve around the edge of Panmure Basin (Panmure Basin Reserve), an “island” of open space at the centre of the intersection of Mt Wellington Highway, Waipuna Road and Penrose Road and the Hamlin Park sports fields off Mt Wellington Highway
- The noise and vibration effects associated with construction are managed under Section E25 – Noise and Vibration, of the Auckland Unitary Plan
- There will be effects on adjacent single detached residential dwellings associated with the development and use of 23 Waipuna Road under the THAB zoning. These effects will be most noticeable as the area transitions from predominantly single dwelling to apartment buildings and terrace housing under the operative zoning
- There are standards in the THAB zone, including the height in relation to boundary control which are intended to mitigate the effects of development.

234. There are no consequential amendments associated with this recommendation.

### 6.1.8 Submissions on 12R Rockfield Road, Ellerslie (Map 76)

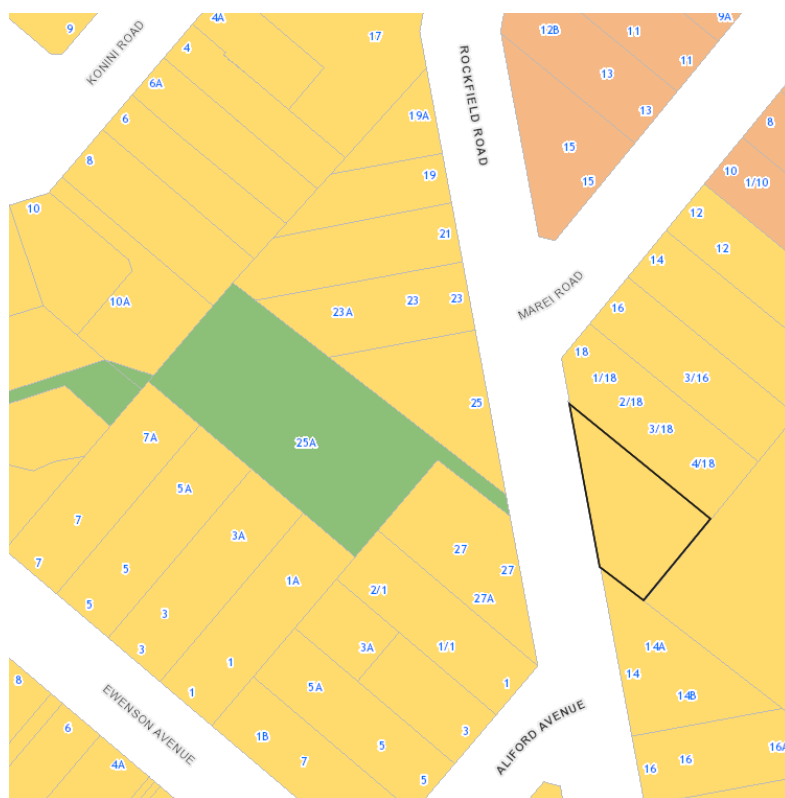
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
3.1	Ed Hayes	Decline the plan change for 12R Rockfield Road, Ellerslie (so few parks in the area; has native birdlife and is a place to rest)	FS11 - Dave King-support FS28 - Tom Ang-oppose	Accept
14.1	Julie Brien	Decline the plan change for Marei Park, 12R Rockfield Road (the area is intensifying and open space will be required)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
76.1	Bronwen Wills	Decline the plan change for 12R Rockfield Road, Ellerslie (the park has significant cultural heritage associations and natural values; it is significant for women, and offers respite for the community)	FS11 - Dave King – support FS28 - Tom Ang-oppose	Accept

#### Summary of submissions and discussion

235. **Submissions 3.1, 14.1 and 76.1** seek that the proposed change for 12R Rockfield Road, Ellerslie be declined.

236. The reasons provided by the submitters include:

- (i) Few parks in the immediate area to rest and appreciate Auckland and its birdlife
- (ii) Park is often frequented by Tui, Piwakawaka and Kereru
- (iii) Enjoy seeing families using the park
- (iv) Intensification is occurring in the Rockfield Road area
- (v) Loss of green space and will also add more housing to an already busy road
- (vi) One Tree Hill is close but not accessible to many residents of the Rockfield Road area (e.g. elderly, disabled, those with small children)
- (vii) Marei Park was donated to the King of England (30/09/1925) by Annie and Jessie Brown for the purpose of the community to have a park
- (viii) Marei Park has been named after one of the wives of Te Kawairiranga and associated with the pa on One Tree Hill
- (ix) The park is a memorial to the importance of Marei to the Ellerslie/One Tree Hill area. The park should be kept as a memorial to the importance of women in Auckland's history
- (x) Park has flora and fauna that should be kept for all of Auckland to enjoy – mature native trees
- (xi) Rockfield Road already has significant parking issues. Any removal of existing parking and addition of any more vehicles would increase these issues
- (xii) Seats and park are a common area for people in the community to rest and meet



237. PC60 proposes to rezone 12R Rockfield Road, Ellerslie from Open Space – Informal Recreation zone to Residential – Mixed Housing Suburban zone. The land parcel is part of Auckland Council's land disposal process.

a) Open Space/Intensification (Items i, ii, iii, v, x, xii)

238. 12R Rockfield Road, Ellerslie has an area of 809 sqm. There are other open spaces/reserves in the vicinity. These include the following:

Reserve Name	Address	Zoning	Area (ha)
Balance of Marei Reserve	25A Rockfield Road, Ellerslie	Open Space – Informal Recreation	0.2747
Konini Reserve	18A Waiohua Road, Greenlane	Open Space – Informal Recreation Open Space – Sport and Active Recreation	0.8060
Te Kawa Reserve	67A Te Kawa Road, Greenlane	Open Space – Informal Recreation	0.3141
Maroa Reserve	7A Maroa Road, Onehunga	Open Space – Informal Recreation	0.7494

239. One Tree Hill/Cornwall Park is approximately 1.9km away. Submitter 14.1 makes the point that while One Tree Hill reserve is seemingly close, it is not accessible to many residents of the Rockfield Road area - those elderly, disabled, with small children and children not able to yet be on their own need a local space that they can access.

240. The area is predominantly Mixed Housing Suburban zone, although there are pockets of Mixed Housing Urban zone e.g. around the Marei Road area. More intensive development is therefore provided for. Access to open space will become increasingly important.
- b) Heritage Values (Items vii, viii, ix)
241. Submitter 76.1 submits that Marei Park was donated to the King of England in 1925 by Annie and Jessie Browne for the purpose of the community to have a park. Marei Park has been named after one of the wives of Te Kawairiranga and associated with the pa on One Tree Hill. The park is a memorial to the importance of Marei to the Ellerslie/One Tree Hill area. The submitter is of the view that the park should be kept as a memorial as celebrate for the importance of women in Auckland's history.
242. Marei Park is not listed as a historic heritage place under the AUP. Evidence from the submitter indicates that the park has heritage value, although this is not currently recognised in the AUP. The heritage team provides high-level historic heritage comments back to Eke Panuku on sites included in their rationalisation process. Advice from Auckland Council's heritage team is that it is inconclusive if the park has heritage value. Investigations are continuing on this issue. In light of this and in conjunction with the other issues, my recommendation to decline the rezoning seems appropriate at this stage.
- c) Trees & Vegetation (Item x)
243. Marei Park contains mature trees, including native species. The rezoning of the land to Residential – Mixed Housing Suburban zone and its subsequent development will likely result in the loss of all the trees.
244. Auckland Council's Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover.
245. Publicly owned land provides an opportunity to not only retain existing trees and vegetation but also to undertake additional planting.
- d) Traffic and Parking (Item xi)
246. The rezoning of 809 sqm of land to Residential – Mixed Housing Suburban zone and its subsequent development is unlikely to add significantly to the traffic and parking issues in the area. The zoning of the wider area as Residential – Mixed Housing Suburban zone and some areas of Residential – Mixed Housing Urban zone and its subsequent development will be the most significant contributor to traffic and parking demand.
247. Public transport (bus) routes are located nearby along Great South Road and Rockfield Road with train stations located at Penrose and Ellerslie. This provides an alternative to vehicular trips, particular for the journey to work and school.

#### Auckland Unitary Plan – Regional Policy Statement

248. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:
- The location, area and design means that the open space provides limited opportunity for social and cultural vitality

- Provides open space and contains mature trees. Enhances the amenity of the area
- There are other “informal recreation areas” in the vicinity e.g Konini Reserve, Te Kawa Reserve and Maroa Reserve.

### Recommendations on submissions

249. I recommend that **Submission 3.1, 14.1 and 76.1 be accepted** for the following reasons:

- The area is predominantly Mixed Housing Suburban zone, although there are pockets of Mixed Housing Urban zone e.g around the Marei Road area. More intensive development is therefore provided for and access to open space will become increasingly important
- Marei Park has potential heritage value (it is inconclusive at this stage), although this is not currently recognised in the AUP
- Marei Park contains mature trees, including native species. The rezoning of the land to Residential – Mixed Housing Suburban zone and its subsequent development will likely result in the loss of all the trees. This is contrary to the Auckland Council Urban Ngahere Strategy.

250. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

### 6.1.9 Submissions on 11R Birmingham Road, Otara (Map 77)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
30.1	Wireworks New Zealand Ltd c/- Sandra Lynette Hadley	Decline the plan for 11 Birmingham Road, Otara (Council has already disposed of 30 Birmingham; green space is needed for local people and workers health and wellbeing; there are businesses, a swim school, church and childcare in the street; concern for the business that might buy and use the site - car wreckers and possible fires and anti-social behaviour)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd- support FS28 - Tom Ang-oppose	Accept
35.1	Rahul Manocha (The Karma Estate Ltd)	Decline the proposal to change the zoning of 11R Birmingham Road and retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.1(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space Zone serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of land zoning is not a reason for its removal)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd- support FS28 - Tom Ang-oppose	Accept
38.1	Anthony Katterns	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has	FS11 - Dave King – support FS19 - T&T	Accept

		value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	
39.1	Total Engineering East Tamaki Ltd	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept
40.1	Tania Brown-Bayliss	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept
41.1	Tetiana Rabshtyna	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept



		its zoning which would be lost)		
42.1	Hammed Torkaneh	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.1(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept
49.1	Turin Panel & Paint Ltd c/- Anoop Kumar	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.1(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept
50.1	Peter Jones	Approve the plan change with the amendments requested; the rezoning of 11R Birmingham Road is opposed. Remove it from the plan change. Rezoning the land which is adjacent to the creek to light industrial will increase contamination in the Ōtara waterways, in direct contradiction to the vision and values of the Waterways and Lake Trust, which Council supports through the Ōtara-Papatoetoe and Howick Local Boards.	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept
55.1	Alexander Cameron-Brown	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.1(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept

		for its removal; it has trees protected by its zoning which would be lost)		
56.1	Ross David Ireland	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; reserve land not an inefficient use of land; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd- support FS28 - Tom Ang-oppose	Accept
58.1	Chelsea Fowler	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone (I make regular use of the reserve as a local worker)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd- support FS28 - Tom Ang-oppose	Accept
82.1	Cook Islands Seventh Day Adventist Church c/- Pastor Paora Teaukura	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; the reserve supports the community's use of the church; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS20 - Johannink Property Ltd- support FS28 - Tom Ang-oppose	Accept
90.1	Johannink Property Ltd c/- Darrin Johannink	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses, church users or workers; the reserve supports the community's use of the church; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.l(e) and H7.S.3.2; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason	FS11 - Dave King – support FS19 - T&T Fashions Ltd - support FS28 - Tom Ang-oppose	Accept

		for its removal; it has trees protected by its zoning which would be lost; historical underinvestment is not a reason to dispose; the site is an overland flow path and over 70% is flood plain & has other development constraints; informal parking on the reserve is not reason to dispose)		
91.1	T&T Childrenswear c/- Darrin Johannink	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses, church users or workers; the reserve supports the community's use of the church; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.1(e) and H7.S.3.2; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost; historical underinvestment is not a reason to dispose; the site is an overland flow path and over 70% is flood plain & has other development constraints; informal parking on the reserve is not reason to dispose)	FS11 - Dave King – support FS20 - Johannink Property Ltd-support FS28 - Tom Ang-oppose	Accept
105.1 (late)	CNC Design Ltd (Euan Brouwers)	Decline to change the zoning of 11R Birmingham Road, retain the Open Space - Informal Recreation Zone. (The land has value and is used in the purpose of its current zoning; rezoning will not support local businesses or workers; the reserve supports the community's use of the church; Open Space zoning is consistent with AUP objectives and policies, eg Policies H7.3.1(e) and H7.S.3.2; 30R Birmingham was lost under PC36; a 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community; being an irregularity to a pattern of business zoning is not a reason for its removal; it has trees protected by its zoning which would be lost)	FS11 - Dave King – support FS28 - Tom Ang-oppose	Accept

### Summary of submissions and discussion

251. **Submissions 30.1, 35.1, 38.1, 39.1, 40.1, 41.1, 42.1, 49.1, 50.1, 55.1, 56.1, 58.1, 82.1, 90.1, 91.1, & 105.1** seek that the proposed rezoning of 11R Birmingham Road, Otara be declined.
252. The reasons provided by the submitters include:
- (i) Green space is needed for local people and workers health and wellbeing; there are businesses, a swim school, church and childcare in the street

- (ii) Concern over the business that might buy and use the site - car wreckers and possible fires and anti-social behaviour
- (iii) The land has value and is used in the purpose of its current zoning
- (iv) Rezoning will not support local businesses or workers
- (v) The reserve supports the community's use of the church
- (vi) An Open Space zoning is consistent with AUP objectives and policies, e.g. Policies H7.3.1(e) and H7.S.3.2
- (vii) 30R Birmingham was lost under PC36
- (viii) A 'spot zone' of Open Space serving its neighbourhood reflects the function and use of the site by the community
- (ix) Being an irregularity to a pattern of business zoning is not a reason for its removal
- (x) It has trees protected by its zoning which would be lost
- (xi) Rezoning the land which is adjacent to the creek to light industrial will increase contamination in the Ōtara waterways, in direct contradiction to the vision and values of the Waterways and Lake Trust, which Council supports through the Ōtara-Papatoetoe and Howick Local Boards
- (xii) Historical underinvestment is not a reason to dispose
- (xiii) The site is an overland flow path and over 70% is flood plain & has other development constraints
- (xiv) Informal parking on the reserve is not reason to dispose



253. PC60 proposes to rezone 11R Birmingham Road, Otara from Open Space – Informal Recreation zone to Business - Light Industry zone. The land parcel is part of Auckland Council’s land disposal process.
- a) 30 Birmingham Road, Otara (Item vii)
254. 30R Birmingham Road, Otara was rezoned from Open Space – Informal Recreation zone to Business - Light Industry zone under Plan Change 36. The land parcel is part

of Auckland Council's land disposal process. It has an area of 1072 sqm. The plan change is now operative (the planning maps were updated in June 2021).

b) Open Space (Items i, vi, viii, ix, xiii, xiv)

255. 11R Birmingham Road, Otara has an area of 2527 sqm. It is currently zoned Open Space – Informal Recreation and provides nearby businesses and community uses with a park for passive recreation (e.g. relaxing, eating lunch).

256. Open space zoned land in the vicinity includes:

Name	Location	Zoning	Area (ha)
Turin Place Stream Reserve	15R Birmingham Road, Otara	Open Space - Conservation	0.5019
East Tamaki Reserve	244R East Tamaki Road, Otara	Open Space – Sport and Active Recreation	In excess of 5.8001
Stancombe Road Reserve	1 Stancombe Road, Flat Bush	Open Space – Informal Recreation Open Space – Sport and Active Recreation	12.8382

257. Although there is extensive open space in the surrounding area, 11R Birmingham Road, Otara is the only informal open space within the Business – Light Industry zoned land in this area.

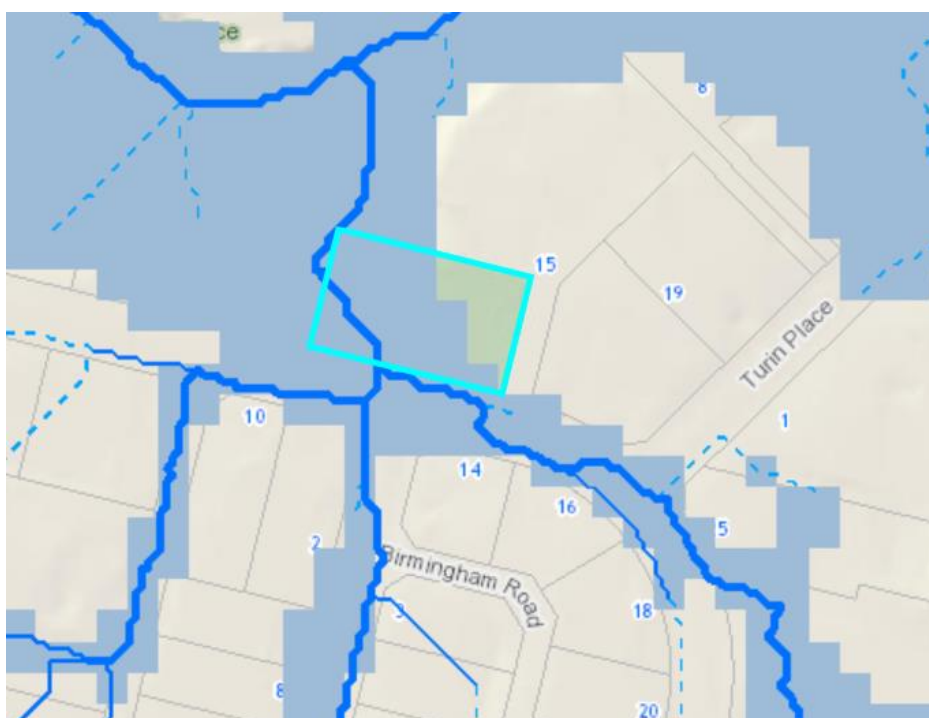
258. Historically, the former Territorial Local Authorities that made up the Auckland Council did provide open space within industrial areas (both light and heavy). Often this was associated with esplanade reserves, stormwater management areas or buffer strips (adjacent to residential zoned land). Examples across the region include:




Address	Zoning	Purpose
157 Great South Road, Otahuhu	Open Space – Informal Recreation	Portage Reserve
127 – 139 Hugo Johnston Drive, Mt Wellington	Open Space – Conservation	Protect vegetation
62 Hugo Johnston Drive, Mt Wellington	Open Space – Sport and Active Recreation	Sportsfield, sport
17-23 Exmouth Street, Eden Terrace	Open Space – Informal Recreation	Park, informal recreation
Part Lot 29 DP 51129 Lake Road, Northcote	Open Space – Informal Recreation	Buffer area, walkway
R8 Greydene Place, Takapuna	Open Space – Conservation	Esplanade reserve
R374 Rosedale Road, Albany	Open Space – Informal Recreation	Stormwater pond, walkway, informal recreation

c) Trees and vegetation (Item ix)

259. 11R Birmingham Road, Otara contains mature exotic trees along the rear and side boundaries. There is also opportunity for further tree planting. The rezoning of the land to Business – Light industry zone and its subsequent development will likely result in the loss of the majority of the trees.

260. Auckland Council Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover.
261. Publicly owned open space provide an opportunity to both retain existing trees and increase tree canopy cover.
- d) Overland Flow Path/Contamination of Waterways (Items xiii, xi)
262. The map below from Auckland Council's Geomaps identifies land that is either a flood prone area, flood sensitive area, within a flood plain or is an overland flowpath. A portion of 11R Birmingham Road lies within a floodplain. There is also an overland flowpath along the western portion of the site.



- Overland Flow Paths
- NIWA River Environment Classification 2
- Watercourse Assessment
- Integrated Catchment Management Plans
- River, Stream and Overland Flow Catchments
- Flood Prone Areas 
- Flood Sensitive Area 
- Flood Plains 

263. Flood plains and overland flowpaths are subject to the provisions in E36 – Natural hazards and Flooding where they are in the 1 per cent annual exceedance probability (AEP) floodplain.

264. “All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain” are a restricted discretionary activity under E36.
265. In the AUP, the Annual exceedance probability is defined as *“the probability of exceeding a given threshold within a period of one year. It can be applied to any type of risk. For example in relation to flooding, a one per cent AEP flood plain is the area that would be inundated in a storm event of a scale that has a one per cent or greater probability of occurring in one year”*.
266. Any buildings or other structures, including retaining walls (but excluding permitted fences and walls) located within or over an overland flow path are a restricted discretionary activity.
267. The AUP therefore enables the assessment of effects associated with building on floodplains or over overland flowpaths.

#### Auckland Unitary Plan – Regional Policy Statement

268. An assessment of the proposed rezoning against the the relevant sections of the AUP’s RPS is contained in Attachment 6. In summary:
- 11R Birmingham Road provides open space and contains mature trees around the periphery
  - Mainly functions as an area of informal recreation for the adjacent/nearby businesses
  - Mitigates stormwater/flooding effects, vegetation can assist in mitigating the effects of climate change
  - There are other “informal recreation areas” in the vicinity but these are not within the light industrial area. They do border it however.

#### Recommendations on submissions

269. I recommend that **Submission 30.1, 35.1, 38.1, 39.1, 40.1, 41.1, 42.1, 49.1, 50.1, 55.1, 56.1, 58.1, 82.1, 90.1, 91.1, & 105.1 be accepted** for the following reasons:
- Although there is extensive open space in the surrounding area, 11R Birmingham Road, Otara is the only informal open space within the Business – Light Industry zone
  - 11R Birmingham Road, Otara contains mature exotic trees along the rear and side boundaries. There is also opportunity for further tree planting. The rezoning of the land to Business – Light industry zone and its subsequent development will likely result in the loss of all the trees. This is contrary to the Auckland Council Urban Ngahere Strategy (which includes: To increase canopy cover in road corridors, parks and open spaces to support an average of 30 per cent canopy cover across Auckland’s urban area with no local board area having less than 15 per cent canopy cover)
  - A portion of 11R Birmingham Road lies within a floodplain. There is also an overland flowpath along the western portion of the site.
270. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

### 6.1.10 Submissions on 2R Keeney Court, Papakura (Map 78)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
20.1	Robbie Cosseboom Gabriel Cowell	Decline the plan change for Keeney Court Reserve (this should be a park our children and grand kids play here)	FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept
21.1	Varinder Singh	Approve the plan change (which we oppose) with the amendments I requested - no buildings in the park, we want a playground to keep kids off the street.	FS01 - Rupinder kaur-support FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept
32.1	Mrs Shirley Turner	Decline the plan change for Keeney Court Reserve (Please don't wreck every part of Papakura)	FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept
34.1	Jianwen Li	Decline the plan change for Keeney Court Reserve; acquired as open space, recreation area (plan change will destroy the nature of the street and local community; increased intensity of living will harm local people's health with greater emissions)	FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept
53.1	Gayleen Adrian Yuonne Anderson	Decline the plan change for Keeney Court Reserve (kids of today and tomorrow need a safe place to play; where will occupiers park if site developed?; privacy, safety, security issues for neighbours; once reserve lost, gone forever)	FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept
54.1	Lynette Raye Blackbourn (LR Blackbourn & Trustee Professionals Limited)	Decline the plan change for Keeney Court Reserve (rezoning will lead to sale and loss of reserve; funds gained not significant, suburbs lose for central city gain; Keeney Court has parking and traffic issues; kids play on safe reserve; property values will be affected; park belongs to people of Papakura, past reserves contribution)	FS02 - Jianwen Li-support FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept
92.1	Helen Joan Higgott	Decline the plan change for Keeney Court Reserve (plan change contrary to "Green spaces are a key contributor to people's wellbeing" Alec Tang, Chief Sustainability Officer AC, Papakura Courier 17 Feb 2021, pg 4; green spaces needed for low carbon Auckland; Local Board opposes the AC Finance & Dev Committee decision; reserves essential as high density housing occurs; Clevedon Road hazardous for children to cross; parking & traffic issues in street will be exacerbated; if sold, compensatory open space required for local area)	FS11 – Dave King-support FS28 – Tom Ang-oppose	Accept



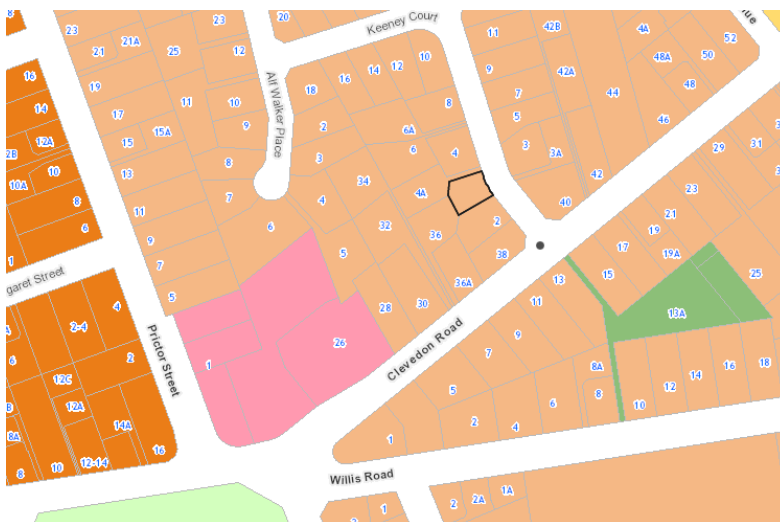
101.1	Judith Anne Rowe	Decline the plan change for 2R Keeney Court (concerned for three storey flats and parking problems of area worsening; ruining our environment)	FS28 – Tom Ang-oppose	Accept
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Summary of submissions and discussion

271. **Submissions 20.1, 21.1, 32.1, 34.1, 53.1, 54.1, 92.1, & 101.1** seek that the proposed change for 2R Keeney Court be declined.

272. The reasons provided by the submitter include:

- (i) This should be a park our children and grand kids play here/ kids of today and tomorrow need a safe place to play
- (ii) No buildings in the park, we want a playground to keep kids off the street, concerned for three storey flats, privacy, safety, security issues for neighbours
- (iii) Acquired as open space, recreation area, once reserve lost, gone forever, park belongs to people of Papakura, past reserves contribution, funds gained not significant, suburbs lose for central city gain, "Green spaces are a key contributor to people's wellbeing" Alec Tang, Chief Sustainability Officer AC, Papakura Courier 17 Feb 2021, pg 4
- (iv) Plan change will destroy the nature of the street and local community, increased intensity of living will harm local people's health with greater emissions
- (v) Reserves essential as high density housing occurs
- (vi) Where will occupiers park if site developed?
- (vii) Rezoning will lead to sale and loss of reserve
- (viii) Keeney Court has parking and traffic issues, these will be exacerbated
- (ix) Property values will be affected
- (x) Green spaces needed for low carbon Auckland
- (xi) Local Board opposes the AC Finance & Dev Committee decision
- (xii) Clevedon Road hazardous for children to cross
- (xiii) If sold, compensatory open space required for local area



273. PC60 proposes to rezone 2R Keeney Court from Open Space – Informal Recreation zone to Residential – Mixed Housing Urban zone. The land parcel is part of Auckland Council’s land disposal process.

a) Open Space (Items i, ii, iii, v, vii, x, xi, xiii)

274. The submitters oppose the loss of a valued pocket park/open space. In terms of other open space in the vicinity, the following open spaces/reserves are nearby:

Name	Address	Zoning	Area (ha)
Unnamed	13A Clevedon Road, Papakura	OS – Informal Recreation	0.2653
Massey Park	2R Ron Keat Drive, Papakura	OS – Sport & Active Rec	18.1738
Mansell Field	34R Marine Road, Papakura	OS – Sport & Active Rec	3.3846
Herkts Bush	19R Shirley Ave, Papakura	OS - Conservation	0.7024
Old Wairoa Reserve	30 Old Wairoa Road, Papakura	OS – Informal Recreation	0.6495
McLennan Park	98R Arimu Road, Papakura	OS – Sport & Active Rec	18.1738

275. The general area is well served with sports grounds and recreation facilities with both Massey Park and McLennan Park. There is however a lack of informal recreation spaces.

276. The area surrounding 2R Keeney Court is zoned Residential – Mixed Housing Urban, the area to the east, Mixed Housing Suburban and the area to the west across the railway line from the Papakura Metropolitan Centre, Terrace Housing and Apartment Building zone. Development is currently predominantly single detached houses, but the zoning provides for considerably more intensive development (particularly if land parcels are amalgamated).

b) Effect On Amenity Values, Including Parking and Traffic (Items ii, iv, ix)

277. There will be a loss of amenity for the adjacent properties in particular if the 475 sqm Keeney Court reserve is rezoned to Mixed Housing Urban. The current openness of the reserve will be replaced with additional housing.

278. Associated with the additional housing will be a small increase in traffic and parking. The wider area is likely to see an increase in traffic as redevelopment occurs. There is good access to the train station and bus routes for much of the Residential – Mixed Housing Urban and Terrace Housing and Apartment Building zones.

c) Climate Change (Item x)

279. 2R Keeney Court reserve does not contain mature trees, but it does provide opportunity for future planting on public land. The rezoning of the land to Residential – Mixed Housing Suburban zone and its subsequent development will likely limit opportunity for the planting of trees that can become large.

280. Auckland Council Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover. Publicly owned land provides an opportunity to not only retain existing trees and vegetation but also to undertake additional planting.

281. Auckland’s Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

#### Auckland Unitary Plan – Regional Policy Statement

282. An assessment of the proposed rezoning against the the relevant sections of the AUP’s RPS is contained in Attachment 6. In summary:

- 2R Keeney Court provides open space and associated amenity values for the adjacent properties in particular
- The open space mitigates stormwater/flooding effects and provides opportunity for future tree planting
- The area is zoned for more intensive development with Mixed Housing Urban, Mixed Housing Suburban and THAB zones in close proximity to Papakura metro centre and Papakura train station
- The area generally is lacking open space for informal recreation.

#### Recommendations on submissions

283. I recommend that **Submissions 20.1, 21.1, 32.1, 34.1, 53.1, 54.1, 92.1, & 101.1 be accepted** for the following reasons:

- While the general area is well served with nearby sports grounds and recreation facilities with both Massey Park and McLennan Park, there is a lack of informal recreation spaces
- The area surrounding 2R Keeney Court is zoned Residential – Mixed Housing Urban, the area to the east, Mixed Housing Suburban and the area to the west across the railway line from the Papakura Metropolitan centre, Terrace Housing and Apartment Building zone. Development is currently predominantly single detached houses, but the zoning provides for considerably more intensive development (particularly if lots are amalgamated)
- There will be a loss of amenity for the adjacent properties in particular if the 475 sqm Keeney Court reserve is rezoned to Mixed Housing Urban
- 2R Keeney Court reserve does not contain mature trees, but it does provide opportunity for future planting on public land
- Auckland Council’s Urban Ngahere Strategy and Auckland’s Climate Plan 2020 seek to increase the average canopy cover to 30 per cent across Auckland’s urban area with no local board area having less than 15 per cent canopy cover. Publicly owned land such as 2R Keeney Court provides an opportunity to undertake additional planting.

284. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

#### 7.1.11 Submissions on Brandon Road Walkway, Glen Eden (Map 79)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner’s Recommendation
46.1	Peter Daubé and	Decline the plan change; retain current Open Space zoning (impact on community;	FS11 – Dave King-support	Accepted in part

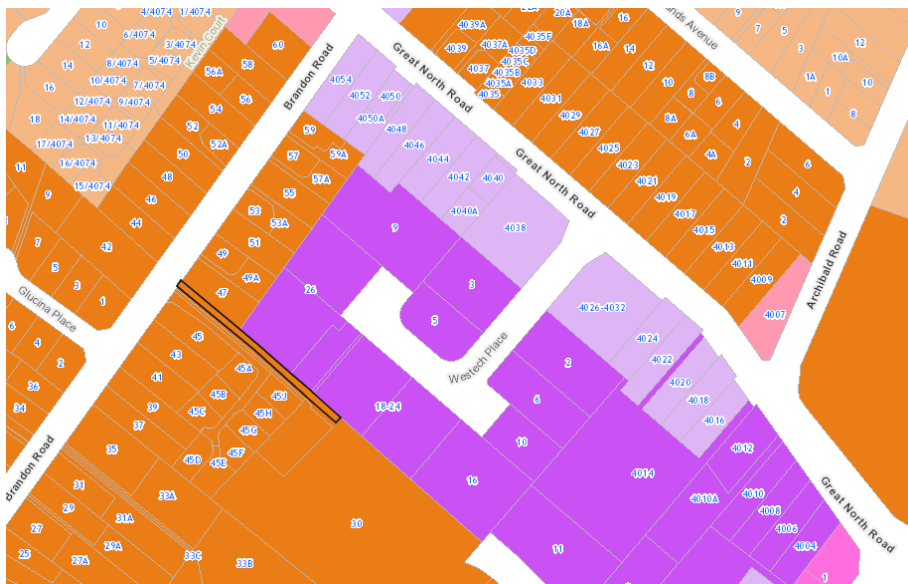
	Johanna Smith	loss of walkway and crucial linkage; used by school students and those accessing supermarket and services at Kelston Shopping Centre)	FS28 – Tom Ang-oppose	
47.1	Jade Barker	Decline the plan change (impact on community; loss of walkway which locals use, children play and learn to ride bikes; used by school students; could be planted with fruit trees)	FS11 – Dave King-support FS28 – Tom Ang-oppose	Accepted in part

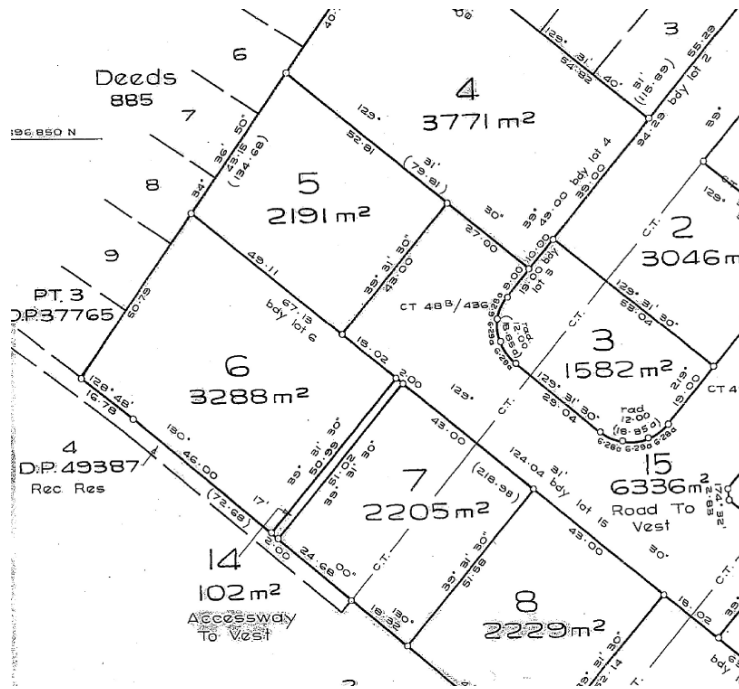
Summary of submissions and discussion

285. **Submissions 46.1 & 47.1** seek that the proposed rezoning to the Brandon Road walkway be declined.

286. The reasons provided by the submitter include:

- (i) Impact on community with loss of walkway and crucial linkage, used by school students and those accessing supermarket and services at Kelston Shopping Centre
- (ii) Loss of walkway which locals use, children play and learn to ride bikes; used by school students; could be planted with fruit trees.





287. PC60 proposes to rezone the walkway adjacent to 45 Brandon Road from Open Space – Informal Recreation zone to THAB zone. The land parcel is part of Auckland Council’s land disposal process.

a) Pedestrian Linkage (Items i, ii)

288. Lot 4 DP 49387 currently provides pedestrian access to an accessway that runs from the recreation reserve to Westech Place.

289. The submitters advise that the pedestrian linkage is well used by school students (Kelston Girls College, Kelston Primary School) and those accessing supermarket and services at the nearby Kelston Shopping Centre. If Lot 4 DP 49387 was to be rezoned and sold (to adjacent landowner) this would make the accessway (lot 14 on the above plan of subdivision) to Westech Place redundant.

b) Auckland Plan (Items i, ii)

290. The Auckland Plan contains the following transport and access directions and focus areas:

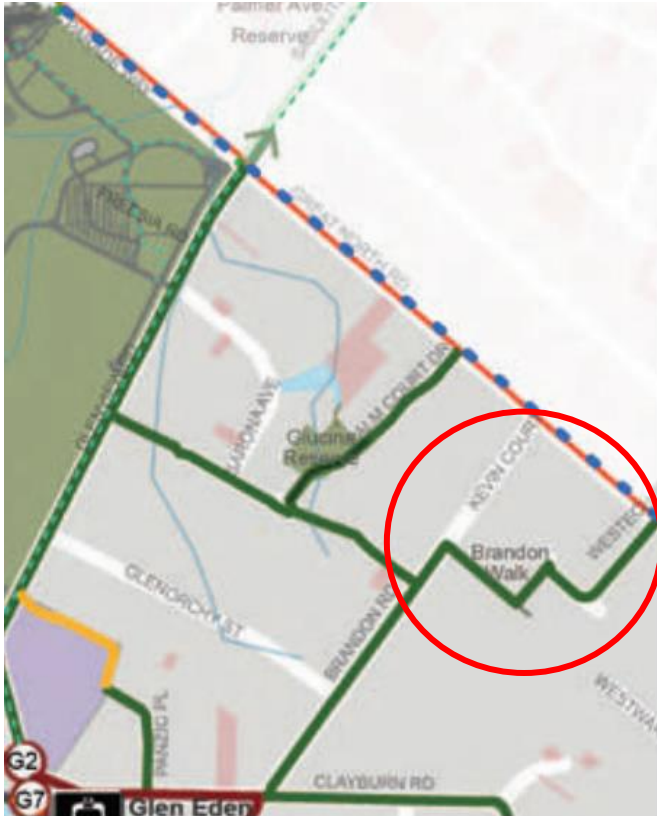
- Direction 1: Better connect people, places, goods and services.*
- Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland.*
- Focus area 4: Make walking, cycling and public transport preferred choices for many more Aucklanders.*

291. The loss of the walkway is contrary to the above Auckland Plan directions and focus area.

c) Open Space Provision Policy 2016 (Items i, ii)

292. Under the Open Space Provision Policy 2016, the focus for investment in open space in the existing urban areas includes:

- improving linkages between open space, such as establishing greenways;
- d) Auckland's Climate Plan 2020 (Items i, ii)
293. Auckland's Climate Plan 2020 contains the following targets:
- Vehicle kilometres travelled by private vehicles reduced by 12% as a result of avoided motorised vehicle travel, through actions such as remote working and reduced trip lengths
- Walking mode share to increase from 4.1% to 6% (2030)
  - Walking mode share to increase from 4.1% to 6% (2050)
294. The distance from outside 45 Brandon Road to the intersection of Great North Road and Archibald Road is as follows:
- Via the recreation reserve, accessway & Westech Place = 512m  
Via Brandon Road and Great North Road = 570m
295. The walkways therefore provide a shorter route by approximately 58m.
- e) Waitakere Ranges Greenways Plan Oct 2019 (Items i, ii)
296. The Brandon Road walkway is shown on the Waitakere Ranges greenway plan as a "proposed greenways route (on existing path)" as shown on the map below.
297. The objectives of the Greenways Plan include:
- connect communities/neighbourhoods to key destinations such as local centres, transport nodes, sports parks and reserves, schools
  - encourage physical activity and their associated health benefits by planning for a range of routes suited to fitness level and mobility (i.e selecting less vehicle trafficked / greener minor streets)
  - creating safe routes in alignment with Crime Prevention Through Environmental Design guidelines (CPTED).
298. The greenway network includes:
- quiet neighbourhood streets with techniques used to slow traffic speeds (eg planted buildouts)
  - alleyways and other urban street to street connections (rear lanes etc).



299. A portion of the reserve (24.4m in length), south-east of the intersection with the accessway is effectively redundant and could be rezoned and sold.
300. Alternatively, the rezoning could occur provided an easement is created to allow pedestrian access. This would enable the walkway to continue to function.

#### Auckland Unitary Plan – Regional Policy Statement

301. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:
- Brandon Road walkway provides pedestrian/cycling access for the neighbourhood
  - The walkway potentially mitigates the use of motor vehicles by encouraging walking and cycling
  - It forms part of the greenway network
  - The area generally is short of open space for informal recreation. This land parcel provides pedestrian and cycling access only.

#### Recommendations on submissions

302. I recommend that **Submissions 46.1 & 47.1 be accepted in part** for the following reasons:
- Lot 4 DP 49387 currently provides pedestrian access to an accessway that runs from the recreation reserve to Westtech Place;

- The pedestrian linkage provides a shorter route for school students (Kelston Girls College, Kelston Primary School) and those accessing the supermarket and services at the nearby Kelston Shopping Centre.
- The Auckland Plan, Open Space Provision Policy 2016, Auckland's Climate Plan 2020 and the Waitakere Ranges Greenways Plan 2019 all encourage better connections for walking and cycling and rezoning this adversely affects that connectivity
- The Waitakere Ranges Greenways Plan 2019 identifies the Brandon Road reserve/accessway as a proposed greenway route
- The portion of the reserve southeast (or past the intersection) of the accessway could be rezoned and sold to the adjacent land owner, as this can occur without compromising pedestrian access
- Alternatively, the rezoning could occur provided an easement is created to allow pedestrian access.

303. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

#### 6.1.12 Submissions on 45 Georgina Street, Freemans Bay (Map 81)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
23.1	Simon Jeremy Kember	Decline the plan change for 45 Georgina Street, Freemans Bay (There has been no consultation. The sale of these spaces is environmentally irresponsible and is just desperate revenue gathering. These open spaces are an essential amenity to the community)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
24.1	Richard Rolfe	Decline the plan change for 45 Georgina Street, Freemans Bay (inadequate consultation; sale to private hands, green space lost forever; open spaces more important than ever as city intensifies)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
25.1	Basil Denee	Decline the plan change for 45 Georgina Street, Freemans Bay or delete the property from list for sale (inadequate consultation; green areas needed for mental health; park could be easily upgraded; selling due to Covid is shortsighted - prefer to have rates increase; green spaces more important as city intensifies)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
26.1	David Alexander Alison	Decline the plan change for 45 Georgina Street, Freemans Bay (The Freemans Bay Residents Association (FBRA) is an avid supporter of green spaces in the suburb; green spaces important in dense inner city suburb and with city intensifying; inadequate notification; the community is willing to help upgrade this reserve).	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
27.1	Clare Dockery	I object to the change of this small reserve (at 45 Georgina Street, Freemans Bay assumed) from its present status as a reserve; not to be sold. I support it being held as a reserve in the Freemans Bay	FS11 - Dave King-support FS28 - Tom Ang-oppose	Accept



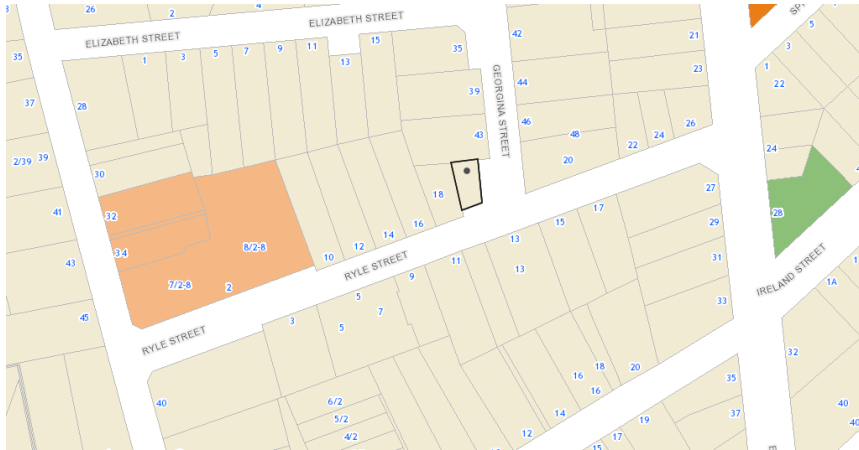
		Area.		
29.1	Joséphine Ann McNaught	Decline the plan change for 45 Georgina Street, Freemans Bay (inadequate consultation; sale to private hands, green space lost forever; open spaces more important than ever as city intensifies)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
31.1	Lindsay Foster	Decline the plan change for 45 Georgina Street, Freemans Bay (inadequate consultation; sale to private hands, green space lost forever; open spaces more important than ever as city intensifies)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
33.1	Linda Christian	Decline the plan change for 45 Georgina Street, Freemans Bay (importance of green space in a suburb of high intensification, with extremely small sites; no notice given with any chance of consultation; FBRA has proposed planting and a seat option for the many elderly residents of the area)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
36.1	Peter Ronald Harrison	Decline the plan change for 45 Georgina Street, Freemans Bay (inadequate consultation; sale to private hands opposed, reserve benefits community so should remain in Council's hands; open spaces more important than ever as city intensifies; deficiency in reserves should be decreased, not increased)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
44.1	D Gene Dillman	Decline the plan change for 45 Georgina Street, Freemans Bay (no notification / consultation with the community about proposed sale of property; the council's use of internal documents does not constitute a public notification to the community; the transfer of public green space into private hands is a permanent loss to critical community greenspace in an already intensive neighbourhood; further intensification under AUP makes green spaces all the more important to preserve; the size (109 sqm less the electrical box) is not appropriate for development given heritage overlay and required coverage & permeable cover)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
45.1	Mark Stuart van Kaathoven c/- D. Gene Dillman	Decline the plan change for 45 Georgina Street, Freemans Bay (no consultation with community about proposed sale of property; a meeting with FBRA should have occurred; the transfer of public green space into private hands is a permanent loss to critical community greenspace in an already intensive neighbourhood; affects physical and mental health; further intensification under AUP makes green spaces all the more important to preserve; the size (109 sqm less the electrical box) is not appropriate for development given heritage overlay, required coverage & permeable cover, and height to boundary offsets)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept

62.2	Parnell Community Committee c/- Luke Niue	Opposed to rezonings of pocket parks: Why should we sacrifice relatively low value pocket parks; needed for their social and environmental benefits; they offer future enhancement opportunities; disposal contrary to WLB Open Space Network Plan 2019-2029 and the Parnell Plan.	FS11 - Dave King-support FS14 - Grey Lynn Residents Association-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
69.1	Bruce Peter Nelson	Decline the plan change for 45 Georgina Street Freemans Bay (the site is extremely small and a building would have to be two storeyed and would severely impact on the sunlight and other amenities of adjoining sites)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
70.1	Jenny Granville	Decline the plan change for 45 Georgina Street Freemans Bay (open space is a finite resource and it must be valued and protected)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
74.1	Clovis Peryer (CE Peryer & RMY Trustees (2007) Limited)	Decline the plan change for 45 Georgina Street Freemans Bay (open space is a finite resource and it must be valued and protected)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
80.1	Ross M Thorby	Decline the plan change for 45 Georgina Street Freemans Bay (loss of this green space will adversely affect the neighbourhood's quality of life; likely acquired as reserve contribution so council is obligated to keep it; it should be kept an upgraded, and possible bee garden)	FS11 - Dave King-support FS28 - Tom Ang-oppose	Accept
83.1	Rhonda Ngaire Nelson	Decline the plan change for 45 Georgina Street Freemans Bay (open space used by family for 41 years and others should benefit; local properties are small, so important to have green space nearby; local Ryle Street pensioners often stop here on way up hill from supermarket; council must do the right thing and keep the green belt around the city)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
98.1	Trevor Lund and Lynne Butler on behalf of Anamady Limited owner of oneA Ireland Street Freemans Bay	Decline the plan change for 45 Georgina Street Freemans Bay (pocket park ideal for current zoning and use, and for upgrading; greater density in city means these small parks are the only outdoor amenities in the future; a lie for council to say there has been consultation, there has been none)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept

99.1	Mike Blackburn	Decline the plan change for 45 Georgina Street Freemans Bay (it contradicts policy of council and rejects sustainability practices and climate change; it ignores basic urban planning principles and the important role of pocket parks in society)	FS11 - Dave King-support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
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### Summary of submissions and discussion

304. **Submissions 23.1, 24.1, 25.1, 26.1, 27.1, 29.1, 31.1, 33.1, 36.1, 44.1, 45.1, 62.2, 69.1, 70.1, 74.1, 80.1, 83.1, 98.1, 99.1** seek that the proposed rezoning for 45 Georgina Street, Freemans Bay be declined.
305. The reasons provided by the submitters include:
- (i) There has been no/inadequate consultation
  - (ii) The sale of these spaces is environmentally irresponsible and is just desperate revenue gathering, selling due to Covid is short-sighted - prefer to have rates increase
  - (iii) These open spaces are an essential amenity to the community, green space lost forever, open spaces more important than ever as city intensifies, green spaces important in dense inner-city suburb, green areas needed for physical and mental health; park could be easily upgraded, open space is a finite resource and it must be valued and protected
  - (iv) Open space used by family for 41 years and others should benefit, local properties are small, so important to have green space nearby, local Ryle Street pensioners often stop here on way up hill from supermarket, council must do the right thing and keep the green belt around the city
  - (v) Contradicts policy of council and rejects sustainability practices and climate change, it ignores basic urban planning principles and the important role of pocket parks in society
  - (vi) The Freemans Bay Residents Association (FBRA) is an avid supporter of green spaces in the suburb, the community is willing to help upgrade this reserve, FBRA has proposed planting and a seat option for the many elderly residents of the area
  - (vii) Deficiency in reserves should be decreased, not increased
  - (viii) The size (109 sqm less the electrical box) of the site is not appropriate for development given heritage overlay and required coverage & permeable cover and height to boundary offsets, the site is extremely small and a building would have to be two storeyed and would severely impact on the sunlight and other amenities of adjoining sites
  - (ix) Opposed to rezoning's of pocket parks: Why should we sacrifice relatively low value pocket parks; needed for their social and environmental benefits; they offer future enhancement opportunities
  - (x) Disposal contrary to Waitemata Local Board Open Space Network Plan 2019-2029 and the Parnell Plan
  - (xi) Park likely acquired as reserve contribution so council is obligated to keep it, it should be kept and upgraded, and possible bee garden



306. PC60 proposes to rezone 45 Georgina Street, Freemans Bay from Open Space – Informal Recreation zone to Residential – Single House zone. The land parcel is part of Auckland Council’s land disposal process.
- a) Consultation (Item i)
307. Refer to the comments in section 5.4 of this report.
- b) Open Space (Items ii, iii, iv, v, vi, vii, ix, x, xi)
308. 45 Georgina Street, Freemans Bay is a small pocket park of 109 sqm on the corner of Georgina Street and Ryle Street, Freemans Bay. It is elevated above Georgina Street and provides views of the central city.
309. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
unnamed	3-17 Costley Street, Freemans Bay	OS – Informal Recreation	0.5008
unnamed	10 England Street, Freemans Bay	OS – Informal Recreation	0.0232
unnamed	28 England Street, Freemans Bay	OS – Informal Recreation	0.0442
unnamed	31 & 31A Ireland Street, Freemans Bay	OS – Informal Recreation	0.0343
unnamed	21 Renall Street, Freemans Bay	OS – Informal Recreation	0.0231 (approx.)
unnamed	4-6 Runnell Street, Freemans Bay	OS – Informal Recreation	0.0242
Victoria Park	203 – 271 Victoria Street West, Auckland Central	OS – Sport and Active Recreation	8.8111
Harry Dansey Park	126 Wellington Street, Freemans Bay	OS – Informal Recreation	0.6955
unnamed	153 Wellington Street, Freemans Bay	OS – Informal Recreation	0.0181
unnamed	27A Gwilliam Place,	OS – Informal	0.0500

	Freemans Bay	Recreation	
	23 Gwilliam Pace, Freemans Bay	OS – Informal Recreation	0.0243

310. The zoning of the surrounding area is Residential – Single House zone. The predominant form of development is single detached housing on small sites (i.e. around 300 sqm in area). There is an absence of open space in that zone, particularly south of the subject site. The adjacent THAB zone has a number of small pocket parks which are reflected in the table above.
311. Although Auckland’s inner-city suburbs are zoned Residential – Single House zone, the densities are comparatively high compared to the post war suburbs. For example Grey Lynn and Ponsonby have densities in the single house zone ranging from 20-30 dwellings per hectare, whereas Glenfield, a post-war suburb has a density of 8 dwellings per hectare.

Location	Density (dwellings per ha)
Glenfield South West	8
Grey Lynn Central	26
Grey Lynn East	30
Grey Lynn North	22
Grey Lynn West	20
Ponsonby East	29
Ponsonby West	25

Source: Auckland Council – RIMU, 2021

c) Trees & Vegetation/Climate Change (Item v)

312. 45 Georgina Street, Freemans Bay does not contain any trees. Auckland Council Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland’s urban area with no local board area having less than 15 per cent canopy cover.
313. Auckland’s Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.
314. Publicly owned open space provides an opportunity to increase canopy cover.

d) Site Inappropriate for Development (Item viii)

315. 45 Georgina Street, Freemans Bay is 109 sqm in area. The adjacent properties at 18 Ryle Street and 43 Georgina Street are 196 and 374 sqm in area respectively. There are other smaller lot sizes in the general area. For example 135 – 151 Wellington Street are all around 150 – 200 sqm in area.
316. Any development of 45 Georgina Street would need to comply with the Residential – Single House zone standards. Unlike the properties in the general area, the Special Character Areas Overlay does not apply to the site. Where a standard is not complied with, a restricted discretionary activity resource consent is required under the AUP.

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317. An assessment of the proposed rezoning against the the relevant sections of the AUP’s RPS is contained in Attachment 6. In summary:

- 45 Georgina Street provides open space and associated amenity values for the adjacent properties in particular
- There is opportunity for tree planting which would assist in mitigating the effects of climate change
- The area generally is lacking in open space for informal recreation, particularly to the south of the property.

#### Recommendations on submissions

318. I recommend that **Submission 23.1, 24.1, 25.1, 26.1, 27.1, 29.1, 31.1, 33.1, 36.1, 44.1, 45.1, 62.2, 69.1, 70.1, 74.1, 80.1, 83.1, 98.1, 99.1 be accepted** for the following reasons:

- The zoning of the surrounding area is Residential – Single House zone. The predominant form of development is single detached housing on small sites (i.e around 300 sqm in area). There is an absence of open space in that zone, particularly south of the subject site
- Although Auckland’s inner city suburbs are zoned Residential – Single House zone, the densities are comparatively high compared to the post-war suburbs and access to open space is therefore important
- While 45 Georgina Street, Freemans Bay does not contain any trees, publicly owned open space provides an opportunity to increase canopy cover. This is in accordance with the Auckland Council’s Urban Ngahere Strategy and Auckland’s Climate Plan 2020

319. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

#### **7.1.13 Submissions on 36 Cooper Street, Grey Lynn (Map 82)**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner’s Recommendation</b>
28.1	Peter Carruthers	I object to the rezoning of this plot at 36 Cooper Street. It is subject to Overlay and Extent of Place heritage controls. It is not possible to meet the criteria for preserving the historic nature of the area with a newly built house since it will adversely effect the heritage value of the place. Further, any attempt to disguise a new built house in the style of the surrounding heritage buildings would be ersatz in nature and not aligned with best practices in conservation.	FS11 – Dave King-support FS14 - Grey Lynn Residents Association-support FS25 - Penny Rodway-support FS26 - David J Batten-support FS27 - Monica Dam-support FS28 – Tom Ang-oppose	Accept
62.1	Parnell Community Committee c/- Luke Niue	Opposed to rezonings of pocket parks: Why should we sacrifice relatively low value pocket parks (they are needed to support intensification in Grey Lynn and for their social and environmental benefits; they offer future enhancement opportunities; disposal contrary to WLB Open Space Network Plan 2019-2029 and the Parnell Plan)	FS11 – Dave King-support FS27 - Monica Dam-support FS28 – Tom Ang-oppose	Accept

93.2	Heritage New Zealand Pouhere Taonga c/- Susan Andrews	Decline the plan change for 36 Cooper Street, in the absence of any investigation or analysis of the potential historic heritage values - historic, archaeological, social, etc of the reserve within the Cooper Street Historic Heritage Area (Schedule 14.2 ID. 2518)	FS14 - Grey Lynn Residents Association-support FS25 - Penny Rodway-support FS27 - Monica Dam-support FS28 – Tom Ang-oppose	Accept
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Summary of submissions and discussion

320. **Submissions 28.1, 62.1 and 93.2** seek that the proposed rezoning for 36 Cooper Street be declined.

321. The reasons provided by the submitters include:

- (i) The site is subject to Overlay and Extent of Place heritage controls. It is not possible to meet the criteria for preserving the historic nature of the area with a newly built house since it will adversely effect the heritage value of the place. Further, any attempt to disguise a new built house in the style of the surrounding heritage buildings would be not aligned with best practices in conservation
- (ii) Opposed to the rezoning of pocket parks: Why should we sacrifice relatively low value pocket parks (they are needed to support intensification in Grey Lynn and for their social and environmental benefits; they offer future enhancement opportunities;
- (iii) Disposal is contrary to Waitemata Local Board Open Space Network Plan 2019-2029 and the Parnell Plan)
- (iv) Absence of any investigation or analysis of the potential historic heritage values - historic, archaeological, social, etc of the reserve within the Cooper Street Historic Heritage Area (Schedule 14.2 ID. 2518).



322. PC60 proposes to rezone 36 Cooper Street, Grey Lynn from Open Space – Informal Recreation zone to Residential – Single House zone. The land parcel is part of Auckland Council’s land disposal process.

a) Open Space (Items ii, iii)

323. 36 Cooper Street, Grey Lynn is a pocket park of 324 sqm on the corner of Cooper Street and Seddon Street, Grey Lynn.

324. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
Arch Hill Scenic Reserve	89 Ivanhoe Road, Grey Lynn	OS – Informal Recreation	5.0380 (approx)
Home Reserve	19 King Street., Grey Lynn	OS – Informal Recreation	0.0680
Nixon Park	11 Central Road, Kingsland	OS – Sport & Active Recreation	2.3892 (approx.)
Bond Reserve	46 Bond Street, Kingsland	OS – Informal Recreation	0.1772
Northwestern cycleway	n/a	Road, OS – Informal Recreation	n/a

325. Apart from the Arch Hill Scenic Reserve and Nixon Park which is across the North-western motorway, there is minimal open space in the locality.

326. The Waitemata Local Board Open Space Network Plan 2019 states that Arch Hill, Parnell and Newmarket are projected to be growth areas for Auckland and currently have open space provision gaps (p.33).

327. The 2019 Plan also states “Within the local board network there are 18 small pocket parks, some of which may present opportunities for optimisation. Potential sites for consideration include: Ryle Reserve 45 Georgina St, Freemans Bay. 36 Cooper Street, Grey Lynn is not specifically referred to.

b) Heritage Values (Items i, iv)

328. Cooper Street is identified as a Historic Heritage Area (Schedule 14.1 ID 02518) in the AUP. The AUP states: “This is a significant subdivision of early Victorian cottages from the Arch Hill farm, representing some of the oldest surviving housing in the inner city. The lots were placed on the market in 1865 when the area was known as Newton West. It is assumed that house building began soon after this time, and that many of the houses date from the 1870s”.

329. 36 Cooper Street, Grey Lynn is identified as a non-contributing site. (Defined as: “Buildings, structures or features within the extent of a scheduled historic heritage area that make little or no contribution to, or detract from, the values for which the area has been scheduled”).

330. Historic heritage areas are subject to the provisions of D17 Historic Heritage Overlay. New buildings or structures in non-contributory sites/features are a restricted discretion activity.

331. Matters of discretion in the D17 Historic Heritage Overlay (17.8.1) include:

*(a) effects on the known heritage values of a historic heritage place from the scale, location, design, (including materials), duration and extent of the proposal, the construction methodology and associated site works;*



- (b) effects on the inter-relationship between buildings, structures and features within the place;*
- (c) effects of the proposal on the overall significance of the place;*

332. Assessment criteria (17.8.2) include:

- (a) whether the proposed works will result in adverse effects (including cumulative adverse effects) on the heritage values of the place and the extent to which adverse effects are avoided, remedied or mitigated;*
- (b) whether the proposed works will maintain or enhance the heritage values of the place, including by:*
  - (i) avoiding or minimising the loss of fabric that contributes to the significance of the place;*
  - (ii) removing features that compromise the heritage values of the place;*
  - (iii) avoiding significant adverse effects on the place, having regard to the matters set out in B5 Historic heritage and special character;*

333. Special information requirements (D17.9) include:

- (1) An application for resource consent for works affecting scheduled historic heritage places must be accompanied by a heritage impact assessment that is commensurate to the effects of the proposed works on the overall significance of a historic heritage place, and taking into account whether the works affect a primary, non-primary, non-contributing or excluded site or feature.*

334. The provisions of D17 Historic Heritage Overlay, including the objectives, policies, standards and assessment criteria therefore appropriately manage any new development on the subject site.

Map 14.2.3.1 Historic Heritage Area: Cooper Street



c) Trees and Vegetation (Item ii)

335. While 36 Cooper Street, Grey Lynn does not contain any trees, publicly owned open space provides an opportunity to increase canopy cover. This is in accordance with the Auckland Council's Urban Ngahere Strategy and Auckland's Climate Plan 2020.

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336. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:

- Provides open space and associated amenity values for the adjacent properties in particularly
- There is opportunity for tree planting which would assist in mitigating the effects of climate change
- The area generally is short of open space for informal recreation.

Recommendations on submissions

337. I recommend that **Submissions 28.1, 62.1 and 93.2 be accepted** for the following reasons:

- The zoning of the surrounding area is Residential – Single House zone. The predominant form of development is single detached housing on small sites (i.e around 300 sqm in area). There is an absence of open space in that area
- Although Auckland’s inner-city suburbs are zoned Residential – Single House zone, the densities are comparatively high compared to the post World War 2 suburbs
- While 36 Cooper Street, Grey Lynn does not contain any trees, publicly owned open space provides an opportunity to increase canopy cover. This is in accordance with the Auckland Council’s Urban Ngahere Strategy and Auckland’s Climate Plan 2020.

338. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

#### 6.1.14 Submission on Trojan Crescent, New Lynn (Map 84)

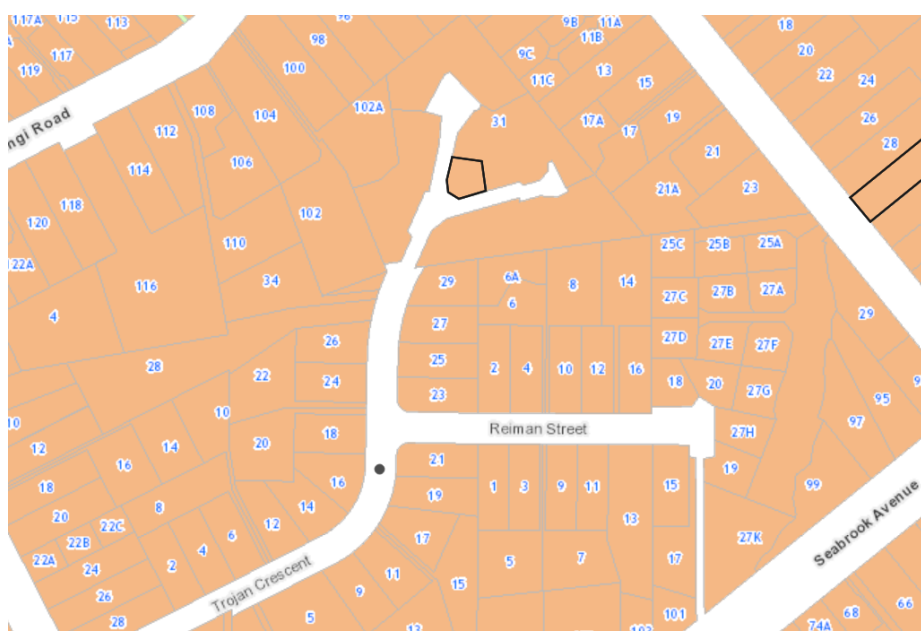
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner’s Recommendation
63.2	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site as notified (from open space to Mixed Housing Urban)	FS25 - Penny Rodway-oppose FS28 – Tom Ang-oppose	Reject

#### Summary of submissions and discussion

339. **Submission 63.2** seeks that Trojan Crescent (LOT 6 DP 119411), New Lynn be rezoned as per the proposed plan change.

340. The reasons provided by the submitter include:

- (i) The rezoning will provide consistency with adjacent sites and enable appropriate types of development across the area.



341. PC60 proposes to rezone lot 6 DP 119411 Trojan Crescent, New Lynn from Open Space – Informal Recreation Zone to Residential – Mixed Housing Urban Zone. The land parcel is part of Auckland Council’s land disposal process.

a) Rezoning/Open Space (Item i)

342. Lot 6 DP 119411 Trojan Crescent, New Lynn is a small pocket park of 300 sqm on the corner of the two branches at the end of Trojan Crescent.

343. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
Willerton Reserve	30 Willerton Ave, New Lynn	Open Space – Informal Recreation	0.0958
Lawson Park	38 Willerton Ave, New Lynn	Open Space – Sport and Active Recreation	2.4817
Northall Park	107 Titirangi Road, New Lynn	Open Space – Sport and Active Recreation	1.7948
Seabrook Reserve	49 Seabrook Ave, New Lynn	Open Space – Informal Recreation	0.0695

344. Trojan Crescent and the area around it are zoned Mixed Housing Urban. Development is predominantly single detached houses at present with some multi-unit housing on larger lots. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area is lacking in informal open spaces.

345. It is noted that the surrounding area is owned by Kāinga Ora. The lack of open space could be addressed by Kāinga Ora providing a new pocket park integrated with housing when the area is comprehensively redeveloped in the future. A legal mechanism or agreement would be required to secure this outcome.

b) Trees and Vegetation/Climate Change (issues raised by general submission in 6.1.1)

346. The Trojan Crescent reserve contains mature exotic trees.

347. Auckland Council Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland’s urban area with no local board area having less than 15 per cent canopy cover. Publicly owned land provides an opportunity to not only retain existing trees and vegetation but also to undertake additional planting.

348. Auckland’s Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

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349. An assessment of the proposed rezoning against the the relevant sections of the AUP’s RPS is contained in Attachment 6. In summary:

- Provides open space and associated amenity values for the adjacent properties in particularly

- Mitigates stormwater/flooding effects and provides opportunity for additional tree planting
- The area generally is short of open space for informal recreation.

#### Recommendations on submissions

350. I recommend that **Submission 63.2 be rejected**, for the following reasons:

- Trojan Crescent and the vicinity are zoned Mixed Housing Urban. Development is predominantly single detached houses at present with some multi-unit housing on larger lots. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area is lacking in informal open spaces
- The Trojan Crescent reserve contains mature exotic trees. Auckland Council Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover. Auckland's Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees
- Note 1: It is noted that the surrounding area is owned by Kāinga Ora. The lack of open space could be addressed by Kāinga Ora providing a new pocket park when the area is comprehensively redeveloped in the future. A mechanism would be required to secure this outcome.
- Note 2: While there are no specific submissions opposing the rezoning of the Trojan Crescent site, there are general submissions. These are addressed under section 6.1.1. Based on the general submissions, it is recommended that the open space zoning of the Trojan Crescent site be retained.

351. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

#### **6.1.15 Submissions on 13 Davern Lane, New Lynn (Map 85)**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
2.1	Sunghwan Choi	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS03 – Titirangi Residents & Ratepayers Association - support FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave	Accept

			King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	
8.1	Andrew and Dahlia Forlong	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
9.1	Tania Makani	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept

10.1	John Michael Cartwright	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
12.1	Redentor Bueno	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community; development would cause problems for narrow cul de sac)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
13.1	Carlota Bueno	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community; development would cause problems for narrow cul de sac)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-	Accept

			support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	
15.1	Sailesh K Singh	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
16.1	Lisa Varghese Kachappilly	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support	Accept



			FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	
17.1	Bhavisha Patel	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, mature trees, birdlife, tree removal would add to global warming; development would cause problems for narrow cul de sac)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
18.1	Hardikkumar Parmar c/- Bhavisha Parmar	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, mature trees, birdlife, tree removal would add to global warming; development would cause problems for narrow cul de sac)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
19.1	Seok Bong and Chan Ju Lee	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, overlooked from all sides, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania	Accept

			<p>Makani-support  FS07 –  Sunghwan Choi-support  FS08 – John Cartwright-support  FS09 – Carlota Bueno-support  FS10 – Annie Bradshaw-support  FS11 – Dave King-support  FS21 – Andrew &amp; Dahlia Forlong-support  FS22 – Redentor Bueno-support  FS25 – Penny Rodway-support  FS28 – Tom Ang-oppose</p>	
22.1	David Ronald Jones	<p>Decline the plan change for 13 Davern Lane, New Lynn (rezoning would totally change the character of this quiet lane; has large pohutukawa tree, not a bush; birdlife ecosystem; more residents would add to traffic congestion; high density housing is increasing which means less designated green spaces; it's a meeting place; the wellbeing of residents will be affected)</p>	<p>FS05 – Davern Residents Incorporated - support  FS06 – Tania Makani-support  FS07 – Sunghwan Choi-support  FS08 – John Cartwright-support  FS09 – Carlota Bueno-support  FS10 – Annie Bradshaw-support  FS11 – Dave King-support  FS21 – Andrew &amp; Dahlia Forlong-support  FS22 – Redentor Bueno-support  FS25 – Penny Rodway-support  FS28 – Tom Ang-oppose</p>	Accept
37.1	Joan Mulligan	<p>Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, mature trees, birdlife; valued by children; reserve adds a certain calmness and peace to our little street and the surrounding environment)</p>	<p>FS05 – Davern Residents Incorporated - support  FS06 – Tania Makani-support  FS07 – Sunghwan Choi-support  FS08 – John Cartwright-support  FS09 – Carlota Bueno-support  FS10 – Annie Bradshaw-</p>	Accept

			support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	
43.1	Warren and Anne-Marie Spice	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, mature trees, birdlife, valued by local community; narrow street not suitable for further development)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
51.1	A J Bradshaw	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, mature trees, birdlife, valued by community, health and wellbeing, part of wider ecosystem; development would cause more problems for narrow cul de sac; rezoning is not justified in terms of Section 32 and Section 5 RMA)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-	Accept

			oppose	
60.1	Nevin Chirackal	Decline the plan change for 13 Davern Lane, New Lynn (the park is well used, safe area, mature trees, birdlife, valued by local community)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
64.1	Ken Thomas	Decline the plan change for 13 Davern Lane, New Lynn (Families on the street enjoy the grass area, the space is great for mental health. We oppose the destruction of this area and the planned building. The space was left there by a developer for us to have a green area, which the council required, and you're planning on leaving us with nothing!)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
75.1	Davern Residents Incorporated (50058647) c/- Dr Grant Hewitson	Decline this part of the plan change and retain the open space zoning on 13 Davern Lane (contrary to Whau Open Space Network Plan 2017 and New Lynn Reserves Management Plan 2004; inconsistent with objectives and policies of H7.5 Open Space; contrary to expectations of and amenity values of	FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support	Accept

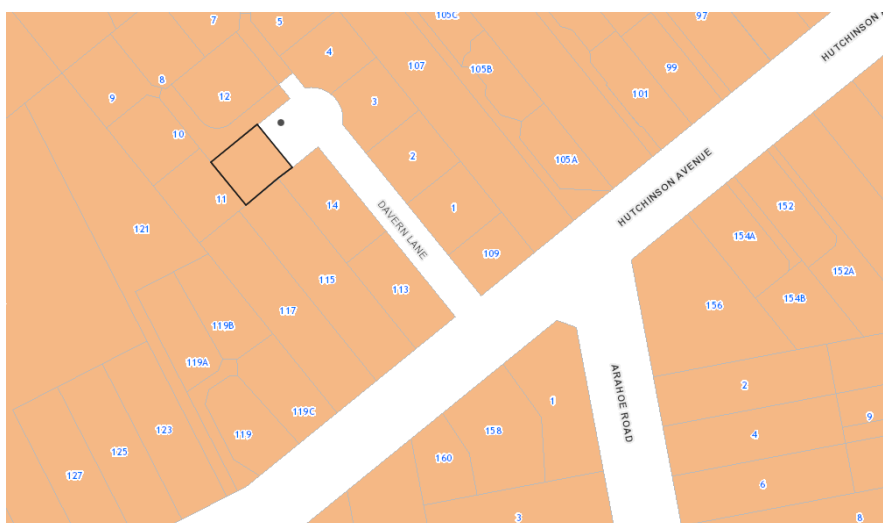
		neighbourhood; section 32 is deficient; development would have adverse effects for street; loss of tree protection; loss of park contrary to NPS-UD and well-functioning environments; does not achieve RPS B2.7; contrary to the Open Space Provision Policy and the Auckland Plan 2050; does not meet relevant statutory requirements)	FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	
81.1	Lissa Knight (Mana Raakau )	Decline the plan change for 13 Davern Lane (The loss of healthy mature trees is inconsistent with Auckland Council's Declaration of a Climate Emergency, Auckland Council's Urban Ngahere Strategy and The Auckland Plan outcome for Environment and Cultural Heritage. Mana Raakau oppose the rezoning of any public greenspace that will result in the further loss of mature trees)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept
96.1	Silvia Spieksma	Decline the plan change for 13 Davern Lane (cannot afford to lose more green space and its flora and fauna taking into consideration the climate emergency, the ongoing intensification of neighbourhoods, the wellbeing factor open spaces provide. We need trees for our wellbeing, to mitigate stormwater flow and heat island effect, to store carbon and to provide a home for our birds and other fauna)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor	Accept

			Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang- oppose	
104.1	Janet Charman (Mana Rakau)	Decline the plan change for 13 Davern Lane (The loss of healthy mature trees is inconsistent with Auckland Council's Declaration of a Climate Emergency, Auckland Council's Urban Ngahere Strategy and The Auckland Plan outcome for Environment and Cultural Heritage. Mana Raakau oppose the rezoning of any public greenspace that will result in the further loss of mature trees)	FS05 – Davern Residents Incorporated - support FS06 – Tania Makani-support FS07 – Sunghwan Choi-support FS08 – John Cartwright-support FS09 – Carlota Bueno-support FS10 – Annie Bradshaw-support FS11 – Dave King-support FS21 – Andrew & Dahlia Forlong-support FS22 – Redentor Bueno-support FS25 – Penny Rodway-support FS28 – Tom Ang-oppose	Accept

#### Summary of submissions and discussion

352. **Submissions 2.1, 8.1, 9.1, 10.1, 12.1, 13.1, 15.1, 16.1, 17.1, 18.1, 19.1, 22.1, 37.1, 43.1, 51.1, 60.1, 64.1, 75.1, 81.1, 96.1, and 104.1** seek that the proposed rezoning of 13 Davern Lane, New Lynn be declined.
353. The reasons provided by the submitters include:
- (i) The park is well used, safe area, overlooked from all sides, it's a meeting place, the wellbeing of residents will be affected, reserve adds a certain calmness and peace to our little street and the surrounding environment, the space is great for mental health
  - (ii) Contrary to expectations of and amenity values of neighbourhood
  - (iii) Mature trees, has large Pohutukawa tree, birdlife, valued by local community, part of wider ecosystem
  - (iv) Tree removal would add to global warming
  - (v) Loss of healthy mature trees is inconsistent with Auckland Council's Declaration of a Climate Emergency, Auckland Council's Urban Ngahere Strategy and The Auckland Plan outcome for Environment and Cultural Heritage
  - (vi) We need trees for our wellbeing, to mitigate stormwater flow and heat island effect, to store carbon and to provide a home for our birds and other fauna
  - (vii) Development would cause problems for narrow cul de sac, rezoning would totally change the character of this quiet lane
  - (viii) High density housing is increasing which means less designated green spaces
  - (ix) The space was left there by a developer for us to have a green area, which the council required

- (x) Contrary to Whau Open Space Network Plan 2017 and New Lynn Reserves Management Plan 2004
- (xi) Inconsistent with objectives and policies of H7.5 Open Space & RPS B2.7
- (xii) Contrary to NPS-UD and well-functioning environments
- (xiii) Contrary to the Open Space Provision Policy and the Auckland Plan 2050; does not meet relevant statutory requirements
- (xiv) Section 32 is deficient



354. PC60 proposes to rezone 13 Davern Lane, New Lynn from Open Space – Informal Recreation zone to Residential – Mixed Housing Urban zone. The land parcel is part of Panuku’s land disposal process.
- a) Open Space (Items i, ii, viii, ix, x, xi, xii, xiii)
355. 13 Davern Lane, New Lynn is a pocket park of 300 sqm at the end of the street.
356. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
Willerton Reserve	30 Willerton Ave, New Lynn	Open Space - Informal Recreation	0.0958
Lawson Park	38 Willerton Ave, New Lynn	Open Space – Sport and Active Recreation	2.4817
Grandison Green	15 Grandison Crescent, New Lynn	Open Space – Informal Recreation	0.1694
Hinau Reserve	14 Hinau Street, New Lynn	Open Space – Informal Recreation	0.0708

357. Land in the vicinity of 13 Davern Lane, New Lynn is zoned Mixed Housing Urban. Development is predominantly single detached houses with some multi-unit housing on larger lots. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area currently has deficiency of open space (as identified in the 2017 Whau Open Space Network Plan).
358. The Whau Open Space Network Plan – March 2017 states:

*The Whau is a major growth area and this will place pressure on the open space network. Gaps in provision of open space for neighbourhood and suburb parks have been identified. The local board has an advocacy role in the provision of open space. It is important that council makes the most of the existing open space network. Encroachments impact on the use of open space and a review of this issue is planned.*

*The Open Space Provision Policy 2016 sets out the distribution, quantity and configuration of open space for neighbourhood and suburb parks. Neighbourhood parks provide basic informal recreation and social opportunities within a short walk of people's homes. There are gaps in provision. These areas are around Glen Eden East, New Lynn, Avondale, small areas on the Rosebank Peninsula, Holly Street and New Lynn south of Margan Avenue.*

*The key moves provide the framework for future development and management of the Whau's open space network over the next 10 years. The long term goal is for a sustainable quality open space network. The first of four key moves are:*

- 1. Growth – responding to residential intensification and our changing environment*
  - Open space provision*
  - Quality parks*

*3.1 Prioritisation principles The key purpose of the open space network plan is to prioritise actions to improve the open space network. Prioritisation provides direction for planning and implementing park development and improvements. The following list of principles have been considered when prioritising actions:*

- existing capital works programmes and contractual commitments*
- areas zoned for high growth (metropolitan centre, town centres, local centres, mixed use, terrace housing and apartments) and where there is a gap in provision identified*
- areas of deficiency and/or poor quality open space prioritised over areas of good provision and/or good quality open space.*

b) Trees and Vegetation (Items iii, iv, v, vi)

359. 13 Davern Lane contains mature trees and shrubs including a large Pohutukawa (unscheduled). Auckland Council's Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover. Rezoning the land to Mixed Housing urban and its subsequent development is likely to result in the loss of existing trees.

c) Climate Change (Item v)

360. Auckland's Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

361. Some of the action areas identified in the plan include:

*Optimising public spaces*

*Action area B8: Ensure public spaces support a low carbon, climate resilient Auckland and optimise multi-functional benefits*

- embed climate change mitigation and adaptation measures into all park plans for the region*



- *ensure public spaces meet the growing demands of a growing population and urban intensification by optimising spaces for multiple functions such as recreation, water management and biodiversity enhancement*
- *explore initiatives to reduce travel needs and adapt locations and scheduling for more local events such as sporting events*

362. Having locally accessible open space reduces the need to travel for some recreational activities.

d) Effects of Development (Item vii)

363. Rezoning 13 Davern Lane to Mixed Housing Urban and its subsequent development is likely to result in an increase in traffic and parking along the street. There will be a loss of amenity values for the immediate neighbours, with open space replaced by buildings and a loss of vegetation.

e) Section 32 Report (Item xiv)

364. The Section 32 Report includes the two section 32 reports associated with the notified plan change.

365. This section 42a hearing report is also part of the section 32 report, as is the evaluation undertaken by the hearing commissioners and their decision. Collectively these documents constitute the section 32 report.

f) National Policy Statement: Urban Development (Item xii)

366. Auckland Council is currently determining its response to the National Policy Statement: Urban Development (NPS:UD).

367. Policy 1 of the NPS:UD states:

*Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that:*

- (ii) meet the needs, in terms of type, price, and location, of different households;*
- (b) have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- (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*
- (e) support reductions in greenhouse gas emissions; and*
- (f) are resilient to the likely current and future effects of climate change.*

368. Good access to open space therefore contributes to a well-functioning urban environment. As discussed above, there is a deficiency in open space in the New Lynn area.

g) Auckland Plan 2050 (Item v)

369. A high-level assessment of PC60 against the relevant sections of the Auckland Plan 2050 is in section 4.5 of this report.

370. Focus area 1: Create safe opportunities for people to meet, connect, participate in, and enjoy community and civic life. The rezoning of 13 Davern Lane will result in a loss of an informal recreational opportunity in the local neighbourhood.

## Auckland Unitary Plan – Regional Policy Statement

371. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:

- Provides open space and associated amenity values for the adjacent properties in particularly
- Mitigates stormwater/flooding effects and provides opportunity for additional tree planting
- The area generally is short of open space for informal recreation.

### Recommendations on submissions

372. I recommend that **Submissions 2.1, 8.1, 9.1, 10.1, 12.1, 13.1, 15.1, 16.1, 17.1, 18.1, 19.1, 22.1, 37.1, 43.1, 51.1, 60.1, 64.1, 75.1, 81.1, 96.1, and 104.1 be accepted** for the following reasons:

- Land in the vicinity of 13 Davern Lane, New Lynn is zoned Mixed Housing Urban. Development is predominantly single detached houses at present with some multi-unit housing on larger lots. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area currently has deficiency of open space
- 13 Davern Lane contains mature trees and shrubs including a large Pohutukawa. Auckland Council's Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover. Rezoning the land to Mixed Housing Urban and its subsequent development is likely to result in the loss of existing trees
- Auckland's Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees. Having locally accessible open space also reduces the need to travel for some recreational activities
- Good access to open space contributes to a well-functioning urban environment as defined under the National Policy Statement: Urban Development.

373. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

### 6.1.16 Submissions on 67 East Street, Pukekohe (Map 86)

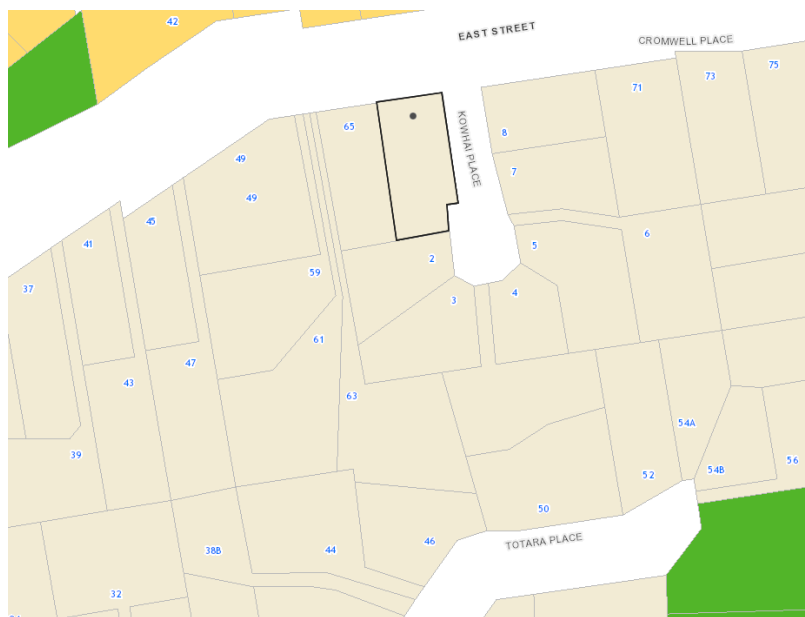
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
1.1	Wendy Barbara McPartland	Decline the plan change, but if approved, make the amendments I requested. We wish the land to remain as reserve and not be built on. It's a long standing reserve. Development would cause traffic problems in Kowhai Place.	FS11 - Dave King Support FS28 - Tom Ang Oppose	Reject

Summary of submissions and discussion

374. **Submission 1.1** seeks that the proposed rezoning of 67 East Street, Pukekohe be declined.

375. The reasons provided by the submitter includes:

- (i) Wish the land to remain as reserve and not be built on.
- (ii) It's a long standing reserve
- (iii) Development would cause traffic problems in Kowhai Place



376. PC60 proposes to rezone 67 East Street, Pukekohe from Open Space – Informal Recreation zone to Residential – Single House zone. The land parcel is part of Auckland Council’s land disposal process. The property has an area of 815 sqm.

a) Open Space (Items i, ii)

377. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
The Glade South Reserve	32 East Street, Pukekohe	Open Space - Conservation	0.1640
Rooseville Park	Ngahere Road, Pukekohe	Open Space - Conservation	11.3882
Roulston Park and Pioneer Cottage	9 Stadium Drive, Pukekohe	Open Space – Informal Recreation	0.6720
Part of Growers Stadium & Franklin Road Recreation centre	29 Franklin Road, Pukekohe	Open Space – Sport and Active Recreation zone	1.7311

378. Land in the vicinity of 67 East Street, Pukekohe is zoned Residential - Mixed Housing Suburban on the northern side of East Street and Residential – Single House zone on the southern side. Development is predominantly single detached houses with some multi-unit housing on larger lots. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area currently has adequate open space.
379. To the east of the site is the Future Urban zone. There is likely to be additional open space provided for when this area is subdivided and developed. A structure plan (and subsequent plan change) are required to be prepared for Future Urban areas before they are urbanised. One of the functions of a structure plan is to identify future areas of open space.
- b) Effects of Development (Item iii)
380. Rezoning 67 East Street, Pukekohe to Residential – Single House zone and its subsequent development is likely to result in a small increase in traffic and parking along the street associated with an additional dwelling. There will be a loss of amenity values for the immediate neighbourhood, with open space replaced by a dwelling and a loss of vegetation.
381. The Residential – Single House zone standards which include height, height in relation to boundary, yards, maximum impervious area and building coverage which will mitigate the effects of any development on the adjoining properties and the open space.

#### Auckland Unitary Plan – Regional Policy Statement

382. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:
- Provides open space and associated amenity values for the adjacent properties in particularly
  - Mitigates stormwater/flooding effects and provides opportunity for additional tree planting which would assist in mitigating the effects of climate change
  - The area generally has adequate open space. To the east, the Future Urban zone will provide additional open space when it is developed.

#### Recommendations on submissions

383. I recommend that **Submission 1.1 be rejected**; for the following reasons:
- Land in the vicinity of 67 East Street, Pukekohe is zoned Residential - Mixed Housing Suburban on the northern side of East Street and Residential – Single House zone on the southern side. Development is predominantly single detached houses at present with some multi-unit housing on larger lots. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area currently has adequate open space
  - To the east of the general area is Future Urban zone. There is likely to be additional open space provided for when this area is subdivided and developed
  - Rezoning 67 East Street, Pukekohe to Residential – Single House zone and its subsequent development is likely to result in a small increase in traffic and parking along the street associated with an additional dwelling

- The Residential – Single House zone standards which include height, height in relation to boundary, yards, maximum impervious area and building coverage which will mitigate the effects of any development on the adjoining properties and the open space.

384. There are no consequential amendments associated with this recommendation.

### 6.1.17 Submissions on Princes Street West, Pukekohe (Map 87)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
48.1	Tane Edward Sola (and others)	Decline the plan change; propose Single House zone as there is already no parking (Fausett family gifted reserve for public use in perpetuity; the reserve is well used and has history)	FS11 - Dave King -support FS28 – Tom Ang-oppose	Reject

#### Summary of submissions and discussion

385. **Submission 48.1** seeks that the proposed rezoning of Princes Street West, Pukekohe be declined.

386. The reasons provided by the submitters includes:

- (i) Fausett family gifted reserve for public use in perpetuity
- (ii) The reserve is well used and has history



387. PC60 proposes to rezone a portion of Princes Street Reserve, Pukekohe from Open Space – Informal Recreation zone to Residential – Mixed Housing Suburban zone. The land parcel is part of Auckland Council's land disposal process. The property has an area of 1019 sqm.

a) Open Space (Items i, ii)

388. The portion of the Princes Street reserve that is the subject of this plan change is currently isolated from the remainder of the reserve. It has the appearance of a vacant section between existing houses. The existing Princes Street reserve has good street frontage.

389. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
Princes Street Reserve (including esplanade reserve but excluding the subject property)	Princes Street West, Pukekohe	Open Space – Informal Recreation & Open Space – Conservation (part of esplanade reserve)	2.9019
Greig Place Esplanade Reserve	Greig Place, Pukekohe	Open Space – Informal Recreation	0.5050
Moloney Terrace Esplanade Reserve	Moloney Terrace, Pukekohe	Open Space – Informal Recreation	0.1570
	Tawhiti Road, Pukekohe	Open Space – Informal Recreation	0.3275
unnamed	63 Belmont Road, Pukekohe	Open Space – Informal Recreation	1.2998
unnamed	Belmont Road, Pukekohe	Open Space – Sport and Active Recreation	14.3283
unnamed	272 Victoria Street, West, Pukekohe	Open Space – Informal Recreation	0.3319
Jutland Road Recreation Reserve	Jutland Road, Pukekohe	Open Space – Informal Recreation	0.3974

390. Land in the vicinity of Princes Street West, Pukekohe is zoned Residential - Mixed Housing Suburban. Development is predominantly single detached houses that have recently been developed. The zoning provides for considerably more intensive development (particularly if lots are amalgamated). The area currently has adequate open space.

391. Land to the north (i.e, north of Kauri Road) is zoned Future Urban. There is likely to be additional open space provided for when this area is subdivided and developed. A structure plan (and subsequent plan change) are required to be prepared for Future Urban areas before they are urbanised. One of the functions of a structure plan is to identify future areas of open space

b) Effects of Development

392. Rezoning Princes Street West, Pukekohe to Residential – Mixed Housing Suburban and its subsequent development is likely to result in a small increase in traffic and parking along the street associated with additional dwellings. The Mixed Housing Suburban zone does not have any density controls with up to 3 dwellings permitted as of right subject to compliance with the standards. Resource consent is required for 4 or more dwellings/units. There will be a loss of amenity values for the immediate neighbourhood, with open space replaced by a dwelling and a loss of vegetation.

393. The Residential – Mixed Housing Suburban zone standards which include building height, height in relation to boundary, yards, maximum impervious area and building

coverage will mitigate the effects of any development on the adjoining properties and the open space.

#### Auckland Unitary Plan – Regional Policy Statement

394. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:

- Part of a larger reserve that provides open space and associated amenity values for the adjacent properties in particularly
- Mitigates stormwater/flooding effects and provides opportunity for additional tree planting
- The area generally has adequate open space for informal recreation with the land parcel being part of a larger reserve.

#### Recommendations on submissions

395. I recommend that **Submission 48.1 be rejected** for the following reasons:

- The area currently has adequate open space
- Land to the north (i.e Kauri Road) is zoned Future Urban. There is likely to be additional open space provided for when this area is subdivided and developed
- Rezoning Princes Street West, Pukekohe to Residential – Mixed Housing Suburban and its subsequent development is likely to result in a small increase in traffic and parking along the street associated with additional dwellings
- The Residential – Mixed Housing Suburban zone standards which include building height, height in relation to boundary, yards, maximum impervious area and building coverage will mitigate the effects of any development on the adjoining properties and the open space.

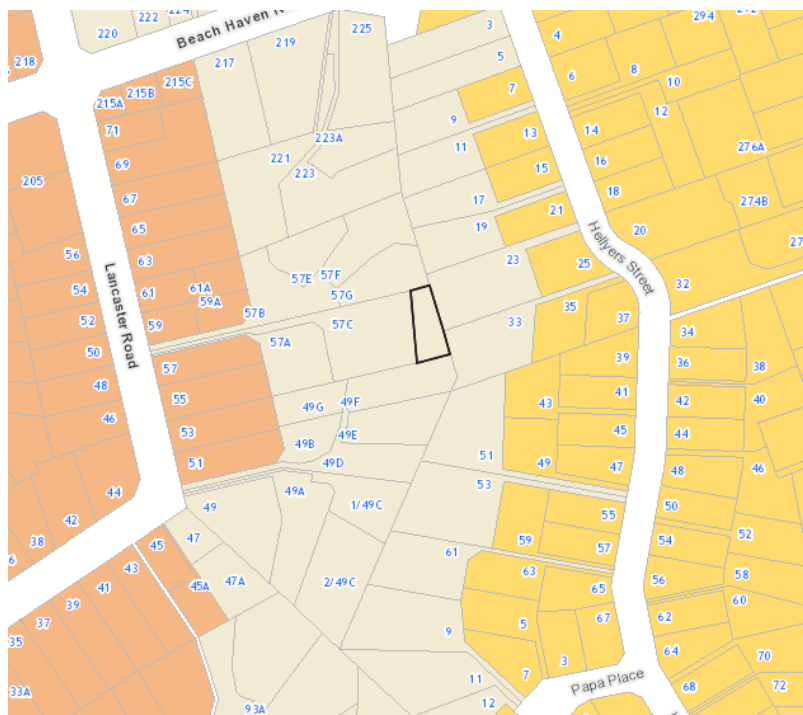
396. There are no consequential amendments associated with this recommendation.

#### 6.1.18 Submissions on R105 Stott Avenue, Birkdale (Map 93)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
68.1	Martyn and Sally Sissons	Object to (oppose) the plan change for "R105 Stott Ave" (affects our privacy and safety; loss of the bush around our house; potential spread of criminal activity; don't want our drive (shared with 23A and 23C) turned into a thoroughfare; the stream is prone to flooding as it is a flood sensitive area; development would destroy some very big native trees and a good proportion of bush)	FS11 - Dave King -support FS28 – Tom Ang-oppose	Accept
87.1	Bronwen Harper (Pest Free Kaipatiki Restoration Society Incorporated)	Decline the plan change for R 105 Stott Avenue, Beach Haven (the site is SEA and part of wildlife corridor and refuge; PFK is not opposed to development to allow for housing however it would like the Council to consider all ecologically poor land parcels to be developed rather than facilitating the degradation of what remains of our urban forest cover)	FS11 - Dave King -support FS28 – Tom Ang-oppose	Accept

### Summary of submissions and discussion

397. **Submissions 68.1 and 87.1** seek that the proposed rezoning of R105 Stott Avenue, Birkdale be declined.
398. Reasons for their opposition to the proposed plan change are
- (i) Affects our privacy and safety
  - (ii) Loss of the bush around our house, development would destroy some very big native trees and a good proportion of bush
  - (iii) The site is an SEA and part of wildlife corridor and refuge
  - (iv) Would like the Council to consider all ecologically poor land parcels to be developed rather than facilitating the degradation of what remains of our urban forest cover
  - (v) Potential spread of criminal activity
  - (vi) Don't want our driveway (shared with 23A and 23C) turned into a thoroughfare
  - (vii) The stream is prone to flooding as it is a flood sensitive area



399. PC60 proposes to rezone R105 Stott Avenue, Birkdale from Open Space – Conservation zone to Residential – Single House zone. The land parcel is part of Auckland Council's land disposal process. The property has an area of 526 sqm.
400. Although the property has a GIS address of R105 Stott Avenue, it is located at the rear (east) of 57C Lancaster Road, Beach Haven.
- a) Significant Ecological Area (SEA) (Items ii, iii, iv)
401. R105 Stott Avenue, Birkdale is part of a continuous SEA that extends from the estuary north of Beach Haven Road through to just north of Rangatira Road.





402. Any development of R105 Stott Avenue would likely result in the removal of most of the existing vegetation. It would also require removal of the vegetation at the rear of 57C Lancaster Road to access the site. This is also identified as an SEA.

403. Section D9. Background of the Unitary Plan states:

*Auckland's indigenous biodiversity is unique with a diverse range of ecosystems reflecting the complex physical environment of the region. Natural ecosystems and indigenous biological diversity contribute to the character and identity of Auckland and distinguish it from other regions of New Zealand.*

*Healthy and functioning ecosystems contribute to improved water quality, soil conservation and carbon sinks, as well as providing opportunities for our recreation, economic, and cultural use. However, development has resulted in the loss of habitats and a reduction of biodiversity. Urban expansion and development, changes in coastal and rural land uses, and the ongoing degradation from pest species continue to threaten the maintenance of indigenous biodiversity.*

*In order to protect and better provide for the management of areas that contribute significantly to Auckland's biodiversity it is important to spatially identify them as significant ecological areas, in accordance with B7.2 Indigenous biodiversity. Significant ecological areas have been identified for terrestrial areas, and parts of the coastal marine area*

404. The objectives for SEA's are:

***D9.2. Objectives [rcp/rp/dp]***

*(1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision, use and development.*

*(2) Indigenous biodiversity values of significant ecological areas are enhanced.*

*(3) The relationship of Mana Whenua and their customs and traditions with indigenous vegetation and fauna is recognised and provided for.*

405. The management of vegetation and biodiversity within an identified significant ecological areas is subject to the provisions in E15 Vegetation management and biodiversity.

***E15.6.5. Vegetation alteration or removal within a significant ecological area for a building platform and access way for a dwelling per site***

*(1) The total area of vegetation alteration or removal must not be greater than 300m<sup>2</sup>.*

406. Therefore up to 300sqm of the 526sqm property could be cleared for development as a permitted activity if the site was rezoned.

- b) Trees & Vegetation/Climate Change (Items ii, iii, iv)

407. Auckland Council's Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover.

408. Auckland's Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

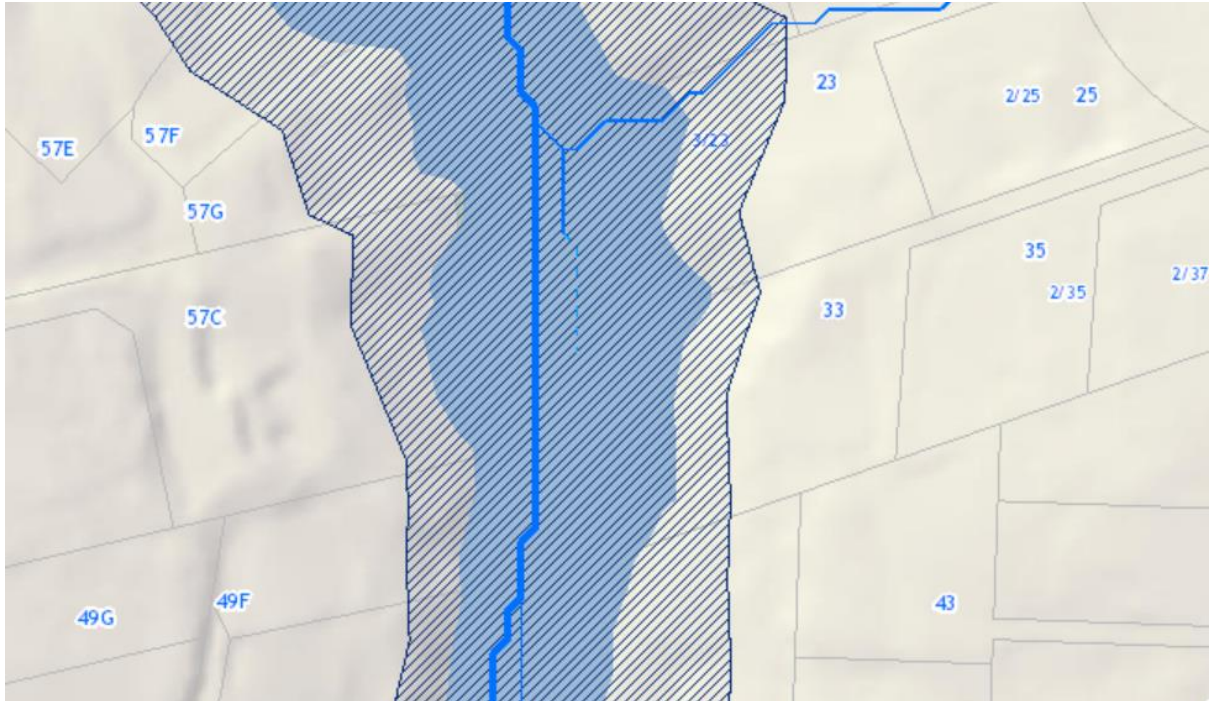
409. Publicly owned open space provides an opportunity to retain and increase canopy cover.




c) Amenity Values and Safety (Items i, vi)

410. The development of R105 Stott Avenue would be managed by the Residential – Single House zone standards. These standards enable issues relating to privacy to be addressed.

411. Any access to R105 Stott Avenue would need to comply with the relevant standards in E38 – Subdivision – Urban and E27 – Transport (vehicle crossings).

d) Flooding (Item vii)



- Overland Flow Paths
- NIWA River Environment Classification 2
- Watercourse Assessment
- Integrated Catchment Management Plans
- River, Stream and Overland Flow Catchments
- Flood Prone Areas 
- Flood Sensitive Area 
- Flood Plains 

412. R105 Stott Avenue lies within a flood prone area, a floodplain and has an overland flow path through the middle of the site.

413. Flood plains and overland flowpaths are subject to the provisions in E36 – Natural hazards and Flooding where they are in the 1 per cent annual exceedance probability (AEP) floodplain.

414. “All other new structures and buildings (and external alterations to existing buildings) within the 1 per cent annual exceedance probability (AEP) floodplain” are a restricted discretionary activity under E36.
415. In the AUP, the Annual exceedance probability is defined as *“the probability of exceeding a given threshold within a period of one year. It can be applied to any type of risk. For example in relation to flooding, a one per cent AEP flood plain is the area that would be inundated in a storm event of a scale that has a one per cent or greater probability of occurring in one year”*.
416. The AUP therefore enables the assessment of effects associated with building on floodplains, flood prone areas or overland flowpaths.

#### Auckland Unitary Plan – Regional Policy Statement

417. An assessment of the proposed rezoning against the the relevant sections of the AUP’s RPS is contained in Attachment 6. In summary:
- Part of a wider SEA. Provides open space and associated amenity values for the adjacent properties in particularly
  - Mitigates stormwater/flooding effects
  - The area is short of open space. This reserve however is inaccessible.

#### Recommendation

418. I recommend that **Submission 68.1 and 87.1 be accepted** for the following reasons:
- R105 Stott Avenue, Birkdale is part of a continuous SEA that extends from the estuary north of Beach Haven Road through to just north of Rangatira Road
  - Any development of R105 Stott Avenue would likely result in the removal of most of the existing vegetation (up to 300 sqm is a permitted activity). It would also require removal of the vegetation at the rear of 57C Lancaster Road which is also part of the same SEA
  - Auckland Council’s Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland’s urban area
  - Auckland’s Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees
  - Publicly owned open space provide an opportunity to retain and increase canopy cover
  - R105 Stott Avenue lies within a flood prone area, a floodplain and has an overland flow path through the middle of the site. Although there are methods in the AUP to manage the development of such sites, it is not an appropriate site for development.
419. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

### 6.1.19 Submission on 5R Ferguson Street, Mangere East (Map 94)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
106.1 (late)	Malia Faimanifo Sopoga	Decline the plan change for 5R Ferguson Street, and if approved, rezone to Single House zone (Mixed Housing Suburban would pose huge threat to the visual amenity of the street)	FS11 - Dave King -support FS28 – Tom Ang-oppose	Reject

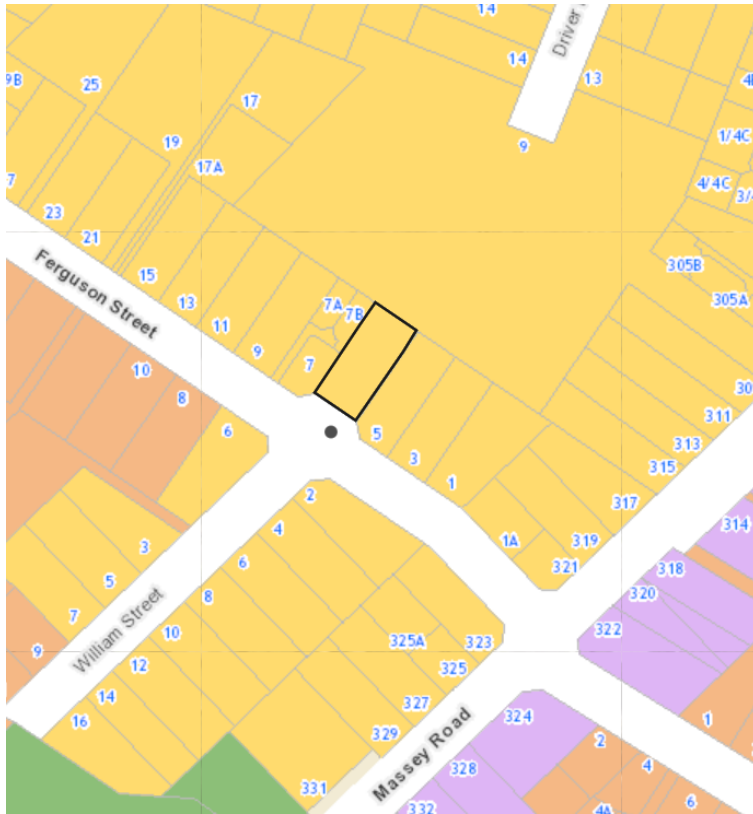
#### Summary of submissions and discussion

420. **Submission 106.1** seeks that the proposed rezoning of 5R Ferguson Street, Mangere East be declined. If the proposed change proceeds, change the zoning to Single House Residential.

421. Reasons for their opposition to the proposed plan change are:

- (i) Mixed Housing Suburban would pose huge threat to the visual amenity of the street, multi-unit developments which completely alter the special quality of Ferguson Street
- (ii) (Multi-unit developments) will not maintain or care for this land the way my family and I have for the last 4 decades
- (iii) Implore the Council to have particular regard to the kaitiakitanga and stewardship myself and my family have afforded 5R and revoke the proposed plan change and leave the property as open space
- (iv) Changing the zoning to Residential – Single House Zone will allow a level of development recommended by Auckland Council's Eke Panuku's section 32 evaluation report but will ensure that 5R will be protected from subdivision and construction of multiple units which affect the character and amenity of Mangere East, once a community with front gardens and greenspaces like on my own property, but now being overrun with cold, lifeless multi-units that take all character out of what was once a vibrant community
- (v) Residential single housing zoning would allow those from this community the opportunity to purchase & construct their family home with less competition from property developers who only seek to make a profit
- (vi) Financial and emotional cost it will be on my family and I to uproot integral parts of our home (like the driveway, and the tree, and probably some part of the garage) in the event high density residential development takes place.





422. PC60 proposes to rezone 5R Ferguson Street, Mangere East from Open Space – Informal Recreation zone to Residential – Mixed Housing Suburban zone. The land parcel is part of Auckland Council’s land disposal process. The property has an area of 885 sqm.
423. 5R Ferguson Street is an area of undeveloped open space. It is currently used by the adjoining properties to park cars and to access the rear of 7 Ferguson Street. It also appears to be a former “rear access” to the adjacent electricity sub-station which has its principal access from Driver Road (Designation 8529 Electricity transmission - Mangere electricity substation 11, 14 and 16 Driver Road and 307, Massey Road, Mangere – Transpower New Zealand Limited).
- a) Open Space (Item iii)
424. Open space in the vicinity includes the following:

Name	Address	Zoning	Area (ha)
unnamed	33R Ferguson Street, Mangere East	Open Space – Informal Recreation	0.0961
Yates Park	79R Yates Road, Mangere East	Open Space – Informal Recreation	0.7457
Massey Homestead	337R Massey Road, Mangere East	Open Space – Informal Recreation	1.1172
Walter Massey Park	10R & 28R Hain Avenue, Mangere East	Open Space – Sport and Active Recreation	5.6416
Walter Massey Park	349R Massey Road, Mangere East	Open Space – Sport and Active Recreation	6.4277
Calvert Park	10R Calvert Avenue, Mangere East	Open Space – Informal Recreation	0.8449

425. There is adequate open space in the vicinity. It is within walking distance, although Walter Massey Park and Calvert Park are on the eastern side of the busy Massey Road.
426. Land in the vicinity of 5R Ferguson Street, Mangere East is zoned Residential - Mixed Housing Suburban. Development is currently predominantly single detached houses, some infill development and multi-units on larger sites at present.
- b) Effects of Development (Items i, ii, iv, v, vi)
427. Rezoning 5R Ferguson Street, Mangere East to Residential – Mixed Housing Suburban and its subsequent development is likely to result in a small increase in traffic and parking along the street associated with additional dwellings. The Mixed Housing Suburban zone does not have any density controls with up to 3 dwellings permitted as of right subject to compliance with the standards. Resource consent is required for 4 or more dwellings/units. There will be a loss of amenity values for the immediate neighbours, with open space replaced by dwellings. Any adverse effects associated with development of the site are managed by the relevant Mixed Housing Suburban zone standards. These include standards relating to building height, height in relation to boundary, yards, maximum impervious area, building coverage, landscaped area, outlook space and outdoor living space.
428. A Residential – Single House zone, as proposed by the submitter as an alternative relief sought would be inconsistent with the zoning pattern of the surrounding area.

#### Auckland Unitary Plan – Regional Policy Statement

429. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:
- Provides open space and associated amenity values for the adjacent properties in particularly
  - Mitigates stormwater/flooding effects and provides opportunity for additional tree planting
  - There are other recreation reserves in the area – both informal and sport and active recreation.

#### Recommendation

430. I recommend that **Submission 106.1 be rejected** for the following reasons:
- There is adequate open space in the vicinity which is generally within walking distance of the subject site
  - Land in the vicinity of 5R Ferguson Street, Mangere East is zoned Residential - Mixed Housing Suburban. Development is predominantly single detached houses, some infill development and multi-units on larger sites at present. Multi – unit development would not be out of character
  - Any adverse effects associated with development of the site are controlled by the relevant Mixed Housing Suburban zone standards
  - A Residential – Single House zone, as proposed by the submitter as an alternative relief sought would be inconsistent with the zoning of the surrounding area.

431. There are no consequential amendments associated with this recommendation.

### 6.1.20 Submissions on 26 Princes Street, Otahuhu (Map 96)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
11.1	Jennifer Joy Hirawani	Decline the plan change for 26 Princes Street Otahuhu (do not rezone Business'; there are plenty of vacant commercial premises)	FS11 - Dave King – support FS25 - Penny Rodway-support FS28 - Tom Ang-oppose	Accept
73.1	Bryce Rayner	Decline the plan change for 26 Princes Street Otahuhu (reserve has 11 mature palm trees and a mature Moreton Bay fig tree. Removal inconsistent with the Mangere-Otahuhu Local Board's goal of increasing the tree canopy in Otahuhu; trees are part of Otahuhu's physical and cultural identity; there are numerous vacant premises in the centre; development of site could have traffic impacts)	FS11 - Dave King – support FS15 - Anthony David Carson-support FS28 - Tom Ang-oppose	Accept
97.1	Michelle Simpson	Decline the plan change for 26 Princes Street Otahuhu; keep this open space (This little walk through park is refreshing place to stop and rest, and a good change from the hustle of the traffic and shops. The trees provide scenery and clean air since there is so much traffic going through. The site is very small for business with no parking adding to traffic burden. 86 Kainga Ora small dwellings in Atkinson will need green space for wellbeing and to decrease stress levels)	FS11 - Dave King – support FS18 - Kathryn le Grove-support FS28 - Tom Ang-oppose	Accept
102.1	Peter Simpson	Decline the plan change for 26 Princes Street, Otahuhu (the site is not suitable for business; and this is a much needed green area and spot to rest)	FS11 - Dave King – support FS28 - Tom Ang-oppose	Accept

#### Summary of submissions and discussion

432. **Submissions 11.1, 73.1, 97.1 and 102.1** seek that the proposed rezoning of 26 Princes Street, Otahuhu be declined.

433. Reasons for their opposition to the proposed plan change are:

- (i) Do not rezone to business'; there are plenty of vacant commercial premises in the centre
- (ii) Reserve has 11 mature palm trees and a mature Moreton Bay fig tree, removal of trees inconsistent with the Mangere-Otahuhu Local Board's goal of increasing the tree canopy in Otahuhu, trees are part of Otahuhu's physical and cultural identity, they provide scenery and clean air
- (iii) Development of the site could have traffic impacts
- (iv) Walk through park is refreshing place to stop and rest, and a good change from the hustle of the traffic and shops, a much needed green area
- (v) The site is very small for business with no parking adding to traffic burden



(vi) 86 Kainga Ora small dwellings in Atkinson Ave will need green space for wellbeing and to decrease stress levels.



434. PC60 proposes to rezone 26 Princes Street, Otahuhu from Open Space – Informal Recreation zone to Business – Mixed Use zone. The land parcel is part of Auckland Council’s land disposal process. The property has an area of 885 sqm.
435. 26 Princes Street, Otahuhu provides an informal area of open space at a gateway to the Otahuhu town centre. It contains mature phoenix palm trees and a mature Moreton Bay fig tree.
- a) Open Space (Items iv, vi)
436. Open space in the general vicinity includes the following:

Name	Address	Zoning	Area (ha)
Unnamed (privately owned)	22-24 Church Street, Otahuhu	Open Space – Informal Recreation	0.5848
Luke Street Reserve	30 Luke Road, Otahuhu	Open Space – Informal Recreation	0.1315
Murphy Park	102 Church Street, Otahuhu	Open Space – Informal Recreation & Open Space – Sport and Active Recreation	1.6374
Portage Canal Reserve	56 Hokonui Road, Otahuhu	Open Space – Informal Recreation	4.1904
Portage Canal Esplanade Reserve	4-12 Portage Road, Otahuhu	Open Space – Sport and Active Recreation & Open Space - Conservation	1.0974
Portage Canal Esplanade Reserve	1A Church Street, Otahuhu	Open Space - Conservation	0.2091

437. There is very little open space in the immediate vicinity. The three portage canal reserves recognise the original path of the portage of waka between the Tamaki

River and Manukau Harbour by Tainui. These are not useable open spaces at present. The surrounding area is zoned Business – Mixed Use and Residential – Terrace Housing and Apartment Building zone. At present, much of the existing development comprises single detached dwelling or multi – units on larger sites. Considerably more development is therefore provided for.

b) Trees & Vegetation/Climate Change (Item ii)

438. Auckland Council's Urban Ngahere Strategy seeks to increase the average canopy cover to 30 per cent across Auckland's urban area with no local board area having less than 15 per cent canopy cover.

439. Auckland's Climate Plan 2020 also emphasises the need to capture more carbon and to plant more trees.

440. Publicly owned open space provides an opportunity to retain and increase tree canopy cover. The existing trees would be lost as a result of a Mixed-Use zone and subsequent development.

c) Effects of Development (Items i, iii)

441. Rezoning 26 Princes Street, Otahuhu to Business – Mixed Use zone and its subsequent development is likely to result in a small increase in traffic and parking associated with additional dwellings and/or businesses. There will be a loss of amenity values for the immediate neighbours and passing traffic (both vehicular and pedestrians), with open space replaced by development. Any adverse effects associated with development of the site on adjoining properties are managed by the relevant Mixed Use zone standards.

Auckland Unitary Plan – Regional Policy Statement

442. An assessment of the proposed rezoning against the the relevant sections of the AUP's RPS is contained in Attachment 6. In summary:

- Provides open space and associated amenity values for properties in the vicinity in particular. Also functions as a gateway to the town centre
- Mitigates stormwater/flooding effects and provides opportunity for additional tree planting
- There are very few other reserves providing for informal recreation in the vicinity
- Rezoning to Mixed Use would enable additional development. This is small in comparison to the additional development already provided for by the AUP
- The reserve contains mature trees/palms. There is opportunity for additional tree planting which would assist in mitigating the effects of climate change

Recommendation

443. I recommend that **Submissions 11.1, 73.1, 97.1 and 102.1 be accepted** for the following reasons:

- There is very little open space in the immediate vicinity of the site
- The surrounding area is zoned Business – Mixed Use and THAB zone. Considerably more development is therefore provided for

- Publicly owned open space provides an opportunity to retain and increase tree canopy cover. The existing trees would be lost as a result of a Mixed Use zone and subsequent development
- Rezoning 26 Princes Street, Otahuhu to Business – Mixed Use zone and its subsequent development is likely to result in a small increase in traffic and parking associated with additional dwellings and/or businesses. More significantly, there will be a loss of amenity values for the immediate neighbourhood and passing pedestrians and traffic.

444. There are consequential amendments associated with this recommendation. These are identified in Section 9 – Recommendations, of this report.

#### 6.1.21 Submission on R1 Greenslade Crescent, & 140 Lake Road, Northcote (Map 97)

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.3	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site as notified (boundary adjustments, THAB and Open Space changes)	FS25 - Penny Rodway -oppose FS28 - Tom Ang-oppose	Accept

#### Summary of submissions and discussion

445. **Submission 63.3** seeks that the proposed rezoning of R1 Greenslade Crescent, & 140 Lake Road, Northcote be accepted.

446. Reasons for their support of the proposed plan change are

- The site is subject to a land exchange under the Reserves Act and the boundary adjustment subdivision that is currently being prepared
- Kāinga Ora also supports the application of the height variation control over the part of the site that will be rezoned to THAB. This will reflect the proposed boundary changes, and provide for consistent redevelopment at an appropriate scale.



447. PC60 seeks to rationalise the zone boundary between the Greenslade Reserve and the THAB zone to the north. In addition, it is also proposed to add a height variation control over the part of the site that will be rezoned to THAB zone. This is consistent with the existing height variation control of 19.5m that currently applies to the existing THAB zone.
- a) R1 Greenslade Crescent, & 140 Lake Road, Northcote (Items i, ii)
448. The proposed zone boundary changes will provide for redevelopment of the subject land at an appropriate scale. The proposed zone change also reflects a land exchange under the Reserves Act and the boundary adjustment subdivision.
449. There is effectively no loss of reserve land as a result of the proposed change. The proposed change does regularise the zone boundary which will make subsequent development on the THAB zoned land more efficient in terms of site layout.

#### Recommendation

450. I recommend that **Submission 63.3 be accepted** for the following reasons:
- The proposed boundary changes will provide for consistent redevelopment at an appropriate scale (with the addition of the height variation control of 19.5m)
  - It also reflects a land exchange under the Reserves Act and the boundary adjustment subdivision
  - There is effectively no loss of reserve land as a result of the proposed rezoning
  - The proposed rezoning does regularise the zone boundary which will make subsequent development on the THAB zoned land more efficient.
451. There are no consequential amendments associated with this recommendation.

## 6.1.22 Submissions on 27 and 33R Watchfield Close, Mangere (Maps 99 & 101)

### 27 Watchfield Close

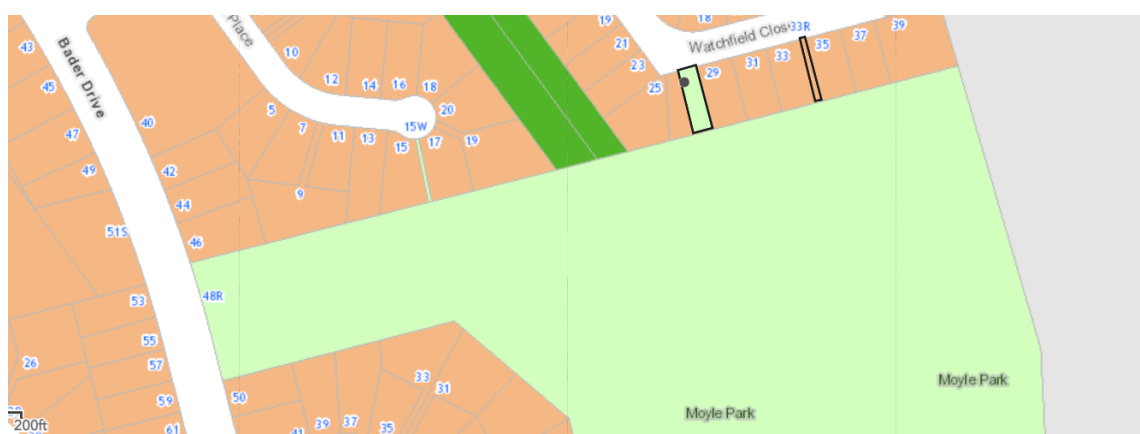
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.6	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site as notified (from open space to Mixed Housing Urban as part of land swap)	FS25 - Penny Rodway-oppose FS28 - Tom Ang-oppose	

### 33R Watchfield Close

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.7	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site as notified (part of lot from Mixed Housing Urban to open space)	FS25 - Penny Rodway-oppose FS28 - Tom Ang-oppose	

### Summary of submissions and discussion

452. **Submissions 63.6 and 63.7** seek that the proposed rezoning of 33R and 27 Watchfield Close, Mangere be accepted.
453. Reasons for the support of the proposed plan change are:
- (i) Kāinga Ora is undertaking redevelopment in Mangere West
  - (ii) The rezoning as per maps 99 and 101 reflect the land swap process that has occurred under the Reserves Act 1977.
454. The proposed rezoning is intended to facilitate Kāinga Ora redevelopment and improve the quality of open space/access to open space.



- a) 33R and 27 Watchfield Close, Mangere (Items i, ii)
455. Kāinga Ora intends to undertake a multi-stage master-planned urban redevelopment in Mangere West on land which will involve construction of new state homes and market attractive and affordable homes by private build partners procured by Kāinga

Ora. A public walkway giving access to Moyle Park from Watchfield Close is currently bisecting a superlot proposed to be redeveloped for housing. In order to allow this development to proceed as one superlot, Kāinga Ora is proposing to acquire the 3m wide walkway, currently zoned open space and to vest an 8m wide walkway with landscaping and public lighting to maintain pedestrian access to Moyle Park in a location that allows the full development of the superlot.

456. The proposed change to the accessway provides a wider, more visible pedestrian access from Watchfield Close to Moyle Park. This is in accordance with the Auckland Design Manual (General Park Design Principles) which state:

*Provide clear access - Provide clear, direct, and well-connected routes that are accessible by everyone (i.e. pedestrians, cyclists, and people pushing prams or wheelchairs).*

*Public accessways should:*

*Be as wide as possible - The walking route should be at least 1.8m wide or greater to avoid crowding on footpaths. Reducing crowdedness also reduces possible tension between the users of the space. This is particularly important in places with higher foot traffic, such as areas with bars, restaurants, or other entertainment venues.*

*Be straight - Direct connections provide clear access, making users feel safer by increasing their confidence in navigating the space. If it is not possible to design straight footpaths, the design should focus on increasing visibility through the path, especially around corners.*

*Have clear visibility through the space - People feel safer when they can get a clear understanding of their surroundings, including both the environment and other users.*

*Designs should focus on increasing visibility around any corners or setbacks by manipulating landscaping, fencing or glazing.*

*Be well lit - Visibility is decreased when there is little light, therefore lighting can increase the perception of safety on dark paths. However, lighting should only be used on paths that are intended for use at night.*

### Recommendation

457. I recommend that **Submission 63.6 & 63.7 be accepted** for the following reasons:

- The proposed zoning changes will facilitate Kāinga Ora's redevelopment and improve the quality of access to the open space
- The proposed change to the accessway provides a wider, more visible and safer pedestrian access from Watchfield Close to Moyle Park. This is in accordance with the Auckland Design Manual (General Park Design Principles)
- The proposed rezoning supports and recognises the land exchange process currently occurring under the Reserves Act.

458. There are no consequential amendments associated with this recommendation.

### 6.1.23 Submissions on 117 Richardson Road, Owairaka (Map 98) and 14-16 Cassino Terrace, Owairaka (Map 102)

#### 117 Richardson Road

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.3	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site as notified (boundary adjustments, THAB and Open Space changes)	FS25 - Penny Rodway-oppose FS28 - Tom Ang-oppose	Accept

#### 14-16 Cassino Terrace

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.5	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone 14-16 Cassino Terrace as notified (as shown in Attachment 3 to the submission, page 2, from Mixed Housing Urban to open space and THAB)	FS25 - Penny Rodway-oppose FS28 - Tom Ang-oppose	Accept

#### Summary of submissions and discussion

459. **Submission 63.3** seeks that the proposed rezoning of 117 Richardson Road, Owairaka be accepted.

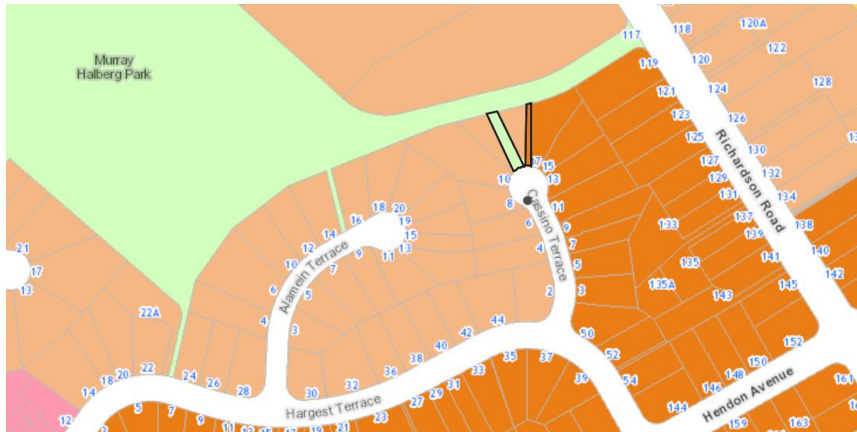
460. Reasons for the support of the proposed plan change are:

- (i) The proposed rezoning supports the land exchange process currently going through the Reserves Act
- (ii) The site forms part of the large scale development that Kāinga Ora is undertaking within Owairaka
- (iii) The land exchange process will result part of 14-16 Cassino Terrace, Owairaka to rezone from Residential – Mixed Housing Urban zone to Open Space – Sport and Active Recreation.

461. **Submission 63.5** seeks that the proposed changes to 14-16 Cassino Terrace, Owairaka be accepted.

462. Reasons for the support of the proposed rezoning are:

- (i) As a result of the proposed land swap process under the Reserves Act 1977 and proposed rezoning, part of the site will remain as Mixed Housing Urban Zone located between the proposed walkway to Murray Hallberg Park (part of the rezoning as per map 98 above) and the THAB sites to its east
- (ii) This part lot has limited road frontage for vehicle access and is a weird shape with an area of 311m<sup>2</sup> for redevelopment conforming to the rules of MHU zoning.
- (iii) This site will form part of the future development superlots in the Owairaka Precinct
- (iv) It is requested that the remaining part lot be rezoned to THAB so that its zoning is consistent with sites east of the proposed walkway providing for an appropriate level of development anticipated in the Owairaka Precinct.



- a) 117 Richardson Road and 14-16 Casino Terrace, Owairaka (Items i, ii, iii, iv)
463. PC60 proposes zoning changes that are intended to facilitate Kāinga Ora redevelopment and improve the quality of open space/access to open space.
464. Kāinga Ora intends to undertake a multi-stage master-planned urban redevelopment in the Owairaka area of Mt Roskill. This will involve construction of new homes by Kāinga Ora and by private build partners of Kāinga Ora and associated public infrastructure including roads, services and parks. The proposal involves land swaps between Kāinga Ora and Auckland Council to improve pedestrian access from Casino Terrace to and from Murry Halberg Park.
465. The proposed change to the accessway provides a wider, more visible pedestrian access from Casino Terrace to Murray Halberg Park. This is in accordance with the Auckland Design Manual (General Park Design Principles) which state:

*Provide clear access - Provide clear, direct, and well-connected routes that are accessible by everyone (i.e. pedestrians, cyclists, and people pushing prams or wheelchairs).*

*Public accessways should:*

*Be as wide as possible - The walking route should be at least 1.8m wide or greater to avoid crowding on footpaths. Reducing crowdedness also reduces possible tension between the users of the space. This is particularly important in places with higher foot traffic, such as areas with bars, restaurants, or other entertainment venues.*

*Be straight - Direct connections provide clear access, making users feel safer by increasing their confidence in navigating the space. If it is not possible to design straight footpaths, the design should focus on increasing visibility through the path, especially around corners.*

*Have clear visibility through the space - People feel safer when they can get a clear understanding of their surroundings, including both the environment and other users. Designs should focus on increasing visibility around any corners or setbacks by manipulating landscaping, fencing or glazing.*

*Be well lit - Visibility is decreased when there is little light, therefore lighting can increase the perception of safety on dark paths. However, lighting should only be used on paths that are intended for use at night*

### Recommendation

466. I recommend that **Submissions 63.3 & 63.5 be accepted** for the following reasons:



- The proposed zoning changes will facilitate Kāinga Ora’s redevelopment and improve the quality of access to the open space
- The proposed change to the accessway provides a wider, more visible and safer pedestrian access from Cassino Terrace to/from Murray Halberg Park. This is in accordance with the Auckland Design Manual (General Park Design Principles);
- The proposed rezoning supports and recognises the land exchange process currently occurring under the Reserves Act.

467. There are no consequential amendments associated with this recommendation.

#### 6.1.24 Submission on 4 & 8 Peak Road, Kaukapakapa (Map 103)

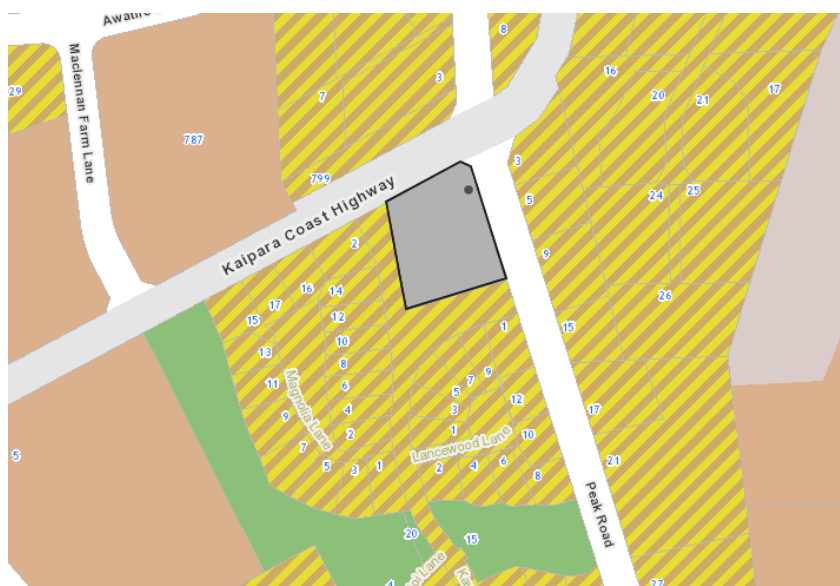
Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner’s Recommendation
72.1	Wesleyan Church Trustees c/- Grev Walker	We support the plan change rezoning to Special Purpose - Cemetery (the 'residential' zoning was in error)	FS28 - Tom Ang-oppose	Accept

#### Summary of submissions and discussion

468. **Submission 72.1** seeks that the proposed rezoning of 4 & 8 Peak Road, Kaukapakapa be accepted.

469. Reasons for the support of the proposed plan change are

- (i) The above property was incorrectly zoned "Residential" during the Unitary Plan process
- (ii) This will be corrected to properly reflect the activities of the church and cemetery by rezoning to "Special Purpose Cemetery"
- (iii) The new zoning will apply to both Titles and the existing use of the church and hall will continue under the new Special Purpose Cemetery Zone.



- a) 4 & 8 Peak Road, Kaukapakapa (Items i. ii. iii)
470. PC60 proposes to rezone the existing Kaukapakapa cemetery and church from Residential – Rural and Coastal Settlement zone to Special Purpose: Cemetery zone.
471. 4 Peak Road is owned by the Wesleyan Church Trustees and contains a church and part of the associated cemetery. The adjoining 8 Peak Road is owned by Auckland Council and contains the remainder of the cemetery. The two lots have a combined area of 3580 sqm. The cemetery is currently open and operates under existing use rights.
472. Operational cemeteries typically have a Special Purpose: Cemetery zoning under the Auckland Unitary Plan. The Wesleyan Church Trustees have requested the zone change so that the cemetery can continue to operate as a permitted activity.

#### Recommendation

473. I recommend that **Submission 72.1 be accepted** for the following reasons:
- Operational cemeteries typically have a Special Purpose: Cemetery zoning under the Auckland Unitary Plan
  - The proposed zone change will enable the cemetery to continue to operate as a permitted activity.
474. There are no consequential amendments associated with this recommendation.

#### **6.1.25 Submissions on 1337 Whangaparaoa Road, Army Bay (Map 104)**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
4.1	Richard Bale	Approve the plan change without amendments, for 1337 Whangaparaoa Road, Army Bay (golf course)	FS28 - Tom Ang-oppose	Accept
5.1	Whangaparaoa Golf Club c/- Wendy Dazeley	Approve the plan change without amendments, for 1337 Whangaparaoa Road, Army Bay (golf course)	FS28 - Tom Ang-oppose	Accept
61.1	Anne Margaret Crozier	Approve the plan change without amendments, for 1337 Whangaparaoa Road, Army Bay (golf course; open space is needed to meet the future needs of our community)	FS28 - Tom Ang-oppose	Accept
77.1	Colleen Pearl Crozier	Approve the plan change without amendments, for 1337 Whangaparaoa Road, Army Bay (golf course; open space is needed to meet the future needs of our community)	FS28 - Tom Ang-oppose	Accept
79.1	Auckland Transport c/- Katherine Dorofaeff	Retain the current Single House zoning of the Whangaparaoa Golf Course unless a transport assessment is provided which supports the proposed Sport and Active Recreation zone to the satisfaction of Auckland Transport; any consequential amendments.	FS28 - Tom Ang-oppose	Accept in part

### Summary of submissions and discussion

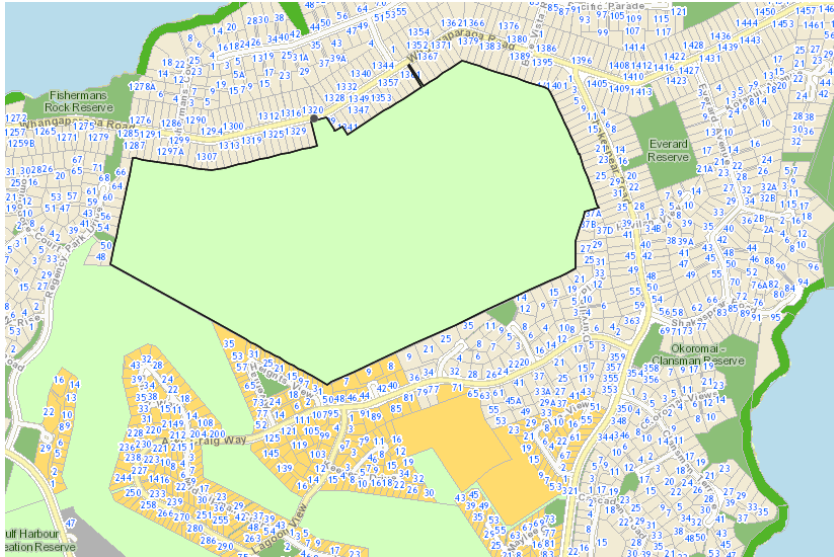
475. **Submissions 4.1, 5.1, 61.1, & 77.1** seek that the proposed rezoning of 1337 Whangaparaoa Road, Army Bay be accepted. **Submission 79.1 seeks** that the existing zoning be retained unless a transport assessment supports the rezoning.
476. Reasons for the support/opposition to the proposed plan change are:

#### Support

- (i) Open space is needed to meet the future needs of the community

#### Oppose

- (ii) While the existing use of the site as a golf course at its current scale of operation may not be intensive, applying an Open Space - Sport and Active Recreation zone would allow other more intensive uses to establish without needing any assessment of transport effects
- (iii) The Open Space and Active Recreation zone is described in the AUP(OP)2 as applying to open spaces used for indoor and outdoor organised sports, active recreation and community activities. The zone description also notes that the more intensive uses of these open spaces can attract large numbers of people and generate high levels of traffic. Permitted activities in this zone include: clubrooms, organised sport and recreation, recreation facilities (includes recreation centres, aquatic facilities, fitness centres and gymnasiums, indoor sports centres) etc
- (iv) The trip generation rule in E27.6.1 of the AUP(OP) provides a trigger to require assessment of the effects of traffic generating activities. However this rule does not apply where the activity is permitted in the open space zones. There is therefore no opportunity to assess the effects of the permitted activities listed above on the transport network or to require the implementation of mitigation measures. Under the existing Single House zone, the trip generation would be triggered by a development involving 100 dwellings, or a subdivision which could accommodate more than 100 dwellings
- (v) No transport assessment has been provided with the plan change to consider the transport effects of the types of activities enabled by the Sport and Active Recreation zone on this site as compared with the Single House zone. The supporting Section 32 Evaluation Report and Planning Assessment does not consider transport effects.



a) 1337 Whangaparaoa Road, Army Bay (Item i.)

477. The Whangaparaoa Golf Club opened in 1959 and comprises an 18 hole golf course on rolling/undulating land. The club approached Auckland Council to rezone the privately owned land to Open Space – Sport and Active Recreation zone to:

- a. reflect the current and future intended use of the site; and
- b. reduce the rates burden (as open space zoned land has a lesser value than residential zoned land).

478. The site had previously been zoned Open Space 5 (Private) zone under the Auckland Council District Plan – Operative Rodney Section 2011. The club had requested a residential zoning during the preparation of the Unitary Plan. PC60 proposes an Open Space – Sport and Active Recreation zoning. This reflects the current (and historic) and future intended use of the land as a golf course.

b) Transport Assessment (Items ii, iii, iv)

479. The Open Space – Sport and Active Recreation zone provides for a number of permitted activities. These include clubrooms, organised sport and recreation, recreation facilities, and new buildings that comply with the standards. New buildings that do not comply with one or more standards are a discretionary activity.

480. One such standard, Standard H7.11.5 – Gross floor area threshold applies to the gross floor area of individual buildings, including any external additions or alterations. The threshold for a permitted building in the Open Space – Sport and Active Recreation zone is 150 sqm. This enables a relatively small building such a clubrooms or toilets/changing facilities as a permitted activity. Any building exceeding 150 sqm goes beyond that threshold and is a discretionary activity. Therefore recreation facilities which includes recreation centres, aquatic facilities, fitness centres and gymnasiums, and indoor sports centres would be discretionary activities (as they would invariably exceed 150 sqm in area).

481. Rule A1.7. Activity status states:

*A1.7.4. Discretionary activity resource consent is required for a discretionary activity and may be granted or refused for any relevant resource management reason. An*

*application for resource consent for a discretionary activity will be fully assessed in terms of the relevant provisions of the Plan, including all relevant objectives and policies, and the Resource Management Act 1991, including in particular Part 2.*

*Activities are classed as discretionary where they are not generally anticipated to occur in a particular environment, location or zone or where the character, intensity and scale of their environmental effects are so variable that it is not possible to prescribe standards to control them in advance.*

*A full assessment is required to determine whether the activity, subject to any conditions, would be appropriate in terms of the provisions of the Plan, the effects of the activity on the environment and the suitability of the proposed location.*

482. A traffic assessment can therefore be required (and assessed) for discretionary activities.

483. The Open Space – Sport and Active Recreation zone also provides for sport and recreation structures as a permitted activity. Sport and recreation structures are defined as:

*Accessory structure required to undertake a sport or recreational activity associated with a park or sports field includes:*

- *courts;*
- *artificial playing surfaces;*
- *fences*

484. Under Table E27.4.1 Activity table and standard E27.6.1. Trip generation, any activity or subdivision which exceeds the trip generation standards set out in standard E27.6.1 is a restricted discretionary activity.

**E27.6.1. Trip generation**

*(1) Where a proposal (except where excluded in Standard E27.6.1(2)) exceeds one of the following thresholds:*

*(b) 100 v/hr (any hour) for activities not specified in Table E27.6.1.1 requiring a controlled or restricted discretionary land use activity consent in the applicable zone where there are no requirements for an assessment of transport or trip generation effects. This standard does not apply to development activities provided for as permitted in the applicable zone;*

485. Under E27.8.1. Matters of discretion, the Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application.

(4) any activity or subdivision which exceeds the trip generation thresholds under Standard E27.6.1:

(a) effects on the transport network.

486. Under E27.8.2. Assessment criteria, the Council will consider the relevant assessment criteria for restricted discretionary activities from the list below:

*(b) effect on the transport network:*

*(i) the extent to which any proposed facility is located and designed to support the public transport system*

*(ii) the extent to which the scale, design, management and operation of the facility and its access points have an adverse effect on the effective, efficient and safe operation of the transport network*

487. A large netball facility or several sports fields would likely require significant earthworks. Under standard E12 – Land disturbance – District the following applies:

**E12 - Land disturbance – District**

*General earthworks not otherwise listed in this table*

*Greater than 1000m<sup>2</sup> up to 2500m<sup>2</sup> = Restricted discretionary*

*Greater than 1000m<sup>3</sup> up to 2500m<sup>3</sup> = Restricted discretionary*

488. The activity status is determined under standard C1.6 as follows:

**C1.6. Overall activity status**

*(1) The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal, including any rule which creates a relevant exception to other rules.*

*(2) Subject to Rule C1.6(4), the overall activity status of a proposal is that of the most restrictive rule which applies to the proposal.*

489. Large scale sports fields or courts would therefore trigger the 100 v/hr (any hour) for activities, threshold. This will enable an assessment of the traffic effects under E27.8.1 and E27.8.2.

Recommendation

490. I recommend that **Submissions 4.1, 5.1, 61.1 and 77.1 be accepted** and **submission 79.1 be accepted in part** (to the extent that a traffic assessment for a change of use is provided for under the existing UP provisions) for the following reasons:

- The proposed Open Space – Sport and Active Recreation zone reflects the current and future intended use of the site
- The proposed zone change will enable the golf course to continue to operate as a permitted activity
- A traffic assessment can be required (and assessed) under the Auckland Unitary Plan should a change of use occur (e.g. another recreational facility, sports fields or courts).

491. There are no consequential amendments associated with this recommendation.

## 6.1.26 Submissions on 50 & 62 Mayflower Close, Mangere East (Maps 100 & 105)

### 50 Mayflower Close

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.8	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site (50 Mayflower Close) as notified (from open space to Mixed Housing Suburban; the rezoning supports the land swapping process that has occurred)	FS25 - Penny Rodway-oppose FS28 - Tom Ang-oppose	Accept
78.1	Mere Cooper	Decline plan change for 50 Mayflower Close, or approve with amendments; higher boundary fencing and speed bumps on Winthrop Way (concerned for nature of two-storeyed development under new zoning; shading, reduced privacy; fencing required; address traffic, concerned for connection from Winthrop Way to Mayflower)	FS23 - Kāinga Ora – Homes and Communities-oppose FS24 - Mere Cooper and Norman Pare-support FS28 - Tom Ang-oppose	Reject
84.1	Norman Beazley Whanau Trust c/- Ellen Huia Norman and John Bernard Beazley	Decline the plan change for 50 Mayflower Close, but if not declined, then amend to another open space zoning; we wish to be listed as an affected site for specific consideration (we lack confidence in development team to manage effects on our property; lack of communication)	FS23 - Kāinga Ora – Homes and Communities-oppose	Reject

### 62 Mayflower Close

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planner's Recommendation
63.9	Kāinga Ora – Homes and Communities c/- Brendon Liggett	Rezone the site to road and open space informal recreation zone and follow the outline of those lot boundaries as provided for in Attachment 3, page 1 (to follow the Aorere masterplan)	FS25 – Penny Rodway-oppose FS28 - Tom Ang-oppose	Accept
66.1	William William	Decline the plan change for 62 Mayflower Close, Mangere East (concerned for increased traffic past my property; other options to be considered, access of Henwood Road or Hatton Street)	FS11 - Dave King-support FS23 - Kāinga Ora – Homes and Communities-oppose FS28 - Tom Ang-oppose	Reject
67.1	Amaru-Rai William	Decline the plan change for 19, 21, 23 Winthrop Way, Mangere East (opposed to traffic increases; do not create road)	FS11 - Dave King-support FS23 - Kāinga Ora – Homes and Communities-oppose FS28 - Tom	Reject

			Ang-oppose	
84.2	Norman Beazley Whanau Trust c/- Ellen Huia Norman and John Bernard Beazley	Decline the plan change, maintain current residential zoning; add speed humps in Winthrop Way to address traffic (lack of consultation re safety concerns; lack of confidence that effects will be addressed)	FS23 - Kāinga Ora – Homes and Communities-oppose FS28 - Tom Ang-oppose	Reject

### Summary of submissions and discussion

492. **Submission 63.8** seeks that the proposed rezoning of Mayflower Close, Mangere East be accepted. **Submissions 78.1 and 84.1** oppose the rezoning.

493. Reasons for their opposition/support to the proposed rezoning are

#### Support

(i) The rezoning supports the land swapping process that has occurred

#### Oppose

(ii) Concerned for nature of two-storeyed development under new zoning, shading, reduced privacy, fencing required

(iii) Address traffic, concerned for connection from Winthrop Way to Mayflower

(iv) Lack confidence in development team to manage effects on our property

(v) Lack of communication

494. **Submission 63.9** seeks that the proposed rezoning of 62 Mayflower Close, Mangere East be accepted with the road and zone boundaries to follow the outline of those lot boundaries as provided for in Attachment 3, page 1 of their submission. **Submissions 66.1, 67.1 and 84.2** seek that the proposed rezoning be declined.

495. Reasons for the support and opposition to the proposed plan change are

#### Support

(i) Kāinga Ora generally supports the proposed rezoning of the site from Residential - Mixed Housing Suburban Zone to: 1) Open Space - Informal Recreation Zone; 2) Road; and 3) the balance to remain as Residential - Mixed Housing Suburban Zone.

(ii) However, Kāinga Ora seeks amendment to the boundaries of the proposed changes to reflect the correct width of the road and park. The proposed road and park boundaries do not keep to the existing cadastral boundaries.

(iii) Kāinga Ora seeks amendment to the boundaries to reflect the design of the road and park layout as outlined in the Aorere masterplan.

#### Opposition

(iv) Concern over increased traffic past my property; other options to be considered, access off Henwood Road or Hatton Street

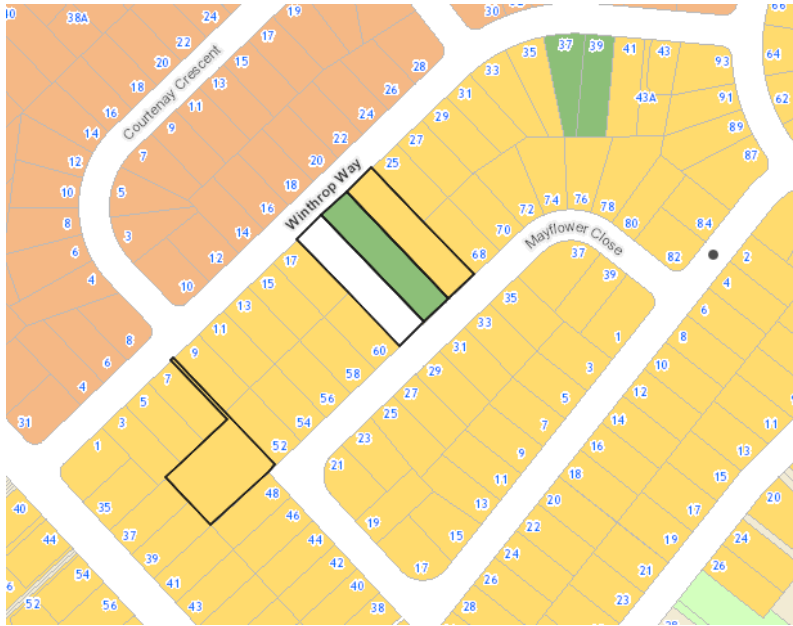
(v) Maintain current residential zoning;

(vi) Add speed humps in Winthrop Way to address traffic

(vii) Lack of consultation re safety concerns

(viii) Lack of confidence that effects will be addressed





a) 50 & 62 Mayflower Close, Mangere East (Items i, ii, iii)

496. The proposed plan change includes zoning changes that are intended to facilitate Kāinga Ora redevelopment and improve the quality of open space.
497. Kāinga Ora intends to undertake a multi-stage master-planned urban redevelopment in the Aorere area of Māngere, Auckland, which will involve construction of new homes by Kāinga Ora and by private build partners of Kāinga Ora and associated public infrastructure including roads, services and parks. In order to regenerate underutilised public space and maximise the opportunity to deliver new public assets in Aorere, Kāinga Ora intends to develop housing over the underutilised Mayflower Park and to construct and vest to Auckland Council a new public park between Winthrop Way and Mayflower Close on residential land currently owned by Kāinga Ora.
498. Mayflower Park is effectively a “rear lot park” with minimal road frontage and the rear of adjacent residential properties backing onto it. This was a common park design in the 1960’s/1970’s when the subdivision occurred.
499. The proposed new park has significantly greater road frontage with roads on three sides. It will also be “overlooked” by the proposed residential development. Active street frontages facilitate passive surveillance of public spaces and streets. This can help make them be safe and feel safe.
500. An amendment to the boundaries of the proposed zoning is required to reflect the correct width of the road and park. The proposed road and park boundaries do not follow the existing cadastral boundaries as shown on the aerial photo below.



b) Effects of Development (Items ii, iv, v, viii)

- 501. Any adverse effects associated with development of 50 Mayflower Close, Mangere East on adjoining properties are managed by the relevant Mixed Housing Suburban zone standards.
- 502. The Mixed Housing Suburban zone does not have any density controls with up to 3 dwellings permitted as of right subject to compliance with the standards. Resource consent is required for 4 or more dwellings/units. There will be a loss of amenity values for the immediate neighbours, with open space replaced by dwellings. Any adverse effects associated with development of the site are managed by the relevant Mixed Housing Suburban zone standards. These include standards relating to building height, height in relation to boundary, yards, maximum impervious area, building coverage, landscaped area, outlook space and outdoor living space.

c) Traffic (Items iii, iv, vi, vii)

- 503. Rezoning 50 Mayflower Close, Mangere East to Mixed Housing Suburban and its subsequent development is likely to result in a small increase in traffic numbers and parking demand associated with additional dwellings. As discussed above, the Mixed Housing Suburban zone does not have any density controls with up to 3 dwellings permitted as of right subject to compliance with the standards. Resource consent is required for 4 or more dwellings/units.
- 504. Traffic calming devices can be investigated by Auckland Transport if there is an issue with vehicle speeds.

## Recommendation

505. I recommend that **Submissions 63.8 & 63.9 be accepted and submissions 66.1, 67.1, 78.1, 84.1 & 84.2 be rejected** for the following reasons:

- Mayflower Park is effectively a “rear lot park” with minimal road frontage and the rear of adjacent residential properties backing onto it
- The proposed new park has significantly greater road frontage with roads on three sides. It will also be “overlooked” by the proposed residential development. Consequently it will be a safer open space/reserve and provide greater amenity to the adjacent properties and the neighbourhood as a whole
- An amendment to the boundaries of the proposed zoning is required to reflect the correct width of the road and park.

506. There are consequential amendments associated with this recommendation. Amendments are required to the boundaries of the proposed changes to reflect the correct width of the road and park. These are identified in Section 9 – Recommendations, of this report.

### **6.1.27 Out of Scope Submissions**

<b>Sub. No.</b>	<b>Name of Submitter</b>	<b>Summary of the Relief Sought by the Submitter</b>	<b>Further Submissions</b>	<b>Planner's Recommendation</b>
7.1	Christopher James Scott	I oppose the AHIRB standards of the THAB zone and seek amendments to them to enable the form of development I propose at 36 Huron Street.	FS28 - Tom Ang-oppose	Reject
88.1	Pukekohe Rugby Football Club Inc c/- John Hume	Approve the plan change with the amendments I requested. It is considered that privately owned 81 Franklin Road, Pukekohe has been incorrectly zoned Open Space- Informal Recreation and there is an opportunity within Plan Change 60 to rezone the land to better reflect the use of land and improve the functionality of the AUP - to an alternative zoning to reflect the private ownership of the site.	FS28 - Tom Ang-oppose	Reject

## Summary of submissions and discussion

507. Reasons for their opposition to the proposed plan change are:

### Submission 7.1

- (i) The prescriptive nature of the alternative height in relation to boundary standards defined in H6.6.7(2) & H6.6.7(3) will lead to *poor utilisation* of sites and/or *poor environmental / amenity outcomes* where:
- a) the street runs east/west,
  - b) the site runs north / south,
  - c) where a site backs onto Open Space and
  - d) no allowances are made for the natural slope and/or amenity views of the surrounding environment.

### Submission 88.1

- (ii) 81 Franklin Road, Pukekohe should be rezoned to correct the open space zoning anomalies and to better reflect the use of land

- (iii) Consequently, any potential development on the site aligned with the current commercial use requires a Non-Complying resource consent. Meeting the s104D threshold tests for Non-Complying, is considered challenging given the underlying zoning provisions
- (iv) The need for and costs of resource consents (in both money and time delays) “further down the line” will be reduced by having an appropriate zoning of land for intended purpose.
- (v) The zoning anomaly impacts on the efficiency and effectiveness of the Auckland Unitary Plan.
- (vi) This zoning anomaly does not give effect to the relevant objectives and policies. This in turn impacts on the functionality of the AUP and the ability to achieve the sustainable management purpose of the RMA.

#### Summary of submission and discussion

508. **Submissions 7.1 and 88.1** raise issues that are considered out of scope of PC60.
- a) AHIRB standards of the THAB zone (Items (i), a), b), c), d)
509. Submission 8.1 relates to the AHIRB standards of the THAB zone. PC60 is not the appropriate plan change to deal with this issue. The submitter was advised of this but chose to lodge a submission. The matter has been recorded as an issue in the AUP issues register.
- b) 81 Franklin Road, Pukekohe (Items ii, iii, iv, v)
510. Submission 88.1 raises a valid open space zoning issue but the zoning of 81 Franklin Road, Pukekohe was never part of the plan change and can't be added to it as it is out of scope. This issue can be included in the subsequent open space plan change which will likely be prepared and publicly notified in 2022.
511. 81 Franklin Road, Pukekohe is zoned Open Space – Informal Recreation. It is owned by the Pukekohe Rugby Football Club Inc. The site is currently occupied by Waters Funerals and a carpark.
512. There are no consequential amendments associated with this recommendation.

## **8. CONCLUSIONS**

513. Submissions have been received in support of, and in opposition to PC60. These submissions range from opposing the plan change in its entirety to support for the plan change.
514. Having considered all of the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that Plan Change 60 should be adopted subject to amendments identified in section 9 of this report.
515. The adoption of PC60 with the amendments referred to above:
- will assist the council in achieving the purpose of the RMA;
  - is consistent with the changes undertaken under section 27 of the Reserves Act 1977 (where a change has already occurred);
  - is consistent with the Auckland Plan;
  - is consistent with the AUP Regional Policy Statement;

- is consistent with Auckland Council’s Urban Ngahere Strategy 2019 and Climate Plan 2020.

## 9. RECOMMENDATIONS

516. That, the Hearing Commissioners accept or reject submissions (and associated further submissions) as outlined in this report.
517. That, as a result of the recommendations on the submissions, the AUP be amended in accordance with Proposed Plan Change 60, except for the following sites, where the proposed plan change is recommended to be rejected:
- 12R Rockfield Road, Ellerslie (Map 76)
  - 11R Birmingham Road, Otara (Map 77)
  - 2R Keeney Court, Papakura (Map 78)
  - 45 Georgina Street, Freemans Bay (Map 81)
  - 36 Cooper Street, Grey Lynn (Map 82)
  - 13 Davern Lane, New Lynn (Map 85)
  - 26 Princes Street, Otahuhu (Map 96)
  - R105 Stott Avenue, Birkdale (Map 93)

The proposed plan change is also recommended to be amended for the following sites:

- 2157 East Coast Road, Stillwater (Map 71) – to be rezoned to Residential - Mixed Housing Urban zone
- Brandon Road Walkway, Glen Eden (Map 79) – retain the bulk of the walkway. A small section is recommended to be rezoned - that portion south-west of the “accessway to vest”, or alternatively an easement be created to maintain pedestrian access (see Attachment 5)
- Trojan Crescent, New Lynn (Map 84) – to be rezoned if Kāinga Ora agree to a replacement pocket park when the area is redeveloped
- 62 Mayflower Close, Mangere East (Map 105) - Rezone the site to road and open space informal recreation zone and follow the outline of those lot boundaries as shown on Attachment 5.

## 10. SIGNATORIES

	Name and title of signatories	
Authors	Tony Reidy, Principal Planner, Auckland-wide Planning	
Reviewer / Approver	Eryn Shields – Team Leader, Regional, North, West and Islands Planning	



# **ATTACHMENT 1**

## **PLAN CHANGE 60: OPEN SPACE (2020) AND OTHER REZONING MATTERS - PROPOSED MAP CHANGES**





Map Number	Appellation	Statutory Actions	Titles	Owner	Address	Locality	Current Zone	New Zone
<b>Recently Vested Land or Acquired Land</b>								
1	Section 2 SO 437488	[Create] Stormwater Management Purposes. New Zealand Gazette 2013 p 2305 Vests in Auckland Council.	628340	Auckland Council	29B GLENDALE ROAD GLEN EDEN	Glen Eden	Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
2	Lot 3 DP 494791	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 494791	724892	Auckland Council	23R MILLEN AVENUE PAKURANGA 2010	PAKURANGA	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
3	Lot 4 DP 500366	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 500366	909835	Auckland Council	YOUNGS ROAD PAKURANGA AUCKLAND 2110	Papakura	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
4	Lot 201 DP 501777	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 501777	755933	Auckland Council	142 TRIANGLE ROAD MASSEY 0614	Massey	Business - Mixed Use Zone	Open Space - Informal Recreation Zone
5	Lot 2016 DP 542300	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 542300	912839	Placeholder BP - Property subdivision	MCLARIN ROAD GLENBROOK 2681	GLENBROOK	Residential - Single House Zone	Open Space - Informal Recreation Zone
6	Lot 507 DP 528695	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 528695	892876	Auckland Council	TIDAL VIEW ROAD DRURY 2578	DRURY	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
7	Lot 3 DP 527443	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 527443	902589	Auckland Council	13B ROLAND ROAD GREENHITHE 0632	Greenhithe	Residential - Single House Zone	Open Space - Conservation Zone
8	Lot 300 DP 513109	[Referenced] Vesting on Deposit for Recreation Reserve (Local Authority) Vested on DP 513109	792703	Tamaki Regeneration Limited	2 TIMATANGA RISE GLEN INNES 1072	GLEN INNES	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
9	Lot 3 DP 499762	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 499762	742455	Auckland Council	MAYBELLE PLACE KELSTON 0602	Kelston	Residential - Single House Zone	Open Space - Conservation Zone
10	Lot 3 DP 522176	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 522176	827719	Auckland Council	85B AEROVIEW DRIVE BEACH HAVEN 0626	Beach Haven	Residential - Single House Zone	Open Space - Conservation Zone
11	Lot 5 DP 25092	[Referenced] Declaration of Land to be Reserve New Zealand Gazette 2020 In 2163 Local Purpose (Esplanade) Reserve	NA56B/1115	Auckland Council	R 60 RAWENE ROAD BIRKENHEAD 0626	Birkenhead	Residential - Single House Zone	Open Space - Conservation Zone
12	Lot 3 DP 536534	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 536534	901889	Auckland Council	37F MILL FLAT ROAD RIVERHEAD 0793	Riverhead	Rural - Countryside Living Zone	Open Space - Conservation Zone
13	Lot 4 DP 534234	[Referenced] Vesting on Deposit for Recreation Reserve (Local Authority) Vested on DP 534234	879986	Auckland Council	35 TUAIWI STREET MANUKAU CENTRAL 2104	MANUKAU CENTRAL	Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
14	Lot 9 DP 540638	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 540638	939216	Auckland Council	ROSEDALE ROAD ALBANY 0632	Albany	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
15	Lot 3 DP 540598	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 540598	956147		102 EASTDALE ROAD AVONDALE 1026	Avondale	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
16	Lot 7 DP 92925	[Create] Recreation Reserve Vested on DP 92925	NA43B/903	Auckland Council	LOT 7 DP 92925 AOTEA STREET ORAKEI 1071	Orakei	Special Purpose - M?ori Purpose Zone	Open Space - Informal Recreation Zone
17	Lot 3 DP 514003	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 514003	906601	Auckland Council	129D BETHHELLS ROAD WAITAKERE 0781	Waitakere	Rural - Rural Coastal Zone	Open Space - Conservation Zone
18	Lot 810 DP 532168	[Referenced] Vesting on Deposit for Recreation Reserve (Local Authority) Vested on DP 532168	870458	Auckland Council	48 KOPURU ROAD WHENUAPAI 0618	Whenuapai	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
19	Part Lot 17 DP 35242	[Create] Road Reserve Vested on DP 35242	NA592/191	Auckland Council	COLLIE ROAD PUKEKOHE AUCKLAND 2120	Pukekohe	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
20	Lot 51 DP 17870	[Referenced] Declared as Recreation Reserve New Zealand Gazette 2019 In 3655 Subject to the Provisions of the Act	NA926/44	Auckland Council	67 CLOVELLY ROAD BUCKLANDS BEACH AUCKLAND 2012	Buckland's Beach	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
21	Lot 17 DP 539945	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 539945	911839	Placeholder BP - Property subdivision	MOYA DRIVE MATAKANA 0985	Matakana	Rural - Countryside Living Zone	Open Space - Informal Recreation Zone
22	Lot 2002 DP 536857	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 536857	912603		MCELDOWNIE ROAD DRURY 2579	Ramarama	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
23	Lot 708 DP 538394	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 538394	906334	Auckland Council	80B PACIFIC HEIGHTS ROAD OREWA 0931	Orewa	Residential - Single House Zone	Open Space - Conservation Zone
24	Lot 15 DP 534970	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 534970	883541	Auckland Council	10A LA ROSA STREET GREEN BAY 0604	Green Bay	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
25	Lot 13 DP 533453	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 533453	876558	Auckland Council	250A OKURA RIVER ROAD LONG BAY 0792	Long Bay	Residential - Large Lot Zone	Open Space - Conservation Zone
26	Lot 3 DP 530729	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 530729	904526	Auckland Council	17A ESCOTT ROAD DAIRY FLAT 0794	Dairy Flat	Rural - Countryside Living Zone	Open Space - Conservation Zone
27	Lot 342 DP 531372	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 531372	872374	Auckland Council	73 MATAKOHE ROAD WESTGATE 0814	Westgate	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
28	Lot 12 DP 533453	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 533453	876558		250 OKURA RIVER ROAD LONG BAY 0792	Long Bay	Residential - Large Lot Zone	Open Space - Conservation Zone
29	Section 1 SO 531217	[Create] Land Set Apart for Drainage Purposes New Zealand Gazette 2020 In 3040 Remains vested in the Auckland Council	955254	Auckland Council	18 WEZA LANE KUMEU 0810	Kumeu	Residential - Single House Zone	Open Space - Informal Recreation Zone
30	Part Lot 55 DP 1675	[Referenced] Declared Local Purpose (Community Use) Reserve New Zealand Gazette 2020 In 3389	NA142/173	Auckland Council	136 BIRKDALE ROAD BIRKDALE 0626	Birkdale	Residential - Mixed Housing Suburban Zone	Open Space - Community Zone
31	Lot 5 DP 534288	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 534288	880132	Auckland Council	PARKER ROAD ORATIA 0604	Oratia	Rural - Waitakere Foothills Zone	Open Space - Conservation Zone
32	Lot 10 DP 520747	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 520747	894794	Auckland Council	64F OLD COACH WAY DRURY 2579	DRURY	Rural - Countryside Living Zone	Open Space - Conservation Zone
33	Lot 2 DP 501613	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 501613	750093	Placeholder BP - Property subdivision	LENNON ACCESS ROAD STILLWATER 0993	Stillwater	Rural - Countryside Living Zone	Open Space - Conservation Zone
34	Lot 11 DP 539350	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 539350	911330	Auckland Council	MAKARAU ROAD MAKARAU 0873	Makarau	Rural - Rural Production Zone	Open Space - Informal Recreation Zone
35	Section 2 SO 529034	[Create] Acquired for the Purposes of Stormwater Management and Public Access New Zealand Gazette 2020 In 1773 Vests in the Auckland Council	946112	Auckland Council	31F FRASER AVENUE NORTHCOTE 0627	Northcote	Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone

36	Lot 7005 DP 539136	[Referenced] Vesting on Deposit in Lieu of a Reserve (Territorial Authority) Vested on DP 539136	917805	Auckland Council	129 AHUTOETOE ROAD PINE VALLEY 0992	Pine Valley	Residential - Single House Zone	Open Space - Informal Recreation Zone
37	Lot 200 DP 501777	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 501777	750410	Auckland Council	142 TRIANGLE ROAD MASSEY 0614	Massey	Residential - Single House Zone	Open Space - Informal Recreation Zone
38	Lot 103 DP 544251	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 544251	924768	Auckland Council	61 KEWA ROAD ALBANY HEIGHTS 0632	Albany Heights	Residential - Single House Zone	Open Space - Informal Recreation Zone
39	Lot 4 DP 544397	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 544397	933880		SUNNYSIDE ROAD COATESVILLE 0793	Coatesville	Rural - Countryside Living Zone	Open Space - Conservation Zone
40	Lot 2 DP 511506	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 511506	902010	Auckland Council	ROSEDALE ROAD ALBANY 0632	Albany	Residential - Mixed Housing Urban Zone	Open Space - Conservation Zone
41	Lot 6003 DP 531172	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 531172	885044	Auckland Council	1 CARTHEY ROAD PINE VALLEY 0992	Pine Valley	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
42	Lot 400 DP 530566	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 530566	896310	Auckland Council	15 JAMIE LANE WARKWORTH 0910	Warkworth	Future Urban Zone	Open Space - Informal Recreation Zone
43	Lot 2001 DP 536857	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 536857	912602		MCELDOWNIE ROAD DRURY 2579	Ramarama	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
44	Lot 300 DP 529963	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 529963	860322	Placeholder BP - Property subdivision	415 CLIFTON ROAD WHITFORD 2571	WHITFORD	Rural - Countryside Living Zone	Open Space - Conservation Zone
45	Lot 3 DP 519027	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 519027	895228	Auckland Council	1590 WERANUI ROAD WAINUI 0994	Wainui	Rural - Rural Production Zone	Open Space - Conservation Zone
46	Lot 152 DP 528699	[Referenced] Vesting on Deposit for Recreation Reserve (Local Authority) Vested on DP 528699	855166	Placeholder BP - Property subdivision	38A LE COZ ROAD WHITFORD 2571	WHITFORD	Residential - Single House Zone	Open Space - Conservation Zone
47	Lot 22 DP 535293	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 535293	885522	Auckland Council	19 VOGWILL ROAD HUAPAI 0810	Huapai	Future Urban Zone	Open Space - Informal Recreation Zone
48	Lot 19 DP 129768	[Create] Local Purpose Reserve (Accessway) Vested on DP 129768	40711	Auckland Council	LOT 19 DP 129768 HUGO JOHNSTON DRIVE PENROSE 1061	Penrose	Business - Heavy Industry Zone	Open Space - Informal Recreation Zone
49	Lot 102 DP 534143	[Referenced] Vesting on Deposit for Local Purpose Reserve Vested on DP 534143	918764	Auckland Council	WHITFORD-MARAETAI ROAD WHITFORD 2571	WHITFORD	Rural - Countryside Living Zone	Open Space - Conservation Zone
<b>Errors or Anomalies (Including Realigning Zone Boundaries With New Cadastral Boundaries)</b>								
50	Section 7 SO 69957		501365	Department Of Conservation	Sec 7 SO 69957, Weranui Road Upper Waiwera Auckland 9999	Upper Waiwera	Road	Open Space - Conservation Zone
51	Lot 913 DP 510319			Auckland Council	Glenvar Ridge Road Long Bay Auckland 0630	Long Bay	Open Space - Informal Recreation Zone, Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
52	Lot 4005 DP 510319			Auckland Council	Glenvar Ridge Road Long Bay Auckland 0630	Long Bay	Open Space - Informal Recreation Zone, Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
53	Lot 4010 DP 516772			Auckland Council	91 Te Oneroa Way Long Bay Auckland 0630	Long Bay	Open Space - Informal Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
54	Lot 1053 DP 516772			Templeton Long Bay Limited	109 Te Oneroa Way Long Bay Auckland 0630	Long Bay	Open Space - Informal Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Residential - Terrace Housing and Apartment Building Zone
55	Lot 1052 DP 516772			ZPL Property Limited	2 Longshore Drive Long Bay Auckland 0630	Long Bay	Residential - Terrace Housing and Apartment Building Zone, Residential - Mixed Housing Urban Zone	Residential - Mixed Housing Urban Zone
56	Lot 4006 DP 519167			Auckland Council	10 Longshore Drive Long Bay Auckland 0630	Long Bay	Residential - Terrace Housing and Apartment Building Zone, Residential - Mixed Housing Urban Zone, Residential - Single House Zone	Open Space - Informal Recreation Zone
57	Lot 2 DP 512235			Auckland Council	56 Brookview Drive FLAT BUSH Auckland 2016	FLAT BUSH	Open Space - Sport and Active Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Open Space - Sport and Active Recreation Zone
58	Lot 300 DP 532614			Auckland Council	66 Flat Bush School Road FLAT BUSH Auckland 2016	FLAT BUSH	Open Space - Sport and Active Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Open Space - Sport and Active Recreation Zone
59	Lot 7 DP 183849			Auckland Council	R 20 Remu Place Greenhithe Auckland 0632	Greenhithe	Residential - Single House Zone	Open Space - Conservation Zone
60	Section 23 SO 443664			Auckland Council	20 Northside Drive Whenuapai Auckland 0814	Whenuapai	Business - Light Industry Zone, Open Space - Informal Recreation Zone	Open Space - Informal Recreation Zone
61	Section 22 SO 443664			Auckland Council	20 Northside Drive Whenuapai Auckland 0814	Whenuapai	Business - Light Industry Zone, Open Space - Informal Recreation Zone	Open Space - Informal Recreation Zone
62	Lot 2 DP 486009			Bunnings Limited	21 Fred Taylor Drive Massey Auckland 0814	Massey	Business - Mixed Use Zone, Residential - Terrace Housing and Apartment Building Zone	Business - Mixed Use Zone
63	Section 1 SO 546759			Auckland Council	5 Tawhia Drive Massey Auckland 0614	Massey	Residential - Terrace Housing and Apartment Building Zone, Open Space - Informal Recreation Zone	Open Space - Informal Recreation Zone
64	Lot 8 DP 101303			PAC Clark & DM Clark & Ed Johnston & Co Trustees Limited	11D Weza Lane Kumeu Auckland 0810	Kumeu	Business - Mixed Use Zone, Future Urban Zone	Business - Mixed Use Zone
65	Lot 27 DP 527852			Kumeu Limited	101 Papatupu Way Kumeu Auckland 0810	Kumeu	Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Residential - Mixed Housing Urban Zone
66	Lot 400 DP 527852			Auckland Council	1 Tuputupu Drive Kumeu Auckland 0810	Kumeu	Business - Town Centre Zone, Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Open Space - Conservation Zone
67	Lot 26 DP 527852			Kumeu Limited	38 Honowai Street Kumeu Auckland 0810	Kumeu	Business - Town Centre Zone, Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Business - Town Centre Zone, Residential - Mixed Housing Urban Zone
68	Lot 9 DP 527852			Kumeu Limited	96 Papatupu Way Kumeu Auckland 0810	Kumeu	Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Residential - Mixed Housing Urban Zone
69	Lot 1 DP 474772			Auckland Council	20 Wiri Station Road Manukau Central Auckland 2104	Manukau Central	Residential - Terrace Housing and Apartment Building Zone, Road	Open Space - Informal Recreation Zone

70	Allot 187 PSH OF Omaha		MK Munro & AK Munro & Insight Legal Trustee Company Limited	42 Coxhead Creek Road Tramcar Bay Auckland 0985	Tramcar Bay	Open Space - Conservation Zone	Rural - Rural Coastal zone, Whangateau to Waiwera coastal area
71	Lot 1 DP 437303		GM & L Dennis & Trustee Advisors Ltd	2157 East Coast Road, Stillwater 0993	Silverdale	Special Purpose - Cemetery Zone	Residential - Large Lot Zone
<b>Panukua Land Disposal/Rationalisation</b>							
72	Part of Lot 251 DP 53183		Auckland Council	R 24 Linwood Avenue Forrest Hill Auckland 0620	Forrest Hill	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
73	Lot 2 DP 189032		Auckland Council	1-5 Lippiatt Road Otahuhu Auckland 1062	Otahuhu	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone
74	Lot 5 DP 98115		Auckland Council	37 Olive Road Penrose Auckland 1061	Penrose	Open Space - Informal Recreation Zone	Business - Light Industry Zone
75	Section 2 SO 399704		Auckland Council	23 Waipuna Road Mount Wellington Auckland 1060	Mount Wellington	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone
76	Lot 9 DP 18690		Auckland Council	12R Rockfield Road Ellerslie Auckland 1061	Ellerslie	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
77	Lot 35 DP 57069		Auckland Council	11R Birmingham Road Otara Auckland 2013	Otara	Open Space - Informal Recreation Zone	Business - Light Industry Zone
78	Lot 1 DP 88704		Auckland Council	2R Keeney Court Papakura Auckland 2110	Papakura	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
79	Lot 4 DP 49387		Auckland Council	Brandon Road Glen Eden Auckland 0602	Glen Eden	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone
80	Lot 3 DP 57164		Auckland Council	67A Glengarry Road Glen Eden Auckland 0602	Glen Eden	Road	Residential - Mixed Housing Urban
81	Lot 3 DP 71812		Auckland Council	45 Georgina Street Freemans Bay Auckland 1011	Freemans Bay	Open Space - Informal Recreation Zone	Residential - Single House Zone
82	Lot 1 DP 87358		Auckland Council	36 Cooper Street Grey Lynn Auckland 1021	Grey Lynn	Open Space - Informal Recreation Zone	Residential - Single House Zone
83	Lot 4 DP 38999		Auckland Council	30 Willerton Avenue New Lynn Auckland 0600	New Lynn	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
84	Lot 6 DP 119411		Auckland Council	Trojan Crescent New Lynn Auckland 0600	New Lynn	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
85	Lot 13 DP 160552		Auckland Council	13 Davern Lane New Lynn Auckland 0600	New Lynn	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
86	Lot 2 DP 88435		Auckland Council	67 East Street Pukekohe Auckland 2120	Pukekohe	Open Space - Informal Recreation Zone	Residential - Single House Zone
87	Section 1 SO 430835		Auckland Council	Princes Street West Pukekohe Auckland 2120	Pukekohe	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
88	Lot 6 DP 16500		Auckland Council	Paerata Road Pukekohe Auckland 2120	Pukekohe	Open Space - Informal Recreation Zone	Residential - Single House Zone
89	Lot 89 DP 19657		Auckland Council	39R Pohutukawa Road Beachlands Auckland 2018	Beachlands	Open Space - Conservation Zone, Open Space - Informal Recreation Zone	Residential - Single House Zone
90	Lot 11 DP 19523		Auckland Council	17W Hawke Crescent Beachlands Auckland 2018	Beachlands	Road	Residential - Single House Zone
91	Lot 1 DP 190074		Auckland Council	8 Magnolia Drive Waiuku Auckland 2123	Waiuku	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
92	Lot 10 DP 144679		Auckland Council	28R Simon Owen Place Howick Auckland 2013	Howick	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
93	Lot 3 DP 68569		Auckland Council	R 105 Stott Avenue Birkenhead Auckland 0626	Birkenhead	Open Space - Conservation Zone	Residential - Single House Zone
94	Lot 46 DP 19985		Auckland Council	5R Ferguson Street Mangere East Auckland 2024	Mangere East	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
95	Lot 145 DP 58967		Auckland Council	31R Killington Crescent Mangere Auckland 2022	Mangere	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
96	Part Allot 9 Sec 1 Village of Onehunga		Auckland Council	26 Princes Street Otahuhu Auckland 1062	Otahuhu	Open Space - Informal Recreation Zone	Business - Mixed Use Zone
97	Lot 1 DP 54824, Lot 5 DP 66691, Lot 6 DP 66691, Lot 7 DP 66691		Auckland Council & Kainga Ora	R1 Greenslade Crescent, Northcote 0626 & 140 Lake Road, Northcote 0626	Northcote	Open Space - Sport and Active Recreation & Residential - Terrace Housing and Apartment Buildings Zone	Residential - Terrace Housing and Apartment Buildings Zone & Open Space - Sport and Active Recreation
<b>Rezoning of Land to Facilitate Redevelopment and/or Better Reflect the Use of Land</b>							
98	Part Lot 49 DP 43547		Auckland Council	117 Richardson Road Owairaka Auckland 1025	Owairaka	Open Space - Sport and Active Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone
99	Lot 36 DP 66356		Auckland Council	33R Watchfield Close Mangere Auckland 2022	Mangere	Open Space - Sport and Active Recreation Zone	Residential - Mixed Housing Urban Zone
100	Lot 167 DP 55383		Housing New Zealand Limited	50 Mayflower Close Mangere East Auckland 2024	Mangere East	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
101	Part of Lot 40 DP 66356		Housing New Zealand Limited	27 Watchfield Close Mangere Auckland 2022	Mangere	Residential - Mixed Housing Urban Zone	Open Space - Sport and Active Recreation Zone
102	Part of Lot 138 DP 38659		Housing New Zealand Limited	14-16 Cassino Terrace Owairaka Auckland 1025	Owairaka	Residential - Mixed Housing Urban Zone	Open Space - Sport and Active Recreation Zone
103	Part Allot 13 SO 1036		Wesleyan Church Trustees	4 and 8 Peak Road Kaukapakapa Auckland 0875	Kaukapakapa	Residential - Rural and Coastal Settlement Zone	Special Purpose - Cemetery Zone
104	Lot 1 DP 455537		Whangaparaoa Golf Club	1337 Whangapara Road, Army Bay 0930	Army Bay	Residential - Single House Zone	Open Space - Sport and Active Recreation Zone
105	Lots 133-135 DP 55383 and Lots 159-161 DP 55382		Housing New Zealand Limited	62 Mayflower Close Mangere East Auckland 2024	Mangere East	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone



## **ATTACHMENT 2**

### **SECTION 32 REPORTS AUCKLAND COUNCIL & EKE PANUKU ON BEHALF OF AUCKLAND COUNCIL**



# Proposed Plan Change 60 (PC60) Open Space Plan Change (2020) and Other Rezoning Matters

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to the Auckland Unitary Plan (Operative in  
part)

## SECTION 32

### EVALUATION REPORT

**Newly vested & acquired land, open space zoning errors and anomalies & rezoning of land to facilitate Kāinga Ora land swaps/redevelopment and to better reflect the use of land**

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### List of Attachments

Attachment 1 - Land Recently Vested or Acquired for Open Space Purposes, Panuku land disposal/rationalization, Open Space Zoning Errors & Anomalies & Kāinga Ora's land swaps/redevelopment & reflecting the use of land

## Executive Summary

### The Objectives of the Plan Change

The objectives of this plan change are to:

- ensure that newly vested or acquired open spaces are protected, used and developed in a manner that reflects their environmental qualities, and function (or intended use and development);
- rezone land (typically open space) that has been deemed surplus to Council requirements (Panuku's component of the plan change);
- rezone land to correct open space zoning errors or anomalies (these include realigning zone boundaries with new cadastral boundaries and rezoning privately owned land that is incorrectly zoned as open space); and
- rezone land to facilitate Kāinga Ora land swaps/redevelopment, to improve the quality of these open spaces and to better reflect the use of land (i.e golf course, cemetery)

This Plan Change therefore has 4 components:

1. Rezoning of land recently vested or acquired as open space;
2. Rezoning of land as part of Panuku Auckland land disposal/rationalisation process;
3. Rezoning of land to correct open space zoning errors or anomalies; and
4. Rezoning of land to facilitate redevelopment and/or to better reflect the use of land.

This section 32 report addresses components 1, 3 & 4 of the plan change. A separate section 32 report addresses Panuku's land disposal and rationalisation.

### Land Recently Vested or Acquired as Open Space

Since the Auckland Unitary Plan (AUP) was publicly notified in 2013 there have been several hundred land parcels either vested as reserve or acquired for open space purposes.

Plan Change 4 – Corrections to technical errors and anomalies in the Auckland Unitary Plan Operative in Part (publicly notified 28 September 2017), contained an update to the zoning of approximately 400 land parcels that had either been vested as reserve or acquired for open space purposes. In addition, a small number of zoning errors were corrected.

Plan Change 13 – Open Space (publicly notified 20 September 2018) contained an update to the zoning of approximately 100 land parcels that had either been vested as reserve or acquired for open space purposes. In addition, a small number of zoning errors were also corrected.

Plan Change 36 – Open Space (2019) (publicly notified 28 November 2019) contained an update to the zoning of approximately 200 additional land parcels across the Auckland region that had either been vested as ‘reserve’ or acquired by council and do not have the appropriate corresponding zone in the AUP. A number of additional errors or anomalies were also identified and corrected.

This plan change includes an additional 49 land parcels that have been vested or acquired for open space purposes.

Attachment 1 identifies the land parcels that are the subject of the plan change.

### **Panuku Auckland land disposal/rationalisation process**

A separate Section 32 Analysis has been prepared for the proposed rezoning of land parcels that are part of Panuku’s land rationalisation.

### **Open Space Zoning Errors and Anomalies**

There are a number of land parcels that are either incorrectly zoned as open space or require an open space zoning. These are not newly vested or acquired land but are either errors or anomalies. These are contained in Attachment 1 and include the following as examples:

- Aligning and updating zone boundaries with new cadastral boundaries;
- Rezoning a stormwater pond from THAB to open space;
- Rezoning DOC land incorrectly shown as road to open space;
- Rezoning privately owned land from open space to Rural Conservation zone.

### **Rezoning of land to facilitate redevelopment and/or to better reflect the use of land**

The plan change also includes other zoning changes that are intended to facilitate Kāinga Ora redevelopment, or to better reflect the use of land as a golf course or cemetery. These changes involve:

- Rezoning a reserve and accessways to facilitate land swaps and redevelopment by Kāinga Ora at three locations in Mangere East, Mt Albert and Mangere;
- Rezoning Whangaparaoa golf course to open space;
- Rezoning the Methodist Church’s cemetery at Kaukapakapa to Special Purpose – Cemetery zone;
- Rezoning land that no longer forms part of a cemetery at Silverdale.

### **Rationale for the Plan Change**

As Auckland’s population grows, land, infrastructure and facilities will be required to support this growth. In particular, additional areas of open space will be required for both informal and active recreation and sport and for community facilities such as libraries and cemeteries to support new and growing communities. This land needs to be appropriately zoned to provide for its intended use and development, or where appropriate, its protection.

An alternative option is to rely on council ownership, reserve management plans and open space and recreation policies to manage the protection, use and development of land.

The cost of doing nothing and not rezoning recently vested or acquired land for open space purposes could however result in:

- Additional costs and time delays for the council and ultimately the community as land acquired for open space cannot be used for recreational activities or developed for its intended purpose unless resource consents are obtained;
- Potential litigation costs if consents are appealed (by either Council or affected neighbours); and
- Inappropriate use and development of land that does not align with the AUP, which has the potential to threaten the policy intent of the AUP.

This can create undesirable environmental, economic, social and cultural effects and outcomes for a range of users – from the Council who owns the land to the community groups who want to use, protect and care for Auckland’s parks and reserves.

Errors and zoning anomalies potentially impact on the efficiency and effectiveness of the policies, rules and methods of the AUP. These errors and anomalies do not appropriately give effect to relevant objectives and policies. This in turn impacts on the functionality and integrity of the AUP.

### **Analysis of Options**

A section 32 analysis of options to the spatial zoning of land recently vested with Council, open space zoning errors and anomalies and rezoning of land to facilitate redevelopment or to better reflect the use of land has been undertaken in accordance with section 32(1)(b) and (2) of the RMA. The two options analysed are:

- Do not change the zoning of recently acquired or vested land, land subject to a zoning error/anomaly or land subject to a land swap to “align” with the purpose for which it has been vested and instead rely on Council ownership, reserve management plans and open space and recreation policies to guide protection, use and development (*Option 1: Status Quo/Do Nothing*)
- Change the zoning of recently acquired or vested land, land subject to a zoning error/anomaly or land subject to a land swap to an appropriate Unitary Plan Open Space zone (*Option 2: Change the zone in AUP via a plan change*)

Option 2 is the recommended option.

### **Matters Outside the Scope of the Plan Change**

This plan change does not address the inconsistent application of open space zones to esplanade reserves. This will require separate investigation and a possible plan change at a later point in time.

There was also a cut-off date for including land in the plan change – 31 August 2020. Land that missed this cut-off date will be the subject of a future plan change.

Land vested as road, pedestrian accessways between roads and service lanes is not zoned as open space in the Unitary Plan. The Unitary Plan enables automatic updates of “roads” without the need for a plan change

For anomalies that involve a mis – match between zone boundaries and new cadastral boundaries (where lots were created by subdivision after the Unitary Plan boundaries between zones were determined), minor slivers are able to be automatically corrected. The more significant ones in some cases can be the subject of a clause 20a amendment provided the effect is neutral and it’s not a matter that anyone could reasonably be seen to want to make a submission on. Where it is possible that there is an effect or that people may want to submit, any change in zoning needs to be subject to the plan change process.

## 1.0 Introduction

This report is prepared as part of the evaluation required by Section 32 of the Resource Management Act 1991 ('the Act') for proposed Plan Change 60 (**PPC60**) to the Auckland Unitary Plan (Operative in Part) (**AUP**).

Plan Change 60 contains four separate categories of open space changes bundled together. Two separate Section 32 Reports have been prepared for the different components of the plan change.

This Section 32 Report deals with the recently vested or acquired land for open space purposes, a number of open space zoning errors and anomalies and the rezoning of land to facilitate Kāinga Ora land swaps/redevelopment and to better reflect the use of land as golf course or cemetery. A separate Section 32 Report addresses Panuku's land rationalisation.

### 1.1 Section 32 Evaluation

Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
- Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.

The evaluation must also take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

### 1.2 The Evaluation Approach

This section outlines how the proposed rezoning of recently vested or acquired land for open space purposes, the correction of open space zoning errors and anomalies and other zoning changes to facilitate redevelopment and to reflect the use of land components of Plan Change 60 has been evaluated. The rest of this report will follow the evaluation approach described in the table below. In accordance with section 32(6) of the RMA and for the purposes of this report:

- i. the 'proposal' means this component of the Plan Change;
- ii. the 'objectives' means the objective of the Plan Change – that is to ensure newly acquired open space and open space zoning errors and anomalies can be managed in manner that reflects their environmental qualities, intended use and development; and
- iii. the 'provisions' means the method(s) used to give effect to the above objectives – in this case the zoning of land that has recently been vested or acquired for open space

purposes or is an error/anomaly or is a zone change to facilitate redevelopment and/or to reflect the use of land.

Sections of this report	Evaluation Approach
<b>Section 2: Issues</b>	This part of the report will explain the resource management issue(s) and why there is a need to resolve them.
<b>Section 3: Objectives</b>	This part of the report will outline the purpose of PC60.
<b>Section 4: Reasons for the proposed plan change</b>	In accordance with subsections 32(1)(a) and (1)(b)(iii) of the RMA, this part of the report examines the extent to which the objectives of the proposal (PC60) are the most appropriate way to achieve the purpose of the RMA. This section outlines the reasons for and the scope of PC60.
<b>Section 5: Statutory evaluation</b>	This part of the report evaluates the relevance of PC60 to Part 2 (sections 5-8) and other relevant parts / sections of the RMA.
<b>Section 6: National and local planning context</b>	This part of the report evaluates the relevance of PC60 against the national and local planning context.
<b>Section 7: Development of the plan change</b>	This part of the report outlines the methodology and development of PC60, including the information used.
<b>Section 8: Consultation</b>	This part of the report outlines the consultation undertaken in preparing PC60. It includes a summary of all advice received from iwi authorities on PC60 (as required by section 32(4)(a) of the RMA).
<b>Section 9: The development and evaluation of options</b>	In accordance with section 32(1)(b) and (2) of the RMA, this section examines whether the options appropriately achieve the objectives of the AUP and the sustainable management purpose of the RMA. The options are assessed by their efficiency and effectiveness, costs, benefits and risks to resolve the RMA issue.
<b>Section 10: Conclusion</b>	This part of the report concludes that PC60 is the most efficient, effective and appropriate means of addressing the resource management issues identified.

This section 32 evaluation report will continue to be refined in response to any consultation feedback provided to the council, and as the proposed plan change progresses through the plan change process. The section 42a hearing report will also be part of the section 32 evaluation.

## **2.0 The Issue**

### **2.1 The Auckland Unitary Plan**

The Auckland Unitary Plan ('Unitary Plan') became operative in part <sup>1</sup> on 15 November 2016. On 28 September 2017, Plan Change 4 was publicly notified. This plan change included the rezoning of approximately 400 land parcels to an appropriate open space zoning. This was the first of an anticipated annual or biannual update to the Unitary Plan to rezone land recently vested or acquired for open space and recreation purposes.

Plan Change 13 – Open Space, was publicly notified on 20 September 2018. The decision was notified on 23 May 2018. This plan change involved the rezoning of approximately 100 land parcels to open space, together with corrections to a small number of zoning errors and anomalies.

Plan Change 36 – Open Space (2019), was publicly notified on 28 November 2019. The decision was released on 15 January 2021. This plan change involved the rezoning of approximately 200 land parcels to open space, together with corrections to a small number of zoning errors and anomalies.

### **2.2 The issue / problem definition**

Land has been recently vested or acquired for open space purposes, either as a result of it being vested on subdivision, or purchased by the Council. This land typically does not have a zoning that reflects its environmental qualities and intended use and development as open space. In addition, a number of errors or anomalies have been identified by the public and council staff. These typically involve the incorrect zoning of privately owned land as open space. The plan change also involves other zoning changes that are intended to facilitate redevelopment and to reflect the use of land.

As a result of this, future open space and recreation land use activities and /or development could be unnecessarily delayed by the need to obtain resources consents. This may not be the case (depending on what is proposed) if the land has an appropriate zoning.

### **2.3 The scale and significance of this issue**

The majority of land vested or acquired during the past year has a residential zoning. This does not permit recreational activities or buildings and structures associated with recreation use. Between 100-200 land parcels are acquired each year, primarily as a result of subdivision but also sometimes as a result of purchase by the Auckland Council. A small number of open space zoning errors and anomalies are also part of the plan change. These include privately owned land that has been incorrectly zoned as open space. The plan change also rezones land to facilitate Kāinga Ora land swaps/redevelopment and to better reflect the use of land (i.e. golf course, cemetery).

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<sup>1</sup> There were 108 appeals to either the High Court or Environment Court at this point in time.

### 3.0 Objectives

There are multiple open space objectives throughout the Unitary Plan – both at the Regional Plan and District Plan level.

This section 32 report involves analysing the most appropriate method to give effect to the Unitary Plan objectives, having regard to the requirements of the Resource Management Act and the National and Regional Planning context.

The objectives of this plan change are therefore to:

- ensure that newly vested or acquired open spaces are protected, used and developed in a manner that reflects their environmental qualities, and function (or intended use and development);
- rezone land (typically open space) that has been deemed surplus to Council requirements. This is Panuku’s component of the plan change. The land parcels that are the subject of this part of the plan change are addressed in a separate Section 32 Analysis;
- correct open space zoning errors and anomalies (these include privately owned land that is incorrectly zoned as open space); and
- rezone land to facilitate Kāinga Ora land swaps/redevelopment and to better reflect the use of land (i.e. golf course, cemetery).

### 4.0 Reasons for the proposed plan change

#### 4.1 Outline of the plan change

##### Land Recently Vested or Acquired

The Plan Change involves rezoning approximately 200 land parcels that have been recently vested or acquired by the Council for open space purposes to one of the five open space zones. These land parcels typically have a residential zoning when they are vested/acquired.

Guidelines (refer to section 8.3 Methodology) developed during the Unitary Plan process along with the objectives, policies and purpose of each of the open space zones have been used to determine the appropriate zone.

##### Panuku land rationalisation

Panuku have a further 26 land parcels that are subject to disposal. The disposal of this land has been approved by Auckland Council’s Finance and Performance Committee. To facilitate the disposal/sale of the land, it requires rezoning from open space or road (roads are not zoned) to an appropriate residential or business zone.

##### Open Space Zoning Errors/Anomalies

The Plan Change also includes a small number of zoning errors or anomalies involving open space zones. These typically involve land that has been either zoned open space in error or conversely land that requires an appropriate open space zoning. This plan change also involves aligning and updating zone boundaries with new cadastral boundaries.



The preparation of the Unitary Plan was a large and complex project, undertaken in a short timeframe. In addition, many of the legacy District Plan's open space zones had not been updated. Hence some errors and anomalies were carried over into the Unitary Plan.

Rezoning of land to facilitate redevelopment and/or to better reflect the use of land

The plan change also includes other zoning changes that are intended to facilitate Kāinga Ora redevelopment and improve the quality of open space/access to open space, and to better reflect the use of land as a golf course or cemetery.

#### Aorere

Kāinga Ora intends to undertake a multi-stage master-planned urban redevelopment in the Aorere area of Māngere, Auckland, which will involve construction of new healthy homes by Kāinga Ora; construction of new healthy homes by private build partners of Kāinga Ora; and associated public infrastructure including roads, services and parks. In order to regenerate underutilised public space and maximise the opportunity to deliver new public assets in Aorere, Kāinga Ora intends to develop housing over the underutilised Mayflower Park; and to construct and vest to Auckland Council a new public park between Winthrop Way and Mayflower Close on residential land currently owned by Kāinga Ora.

#### Owairaka

Kāinga Ora intends to undertake a multi-stage master-planned urban redevelopment in the Owairaka area of Mt Roskill, Auckland, which will involve construction of new healthy homes by Kāinga Ora; construction of new healthy homes by private build partners of Kāinga Ora; and associated public infrastructure including roads, services and parks.

The proposal involves land swaps between Kāinga Ora and Auckland council to improve pedestrian access from Cassino Terrace to Marry Halberg Park.

#### Mangere

Kāinga Ora intends to undertake a multi-stage master-planned urban redevelopment in Mangere West on Kāinga Ora owned land, which will involve construction of new state homes by Kāinga Ora and construction of market and affordable homes by private build partners procured by Kāinga Ora.

A public walkway giving access to Moyle Park from Watchfield Close is currently bisecting a superlot proposed to be redeveloped for market and affordable housing. In order to allow this development to proceed as one superlot, Kāinga Ora is proposing to acquire the 3m wide walkway, currently zoned open space under the Reserves Act, and to vest an 8m wide walkway with landscaping and public lighting to maintain pedestrian access to Moyle Park in a location that allows the full development of the superlot as one superlot.

## 4.2 Rationale for the plan change

The rationale for the plan change is as follows:

- The Unitary Plan adopts open space zones for the regions public (and private where the land owner agrees) open spaces. This plan change continues this approach;
- Rezoning newly vested or acquired open space enables the protection, intended use and development of the land to be undertaken efficiently (in comparison to alternative

zonings which may require a resource consent for land use and development); Additional constraints on the use and development of open space zone land may be imposed by overlays;

- An open space zoning also enables greater protection of those open spaces that have environmental constraints – by limiting the amount of earthworks and vegetation removal that can be undertaken as of right (Note: Additional constraints on the use and development of open space zone land may also be imposed by overlays);
- The need for and costs of resource consents (in both money and time delays) “further down the line” will be reduced by having an appropriate open space zoning of land intended for open space purposes;
- Identifying open spaces via open space zones enhances visibility of the open space resource (i.e. it is identified on the planning maps);
- There are a number of open space zoning errors and anomalies where land has either been incorrectly zoned as open space or open space has been given an incorrect zoning. In addition, the realignment of zone boundaries with new cadastral boundaries in greenfield areas is also required. The reasons for rezoning recently vested or acquired land as open space also apply to these errors and anomalies.
- Other zoning changes are intended to facilitate Kāinga Ora redevelopment, to improve the quality of open space and access to it in the redevelopment areas and to better reflect the use of land as (for example) a golf course or cemetery.

#### **4.3 What is in scope/ out of scope**

Within scope of this plan change are all the land parcels that have either been vested as “reserve” or acquired for reserve/open space purposes between 1 Sept 2019 - 31 August 2020.

A small number of open space zoning errors and anomalies are also included in the plan change. These were also identified prior to 31 August 2020.

Out of scope are those additional land parcels that have been either vested as reserve or acquired as open space outside the above time period.

It is noted that there are some inconsistencies in the way “esplanade reserves” have been zoned in the AUP. This is a result of the different approaches applied by the former councils in Auckland Region to land use zoning. These differences were then carried over in the Unitary Plan zoning of esplanade reserves. All four of the following zones have been applied to esplanade reserves across the region:

- i. Open Space – Conservation zone
- ii. Open Space – Informal Recreation zone
- iii. Open Space – Conservation zone for the first 20m and then an appropriate open space zoning for the balance of the land
- iv. Open Space – Sport & Active Recreation zone – for marine based recreation facilities such as boat ramps.

This plan change does not address the inconsistent application of land use zoning to esplanade reserves. This will require separate investigation and a possible plan change at a later point in time, most likely at the next review of the Unitary Plan.

Land vested as road, pedestrian accessways between roads and service lanes is not shown as open space in the Unitary Plan. The Unitary Plan enables automatic updates of “roads” without the need for a plan change, so these are outside the scope of the plan change.

## 5.0 Statutory Evaluation under the Resource Management Act 1991 (RMA)

### 5.1 Overall broad judgement against Part 2 of RMA

The recommended option is assessed against the relevant provisions of the Resource Management Act 1991.

Section 5 of the RMA describes the purpose of the Act. This is:

- (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.*

The issue addressed by the plan change is what is the most appropriate method to manage the protection, use and development of Auckland’s open space resources. These are in the form of newly vested or acquired land for open space and recreation purposes; other zoning changes that are intended to facilitate Kāinga Ora redevelopment, and to better reflect the use of land as a golf course or cemetery, and a small number of errors and anomalies.

Open space provides for people and communities social and cultural wellbeing and health. Section 6 of the RMA outlines matters of national importance. In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*

- (g) the protection of protected customary rights:*
- (h) the management of significant risks from natural hazards.*

The acquisition and zoning of land as open space is one method that is used to address all above matters of national importance. The Unitary Plan's open space zones and associated objectives, policies and rules provide protection of natural and heritage resources, facilitate public access to and along the coastal marine area, provide for customary rights and can be a tool used to manage significant risks from natural hazards such as sea level rise, flooding and land instability.

## 7 Other matters

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- (a) kaitiakitanga:*
  - (aa) the ethic of stewardship:*
  - (b) the efficient use and development of natural and physical resources:*
    - (ba) the efficiency of the end use of energy:*
    - (c) the maintenance and enhancement of amenity values:*
    - (d) intrinsic values of ecosystems:*
    - (e) [Repealed]*
    - (f) maintenance and enhancement of the quality of the environment:*
    - (g) any finite characteristics of natural and physical resources:*
    - (h) the protection of the habitat of trout and salmon:*
    - (i) the effects of climate change:*
    - (j) the benefits to be derived from the use and development of renewable energy.*

The zoning of land recently vested or acquired for open space and recreation purposes will assist in achieving kaitiakitanga, the ethic of stewardship, the efficient use and development of natural and physical resources (in this case the open space resource), the maintenance and enhancement of amenity values as open space makes a significant contribution to the amenity values of an area, the maintenance and enhancement of the quality of the environment, the protection of the habitat of trout and salmon, particularly in respect of esplanade reserves, and assist in avoiding or mitigating the effects of climate change.

## 8 Treaty of Waitangi

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

The Treaty principles<sup>2</sup> include the following:

Partnership - the Treaty signified a partnership between the races' and each partner had to act towards the other 'with the utmost good faith which is the characteristic obligation

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<sup>2</sup> Waitangi Tribunal website, [justice.govt.nz](http://justice.govt.nz)

of partnership'. The obligations of partnership included the duty to consult Māori and to obtain the full, free, and informed consent of the correct right holders in any transaction for their land.

Reciprocity - the partnership is a reciprocal one, involving fundamental exchanges for mutual advantage and benefits. Māori ceded to the Crown the kawanatanga (governance) of the country in return for a guarantee that their tino rangatiratanga (full authority) over their land, people, and taonga would be protected. Māori also ceded the right of pre-emption over their lands on the basis that this would be exercised in a protective manner and in their own interests, so that the settlement of the country could proceed in a fair and mutually advantageous manner.

Active protection - the Crown's duty to protect Māori rights and interests arises from the plain meaning of the Treaty, the promises that were made at the time (and since) to secure the Treaty's acceptance, and the principles of partnership and reciprocity. The duty is, in the view of the Court of Appeal, 'not merely passive but extends to active protection of Māori people in the use of their lands and waters to the fullest extent practicable', and the Crown's responsibilities are 'analogous to fiduciary duties'. Active protection requires honourable conduct by, and fair processes from, the Crown, and full consultation with – and, where appropriate, decision-making by – those whose interests are to be protected.

Equity - The obligations arising from kawanatanga, partnership, reciprocity, and active protection required the Crown to act fairly to both settlers and Māori – the interests of settlers could not be prioritised to the disadvantage of Māori. Where Māori have been disadvantaged, the principle of equity – in conjunction with the principles of active protection and redress – requires that active measures be taken to restore the balance.

Equal treatment - The principles of partnership, reciprocity, autonomy, and active protection required the Crown to act fairly as between Māori groups – it could not unfairly advantage one group over another if their circumstances, rights, and interests were broadly the same.

The zoning of land recently vested or acquired for open space and recreation purposes will assist in achieving, in part, the above principles of the Treaty of Waitangi. This is particularly the case for land that is zoned Open Space – Conservation to assist in the appropriate management of natural and cultural resources, where the principals of partnership, reciprocity and active protection are especially relevant.

## **5.2 The relevance of the plan change to other sections of the RMA**

There are relevant sections of the RMA that must be considered in context of the proposed plan change. These are:

- *Section 30 – Functions of regional councils under this Act*
- *Section 31 – Functions of territorial authorities under this Act*
- *Section 60 – Preparation and change of regional policy statements*
- *Section 61 – Matters to be considered by regional council (policy statements)*

- *Section 62 – Contents of regional policy statements*
- *Section 63 – Purpose of regional plans*
- *Section 65 – Preparation and change of other regional plans*
- *Section 66 – Matters to be considered by regional councils (plans)*
- *Section 67 – Contents of regional plans*
- *Section 68 – Regional rules*
- *Section 72 – Purpose of district plans*
- *Section 73 – Preparation and change of district plans*
- *Section 74 – Matters to be considered by territorial authority*
- *Section 75 – Contents of district plans*
- *Section 76 – District rules*
- *Section 79 – Review of policy statements and plans*
- *Section 80 – Combined regional and district documents*

Relevance to the above sections

Sections 30 and 31 of the RMA specify the functions of regional and territorial authorities, and the PAUP, as a combined plan, performs both of these functions. The Open Space Zones relate only to district plan functions, in terms of activities on public open space land. Some of the Open Space Zones, such as the Conservation Zone, include Significant Ecological Areas and landscape overlays, that are regulated by other rules in the Auckland Unitary Plan.

Specifically, these functions include:

- (a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region;
- (b) In respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of land and associated natural and physical resources;
- (c) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district; and
- (d) The control of any actual or potential effects of the use, development, or protection of land.

Section 80 of the RMA sets out the approach to which local authorities may prepare, implement, and administer the combined regional and district documents. Auckland Council has a combined regional and district plan - the Auckland Unitary Plan (AUP).

The Auckland Unitary Plan contains existing objectives, policies, rules and other methods that are of regional and district significance. Plan Change 60 seeks to rezone a number of land parcels that have been either vested in the council or acquired for the purposes of open space and recreation. It also includes other zoning changes that are intended to facilitate Kāinga Ora redevelopment and improve the quality of open space and access to it in the redevelopment areas, and to better reflect the use of land as a golf course or cemetery. It also rezones land that is surplus to Council open space requirements (Panuku's component of the plan change) and corrects a number of errors and anomalies.

Plan Change 60 must have regard to the operative regional policy statement provisions and is required to give effect to the regional policy statement.

Overall, it is considered that Plan Change 60 assists the council in carrying out its functions set out in section 30 and 31 of the RMA to meet the requirements of the prescribed sections of the RMA set out above.

Under section 74(2)(b) of the RMA the Council must have regard to any management plan, including Reserve Management Plans, when preparing a district plan. Reserve Management Plans influence the zoning applied to open spaces.

## **6.0 National and Regional Planning Context**

The recommended option from the assessment undertaken in Section 4 of this Section 32 Report is now assessed against the relevant national and regional planning documents.

### **6.1 Relevance to National Policy Statements**

#### ***New Zealand Coastal Policy Statement***

Given Auckland's location between two harbours, a large amount of the open space has a coastal location. The provisions of the New Zealand Coastal Policy Statement which are of particular relevance to the zoning of public open space include:

*Policy 18: Public Open Space:*

*Ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment.*

As discussed in Section 5.3 of this section 32 report, there are some inconsistencies in the way open space zones have been applied to esplanade reserves. This stems from the different approaches of the legacy city and district councils. Plan Change 60 does not address this inconsistency which will need to be the subject of a future plan change. The plan change does however apply open space zone(s) to newly vested or acquired esplanade reserves.

### **6.2 Relevance to any particular Acts i.e. Hauraki Gulf Marine Park Act, Waitakere Ranges Heritage Area Act**

#### ***Reserves Act 1977***

Auckland Council manages a large proportion of its open spaces under the Reserves Act 1977. Part 3 of the Act sets out the classification and purpose of the reserves. Where appropriate, consideration of the reserve classification and resulting purpose listed in gazette notices has been taken into account when determining the most appropriate zone.

#### ***Local Government Act 2002***

Where open space is not subject to the Reserves Act 1977, Auckland Council manages this open space under the Local Government Act 2002. Specific sections on open space include s138, 139 and 139 which refer to disposal of parks and the protection of regional parks under Orders in Council. Other sections include s205 and 206, which outline the use of development contributions for reserves. The Local Government Act does not provide a specific classification system for open space.

#### ***Waitakere Ranges Heritage Area Act 2008***

Under the Waitakere Ranges Heritage Area Act 2008 the Waitakere Ranges are identified as a heritage area. When preparing District Plans, under s11, council must give effect to the purpose of the Act and its objectives.

Section 3 sets out the purpose of the Act:

*(1) The purpose of this Act is to—*

*(a) recognise the national, regional, and local significance of the Waitakere Ranges heritage area; and*

*(b) promote the protection and enhancement of its heritage features for present and future generations.*

*(2) To this end, the Act—*

*(a) establishes the Waitakere Ranges heritage area; and*

*(b) states its national significance; and*

*(c) defines its heritage features; and*

*(d) specifies the objectives of establishing and maintaining the heritage area; and*

*(e) provides additional matters for the Auckland Council and certain other persons to consider when making a decision, exercising a power, or carrying out a duty that relates to the heritage area.*

The zoning of land within the Waitakere Ranges heritage area (where it has either been vested as reserve or acquired for open space purposes) will assist in achieving the purpose of the act, particularly the protection and enhancement of its heritage features for present and future generations.

### **Hauraki Gulf Marine Park Act**

Section 3 sets out the purpose of the Act:

The purpose of this Act is to—

*(a) integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:*

*(b) establish the Hauraki Gulf Marine Park:*

*(c) establish objectives for the management of the Hauraki Gulf, its islands, and catchments:*

*(d) recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands:*

*(e) establish the Hauraki Gulf Forum.*

Section 7 recognises the national significance of the Hauraki Gulf and that the interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.

Section 8 outlines the management objectives of the Hauraki Gulf which are:

*(a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:*

*(b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:*

*(c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:*

*(d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:*

*(e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:*

*(f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the*



recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

Section 32 outlines the purposes of the Hauraki Gulf Marine Park which are:

- (a) to recognise and protect in perpetuity the international and national significance of the land and the natural and historic resources within the Park:
- (b) to protect in perpetuity and for the benefit, use, and enjoyment of the people and communities of the Gulf and New Zealand, the natural and historic resources of the Park including scenery, ecological systems, or natural features that are so beautiful, unique, or scientifically important to be of national significance, for their intrinsic worth:
- (c) to recognise and have particular regard to the historic, traditional, cultural, and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands and coastal areas, and the natural and historic resources of the Park:
- (d) to sustain the life-supporting capacity of the soil, air, water, and ecosystems of the Gulf in the Park.

The acquisition and appropriate management (via zoning) of open space within the catchment of the Hauraki Gulf is one of the methods available to achieve the purpose of the Act and the purpose of the Hauraki Gulf Marine Park.

### 6.3 Relevance to the Auckland Plan 2050

The table below list the priorities and directives of the Auckland Plan 2050 (Auckland’s non-statutory spatial planning document) which was approved by Auckland Council on 5 June 2018.

Table 1: Auckland Plan Directives and Focus Areas

Outcome	Directives and Focus Areas	Relevance to Open Space Plan Change - i.e. how does rezoning land to open space assist in achieving the relevant directives and focus areas
Outcome: Belonging and Participation	<p>Directive 2: Improve health and wellbeing for all Aucklanders by reducing harm and disparities in opportunities.</p> <p>Focus area 1: Create safe opportunities for people to meet, connect, participate in, and enjoy community and civic life.</p> <p>Focus area 2: Provide accessible services and social and cultural infrastructure that are responsive in meeting peoples evolving needs.</p> <p>Focus area 7: Recognise the value of arts, culture, sport and recreation to the quality of life.</p>	<p>Rezoning land as open space will enable these “spaces” to be used and developed for recreation purposes, thereby enhancing the quality of life.</p> <p>Conversely, rezoning land that has been incorrectly zoned as open space will enable its use and development for its intended purposes. Note: This comment applies to all the rows below but is not repeated.</p> <p>The rezoning of land to facilitate Kāinga Ora’s</p>

		land swaps/redevelopment will also result in improved quality of open space/access to open space with wider & safer accessways. Note: This comment applies to all the rows below but is not repeated.
Outcome: Environment and cultural heritage	Direction 1: Ensure the environment is valued and cared for. Focus area 2: Focus on restoring environments as Auckland grows. Focus area 4: Protect Auckland's significant natural environments and cultural heritage from further loss.	Rezoning land as open space will assist in protecting Auckland's significant natural environments and cultural heritage (note: an open space zone is one method or tool that can be used to protect such features if they are on public land).
Outcome: Homes and places	Direction 4: Provide sufficient public places and spaces that are inclusive, accessible and contribute to urban living. Focus area 5: Create urban places for the future.	Rezoning land as open space will enable it to be used for recreation and sporting activities.
Outcome: Transport and access	Direction 1: Better connect people, places, goods and services. Direction 2: Increase genuine travel choices for a healthy, vibrant and equitable Auckland. Direction 3: Maximise safety and environmental protection. Focus area 4: Make walking, cycling and public transport preferred choices for many more Aucklanders. Focus area 7: Develop a sustainable and resilient transport system.	Rezoning land as open space will facilitate the development of walking and cycling infrastructure (which is a permitted activity across all open space zones)

#### 6.4 Relevance to Auckland Unitary Plan Regional Policy Statement

Table 7 below identifies the relevant Auckland Unitary Plan Regional Policy Statement objectives and policies relating to open space and recreation and assesses the relevance of Option 2 – Rezoning land to open space, against each objective or policy.

**Table 2: Auckland Unitary Plan RPS Objectives and Policies**

RPS Chapter	Relevant objective or policy	Relevance to Open Space Plan Change - i.e. how does rezoning land to open space assist in achieving the relevant objectives and policies
<b>B2.7 Open space and recreation facilities</b>	<b>B2.7.1(1)</b> Recreational needs of people and communities are met through the provision of a range of	Provision of open space is one way of meeting the recreation needs of people and communities.  Conversely, rezoning land that has been incorrectly zoned as open space will enable its use and development for its intended purposes. Note: This

	quality open spaces and recreation facilities.	comment applies to all the rows below but is not repeated.  The rezoning of land to facilitate Kāinga Ora's land swaps/redevelopment will also result in improved quality of open space/access to open space with wider & safer accessways. Note: This comment applies to all the rows below but is not repeated.
	<b>B2.7.1(2)</b> Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.	The rezoning of land to open space enables access to and along Auckland coastline, lakes, rivers and stream.
	<b>B2.7.2(1)</b> Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	The rezoning of land to open space provides for a variety of activities, experiences and functions.
	<b>B2.7.2(2)</b> Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	The rezoning of land to open space provides physical connections that allow people and wildlife to move around.
	<b>B2.7.2(3)</b> Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	The rezoning of land to open space assists in providing a range of open spaces that are accessible to people and communities.
	<b>B2.7.2(4)</b> Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	The rezoning of land to open space assists in providing open space and recreation facilities where there is an existing or anticipated deficiency.
	<b>B2.7.2(9)</b> Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.	The rezoning of land to open space enables public access to lakes, river and streams.
<b>B8.2 Natural Character</b>	<b>B8.2.1(1)</b> Areas of the coastal environment with outstanding and high natural character are	The rezoning of land to open space assists in preserving and protecting areas of the coastal environment with outstanding and high natural character.

	preserved and protected from inappropriate subdivision, use and development.	
	<b>B8.2.1(2)</b> Subdivision, use and development in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment.	The rezoning of land to open space assists in preserving the characteristics and qualities that contribute to the natural character of the coastal environment.
	<b>B8.2.2(3)</b> Preserve and protect areas of outstanding natural character and high natural character from inappropriate subdivision, use and development by: (a) avoiding adverse effects of activities on natural character in areas of the coastal environment scheduled as outstanding natural character; and (b) avoiding significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.	The rezoning of land to open space assists in preserving and protecting areas of outstanding natural character and high natural character.
	<b>B8.2.2(4)</b> Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character of the coastal environment not identified as outstanding natural character and high natural character from inappropriate subdivision, use and development.	The rezoning of land to open space assists in avoiding significant adverse effects on natural character of the coastal environment.
<b>B8.3 Subdivision, use and development</b>	<b>B8.3.1(3)</b> The natural and physical resources of the coastal environment are used efficiently and activities that depend on the use of the natural and physical resources of the coastal	The rezoning of land to open space assists in providing spaces for activities that depend on the use of the natural and physical resources of the coastal environment.

	environment are provided for in appropriate locations.	
	<b>B8.3.2(1)</b> Recognise the contribution that use and development of the coastal environment make to the social, economic and cultural well-being of people and communities.	The rezoning of land to open space assists in contributing to the use and development of the coastal environment for the social, economic and cultural well-being of people and communities.
	<b>B8.3.2(3)</b> Provide for use and development in the coastal marine area that: (a) have a functional need which requires the use of the natural and physical resources of the coastal marine area; (b) are for the public benefit or public recreation that cannot practicably be located outside the coastal marine area; (c) have an operational need making a location in the coastal marine area appropriate and that cannot practicably be located outside the coastal marine area; or (d) enable the use of the coastal marine area by Mana Whenua for Māori cultural activities and customary uses.	The rezoning of land to open space provides for appropriate use and development in the coastal marine area – those activities that have a functional relationship (e.g. boat ramps), those that are for public benefit or public recreation, those that have an operational need for a location in the coastal marine area and to enable Maori cultural activities and customary uses.
	<b>B8.3.2(7)</b> Set back development from the coastal marine area, where practicable, to protect the natural character and amenity values of the coastal environment.	The rezoning of land to open space assists in providing setbacks from the coastal marine area to protect the natural character and amenity values of the coastal environment.
<b>B8.4 Public access and open space</b>	<b>B8.4.1(1)</b> Public access to and along the coastal marine area is maintained and enhanced, except where it is appropriate to restrict that access, in a manner that is sensitive to the use and values of an area.	The rezoning of land to open space provides for public access along the coastal marine area in the form of esplanade reserves.

	<p><b>B8.4.1(3)</b> The open space, recreation and amenity values of the coastal environment are maintained or enhanced, including through the provision of public facilities in appropriate locations.</p>	<p>The rezoning of land to open space assists in maintaining or enhancing the open space, recreation and amenity values of the coastal environment through the provision of public facilities.</p>
	<p><b>B8.4.2(1)</b> Subdivision, use and development in the coastal environment must, where practicable, do all of the following: (a) maintain and where possible enhance public access to and along the coastal marine area, including through the provision of esplanade reserves and strips; (b) be designed and located to minimise impacts on public use of and access to and along the coastal marine area; (c) be set back from the coastal marine area to protect public open space values and access; and (d) take into account the likely impact of coastal processes and climate change, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.</p>	<p>The rezoning of land to open space assists in maintaining &amp; enhancing public access to and along the coastal marine area, minimise impacts on public use of and access to and along the coastal marine area, protects public open space values and take into account likely impact of coastal processes and climate change.</p>
B8.5 Managing the Hauraki Gulf	<p><b>B8.5.1(2)</b> Use and development supports the social and economic well-being of the resident communities of Waiheke and Great Barrier islands, while maintaining or, where appropriate, enhancing the natural and physical resources of the islands.</p>	<p>The rezoning of land to open space assists in supporting the social and economic well-being of the resident communities of Waiheke and Great Barrier Islands by providing places and spaces for recreation.</p>
	<p><b>B8.5.2(5)</b> Avoid use and development that will compromise the natural character, landscape,</p>	<p>The rezoning of land to open space assists in avoiding use and development that will compromise the natural character, landscape, conservation and biodiversity values of islands.</p>

	conservation and biodiversity values of the islands, particularly in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.	
	<b>B8.5.2(8)</b> Enhance opportunities for educational and recreational activities on the islands of the Hauraki Gulf if they are consistent with protecting natural and physical resources, particularly in areas where natural and physical resources have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.	The rezoning of land to open space enhances opportunities for education and recreation activities on the islands of the Hauraki Gulf.
	<b>B8.5.2(15)</b> Identify, maintain, and where appropriate enhance, areas of high recreational use within the Hauraki Gulf by managing water quality, development and potentially conflicting uses so as not to compromise the particular values or qualities of these areas that add to their recreational value.	The rezoning of land to open space assists in enhancing areas of high recreational use within the Gulf.
	<b>B8.5.2(16)</b> Encourage the strategic provision of infrastructure and facilities to enhance public access and recreational use and enjoyment of the Hauraki Gulf.	The rezoning of land to open space assists in the provision of infrastructure and facilities to enhance public access and recreational use and enjoyment of the Hauraki Gulf.

## **7.0 Development of the Plan Change**

### **7.1 How the Auckland Unitary Plan's open space zones were developed**

The legacy District Plan's had a total of 27 different open space zones. These were consolidated into 5 Open Space zones – Conservation, Informal Recreation, Sport & Active Recreation, Civic Spaces and Community through the development of the Unitary Plan.

For Franklin District (one recreation zone), Papakura City (one reserve zone) and Waitakere City (one open space zone), each reserve was individually assessed to determine which of the five Unitary Plan Open Space zones was appropriate. For the remaining cities that made up the Auckland Region the best fit between the legacy zone and the new Unitary Plan zone was selected.

Informal Feedback on a draft Unitary Plan was called for during March to May 2013. This feedback was used to refine the plan.

The proposed Auckland Unitary Plan was publicly notified in September 2013. Submissions and further submissions were received on the notified Unitary Plan, including a Council submission on the zoning of open space (these were land parcels that were missing an open space zoning or had been incorrectly zoned open space). A number of the legacy district plans had not been updated for several years and hence the need for the submission.

Hearings were conducted by the Independent Hearings Panel (IHP) from September 2014 to May 2016 with evidence submitted by the council and submitters. The IHP delivered its recommendations on the Proposed Auckland Unitary Plan (PAUP) to the council on 22 July 2016. Auckland Council accepted the vast majority of recommendations, including all relating to the zoning of open space and notified its decision on 16 August 2016. There were limited appeal rights to the Environment Court and High Court under the Local Government (Auckland Transitional Provisions) Act 2010.

### **7.2 Plan Change 4**

Plan Change 4 – Administrative Plan Change was publicly notified in Aug 2017. Hearings took place in January 2018 and the decision was released in May 2018. This plan change addressed a number of minor errors associated with the Unitary Plan. It also included approximately 400 land parcels which had either been vested as reserve or acquired for open space purposes that required an open space zoning.

### **7.3 Plan Change 13**

Plan Change 13 – Open Space Plan Change was publicly notified on 20 September 2018. Hearings took place in March 2018 and the decision was released on 23 May 2019. This plan change included approximately 100 land parcels which had either been vested as reserve or acquired for open space purposes that required an open space zoning. It also corrected a small number of open space zoning errors and included 11 land parcels from Panuku which were the subject of rezoning and disposal.



## **7.4 Plan Change 36**

Plan Change 36 – Open Space (2019) was publicly notified on 28 November 2019. A hearing took place on 7 October 2020. At the time of drafting this Section 32 Report, a decision had not been released. This plan change included approximately 200 land parcels which had either been vested as reserve or acquired for open space purposes that required an open space zoning. It also corrected a small number of open space zoning errors and included 9 land parcels from Panuku which were the subject of rezoning and disposal.

## **7.5 Methodology**

### **7.5.1 Newly Vested Land**

The process for capturing newly vested land is as follows:

1. Each land parcel that has been vested as reserve (using the Land Information New Zealand (LINZ) NZ Parcel Statutory Actions List) was checked to determine whether a change in zoning was required. Where a change was required, the appropriate zoning was determined in accordance with the criteria in (3) below and included in the plan change.
2. The land parcels which may potentially be Open Space have been identified using the Land Information New Zealand (LINZ) NZ Parcel Statutory Actions List. A Statutory Action is the action that is authorised by a specific Part or Section of an RMA, with the table providing information about the current statutory actions as recorded against specific parcels. The information contained within this table includes the Action taken against the parcel ([Create], [Referenced]), its Purpose (e.g. Local Purpose Reserve) and a Gazette Reference (E.g. Conservation Act 1987).
3. To identify possible open space, the statutory actions have been filtered to include only those parcels with a “Purpose” of either Reserve or Local Purpose Reserve of which are not currently zoned Open Space, as identified in the AUP.
4. In addition, land still in private ownership has been excluded.
5. Through this process, council staff have identified 49 land parcels to be included in PC 60 that require a land use zone change in the AUP.

### **7.5.2 Newly Acquired Land for Open Space and Recreation Purposes**

Council departments involved in open space acquisition and disposal (e.g. Parks Policy, Healthy Waters, & Panuku) have identified either land purchased for open space that hasn't gone through a vesting or gazetting process or land to be disposed of that requires an alternative zoning.

### **7.5.3 Open Space Errors and Anomalies**

A number of open space zoning errors and anomalies have been identified by either the general public through the Unitary Plan enquiries, or Council staff in either Plans and Places or Parks and Recreation Policy. These errors include privately owned land incorrectly zoned open space or open space land without an appropriate open space zoning or requiring a different open space zone. In addition, the realignment of zone boundaries with new cadastral boundaries is also required in greenfield areas.

Some of these errors have been carried over from legacy District Plans. Due to the size and timeframe for preparing the Unitary Plan, there was insufficient time to check each of the 7000 plus reserves for accuracy. As a result, any error in a legacy district plan was often carried over into the Unitary Plan.

#### 7.5.4 Rezoning of land to facilitate redevelopment and/or to better reflect the use of land

The plan change also includes other zoning changes that are intended to facilitate Kāinga Ora land swaps and redevelopment. This will improve the quality of open spaces and the access to open space by replacing narrow accessways with wider and safer accessways. , A number of changes have also been undertaken to better reflect the use of land as a golf course or cemetery. The changes include:

- Rezoning a reserve and accessways to facilitate land swap and redevelopment by Kāinga Ora at three locations in Mangere East, Mt Albert and Mangere;
- Rezoning Whangaparaoa golf course to open space;
- Rezoning the Methodist Church’s cemetery at Kaukapakapa to Special Purpose – Cemetery;
- Rezoning land that no longer forms part of a cemetery at Silverdale.

#### 7.5.5 Guidelines to Determine Zoning

The table below along with the objectives, policies and purpose of each of the open space zones provide guidance on determining the appropriate zoning for newly vested or acquired reserves. These guidelines were developed to assist in applying the Unitary Plan’s open space zones and formed part of Auckland Council’s evidence to the Independent Hearings Panel.

**Table 3: Guidelines to Determine Open Space Zones**

Open space type	How to allocate appropriate zone
Accessway from street to street	<ul style="list-style-type: none"> <li>• Road where it is 8m wide or less</li> <li>• Public Open Space zone consistent with use (default, as Informal recreation) where is greater than 8m wide</li> </ul>
Accessway from road to park	<ul style="list-style-type: none"> <li>• Zone consistent with adjoining park</li> </ul>
Cemeteries	<ul style="list-style-type: none"> <li>• Open for interments – Special Purpose Cemetery</li> <li>• Closed for interments – POS Conservation</li> </ul>
Community buildings/facilities	<ul style="list-style-type: none"> <li>• Generally, do not spot zone existing community buildings on POS Conservation, POS Informal Recreation, POS Sport and Active Recreation or POS Civic Spaces zones</li> <li>• If mixed zonings or spot zonings in district plan then bring through to unitary plan</li> <li>• If the certificate of title/gazette notice provides for community use and there is a community building on that area of land – POS Community</li> </ul>

	<ul style="list-style-type: none"> <li>• If there is an imminent future community building/facility planned for the site (i.e. a line item in the LTP) then spot zone the defined area to POS Community</li> <li>• If park/reserve is predominantly a community</li> <li>• building/facility space – POS Community</li> <li>• If buildings/facilities/libraries not on a park/reserve (e.g. a community house in a residential or rural zone) – POS Community.</li> <li>• If buildings/facilities/libraries dominate the site and are located in a business or centre zone - leave zoning as business or centre zone as these zones offer much greater flexibility of land use.</li> </ul>
Esplanade reserves	<ul style="list-style-type: none"> <li>• Case-by-case basis</li> <li>• Consider consistency with surrounding public open space zones in assessment</li> <li>• Undeveloped wilderness/bush which may include tracks and paths (eg Waitakere Ranges) – POS Conservation</li> <li>• Areas which have natural, ecological, biological, landscape, cultural or historic heritage values (identified through PAUP overlays and local knowledge) – POS Conservation</li> <li>• Developed, with e.g. lawn, pathways, landscaping; boat ramps/jetties with no associated club building – POS Informal Recreation</li> <li>• Developed, with specific water-related recreational facilities (e.g. sailing club building with associated boat ramps/jetties) and/or infrastructure (e.g. hardstand/boat maintenance areas) – POS Sport and Active Recreation</li> </ul>
Legal Road and Reserve for road purposes – unformed and comprising part of a formed park, but there may be demand for the road to be formed in the future (eg road widening) Legal Road and Reserve for road purposes – unformed and comprising part of a formed park and unlikely to be formed as road in the future (eg road ends sloping to coast, vehicle access impracticable)	<ul style="list-style-type: none"> <li>• Road</li> <li>• Zone consistent with the adjoining park</li> </ul>
Memorials – e.g. war memorials	<ul style="list-style-type: none"> <li>• If have some soft/green area(s)/useable recreational space – POS Informal Recreation</li> <li>• If purely hard surfaces/paved/no usable recreational space – POS Civic Spaces</li> </ul>
Stormwater pond/drainage	<ul style="list-style-type: none"> <li>• If stormwater pond/drainage infrastructure is part of a wider park – zone should be consistent with the rest of the park</li> <li>• If the stormwater pond/drainage is the only purpose of the open space (e.g. pond adjacent to a motorway), apply the most</li> </ul>

	appropriate open space zone. In most cases this will be POS Informal Recreation
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## 7.6 Information Used

The list of reports, documents and evidence that have been used in the development of this section 32 report are listed below:

**Table 4: Information Used**

<b>Name of document, report, plan</b>	<b>How did it inform the development of the plan change</b>
Land Information New Zealand (LINZ) NZ Parcel Statutory Actions List	Identifies the newly vested reserves.
Joint evidence report of Carol Anne Stewart, Anthony Michael Reidy, Lucy Clarke Deverall, Juliana Marie Cox on Topic 080: Rezoning, Public Open Space Zones - 3 December 2015	Evidence contains the open space zoning guidelines (on how to apply the various open space zones).
Auckland Plan 2050 (refresh)	A refresh of Auckland's high level strategic plan – contains directives and focus areas that are relevant to open space and recreation. Used to assess the appropriateness of the recommended option.
The following Legislation: Resource Management Act 1991 New Zealand Coastal Policy Statement 2010. Hauraki Gulf Marine Park Act 2000 Waitakere Ranges Heritage Area Act 2008 Reserves Act 1977	Relevant sections of the legislation are used to assess the appropriateness of the recommended option.

## 8.0 Consultation

### 8.1 Relevant Sections of Resource Management Act and Local Government Act

Schedule 1 of the Resource Management Act 1991 contains the process for the preparation, change and review of policy statements and plans.

Section 1A – Mana Whakahono a Rohe, requires that a proposed policy statement or plan must be prepared in accordance with any applicable Mana Whakahono a Rohe.

At the time of preparing this plan change, Auckland Council had not entered into any Mana Whakahono a Rohe with iwi. One request had been received however from Nga Tai Ki Tāmaki and a Mana Whakahono a Rohe is in the process of being developed.

During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—

*(a) the Minister for the Environment; and*

*(b) those other Ministers of the Crown who may be affected by the policy statement or plan; and*

*(c) local authorities who may be so affected; and*

*(d) the tangata whenua of the area who may be so affected, through iwi authorities; and*

*(e) any customary marine title group in the area.*

*(2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.*

*(4) In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.*

Section 82 of the Local Government Act outlines the principles of consultation. These are:

*82(1) Consultation that a local authority undertakes in relation to any decision or other matter must be undertaken, subject to subsections (3) to (5), in accordance with the following principles:*

*(a) that persons who will or may be affected by, or have an interest in, the decision or matter should be provided by the local authority with reasonable access to relevant information in a manner and format that is appropriate to the preferences and needs of those persons:*

*(b) that persons who will or may be affected by, or have an interest in, the decision or matter should be encouraged by the local authority to present their views to the local authority:*

*(c) that persons who are invited or encouraged to present their views to the local authority should be given clear information by the local authority concerning the purpose of the consultation and the scope of the decisions to be taken following the consideration of views presented:*

*(d) that persons who wish to have their views on the decision or matter considered by the local authority should be provided by the local authority with a reasonable opportunity to present those views to the local authority in a manner and format that is appropriate to the preferences and needs of those persons:*

*(e) that the views presented to the local authority should be received by the local authority with an open mind and should be given by the local authority, in making a decision, due consideration:*

*(f) that persons who present views to the local authority should have access to a clear record or description of relevant decisions made by the local authority and explanatory material relating to the decisions, which may include, for example, reports relating to the matter that were considered before the decisions were made.*

*(2) A local authority must ensure that it has in place processes for consulting with Māori in accordance with subsection (1).*

## Section 4A Further pre-notification requirements concerning iwi authorities

*(1) Before notifying a proposed policy statement or plan, a local authority must—*

*(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and*

*(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.*

*(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.*

### **8.2 Consultation with Mana whenua / iwi authorities**

Clause 3(1)(d) of Schedule 1 to the RMA, states that local authorities shall consult with tangata whenua of the area who may be so affected, through iwi authorities, during the preparation of a proposed policy statement or plan.

Due to the nature and scale of PC 60 and the fact that it affects the entire region, all iwi were consulted with on the content of the plan change.

Clause 4A of Schedule 1 to the RMA states that local authorities must:

- Provide a copy of a draft proposed policy statement or plan to iwi authorities to consider
- Have regard to feedback provided by iwi authorities on the draft proposed policy statement or plan
- Provide iwi authorities with sufficient time to consider the draft policy statement or plan.

And in addition to the above, recent legislation changes to the RMA introduced section 32(4A):

*(4A) If the proposal is a proposed policy statement, plan, or change prepared in accordance with any of the processes provided for in Schedule 1, the evaluation report must—*

*(a) summarise all advice concerning the proposal received from iwi authorities under the relevant provisions of Schedule 1; and*

*(b) summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice.*

*(c) a summary of all advice received from iwi authorities on the PC (section 32 (4)(a) of the RMA).*

A draft copy of the plan change was forwarded to all Auckland's 19 iwi as required under Section 4A of the first schedule above.

Feedback was received from:

- Ngāti Manuhiri – who wished to reserve their rights for cultural engagement and to be notified of the plan change;
- Waikato Tainui – who support mana whenua to take the lead role in this plan change.

### **8.3 Local Board and Community Engagement**

All twenty-one local boards were sent a copy of the proposed plan change maps for their consideration and feedback. Feedback was received from:

- Devonport – Takapuna LB – over an error in the mapping of one of Panuku’s lots for disposal – 24 Linwood Ave, Forrest Hill;
- Franklin LB (Chair) – 2 lots at Linwood Road, Kingseat and access/design issues. (Note: these two lots are no longer part of this plan change).

The rezoning of land that has been recently vested or acquired as open space is largely a procedural change that follows either the vesting of land as reserve upon subdivision or the purchase of land for open space.

Many of the open space zoning errors have been identified by the affected land owners. Adjacent land owners are to be directly notified of the proposed changes.

While no consultation has occurred with the community, adjacent land owners will be directly notified of the proposed changes in addition to the general public notice.

Advice was also sought from Parks and Recreation Policy on the appropriate zoning of the land recently vested or acquired and from Healthy Waters on the zoning of land vested primarily for stormwater management purposes.

### **8.4 Panuku Land Disposal**

Panuku undertakes consultation with iwi, local boards and adjacent land owners in its land rationalisation process. This is covered in their separate Section 32 report.

## **9.0 Development and Evaluation of Options**

### **9.1 Description of options**

The criteria used to select options for consideration to address the resource management issue and achieve the objective were:

- I. Achievable/able to be implemented;
- II. Acceptable RMA practice;
- III. Timeliness – able to be implemented in a timely manner;
- IV. Addresses the RMA issue.

There are essentially two options:

- I. Do nothing – leave the land that has been vested or acquired for open space purposes with its current zoning. (Note; this is typically residential but can include other zones). Rely on Council ownership of the land, reserve classification, reserve management plans and/or parks and recreation policies to manage the protection, use and development of the land.
- II. Rezone the land that has been acquired for open space purposes with an appropriate open space zone. There are five open space zones – Conservation, Informal Recreation, Sport and Active Recreation, Civic Spaces and Community.

Each open space zone has a different purpose. A park or reserve may have more than one open space zone. The zone or zone(s) should reflect the land's environmental characteristics and values and current or intended use and development.

The assessment of possible options against the selection criteria is outlined in the table below:

**Table 5: Assessment of possible options against the selection criteria**

<b>Criteria</b>	<b>Option 1 – Do Nothing</b>	<b>Option 2 – Rezone the land</b>
<i>Achievable/able to be implemented</i>	<i>Requires no change so is easily implemented.  There are however implementation issues when land is to be used for open space/recreation purposes.</i>	<i>Requires a plan change. Can be implemented but will take time.</i>
<i>Acceptable RMA practice</i>	<i>Some plans around the country do not have an open space zone (or equivalent) e.g. Dunedin City's first generation District Plan and open space in rural areas in the second generation District Plan, the District Plans for Matamata &amp; Te Aroha (Matamata – Piako District). Management of land for open space purposes therefore relies on Council as land owner, reserve management plans and relevant open space and recreation policies and the zoning of the land.</i>	<i>Majority of New Zealand's District plans have an open space zone (or equivalent) applied to open spaces.  Reserve management plans and open space and recreation policies are complementary to RMA provisions.</i>
<i>Timeliness – able to be implemented in a timely manner</i>	<i>No plan change under this option so timeliness is not an issue for recently vested or acquired open spaces.  There will however be issues with the time required to achieve subsequent resource consents to use and develop the land for open space and recreation purposes.</i>	<i>Simply plan changes invariably take 6mths – 1 year, excluding appeals which can take considerably longer.</i>
<i>Addresses the RMA issue</i>	<i>Doesn't directly address the RMA issue, although management of the land can occur through other means e.g. Council ownership, reserve management plans, open space and recreation policies.  This will mean however that resource consents are required for the use and development of land for recreation purposes.</i>	<i>Does address the RMA issue by allocating an appropriate open space zone to land acquired for open space purposes.  This will negate the need for resource consents for the use and development of land for recreation purposes for a large number of activities and small scale development.</i>



Both the options are valid RMA approaches and both have strengths and weaknesses as outlined above.

## 9.2 Evaluation of options

Table 6 below outlines the criteria to assess the options for addressing the resource management issue – i.e. ensuring the zoning of open space reflects its environmental qualities and intended use and development.

**Table 6: Criteria for the evaluation of options**

Sections of the RMA		Criteria
<b>Appropriateness</b>	s32(1)(a) and s32(1)(b) of the RMA	Is this option the most appropriate way in which to address the issue at hand? In doing so, is this option the most appropriate way to meet the objective of the AUP and the purpose of the RMA?
<b>Effectiveness</b>	s32(1)(b)(ii) of the RMA	How successfully can this option address the issue? Does this option successfully meet the objectives of the AUP and the purpose of the RMA?
<b>Efficiency</b>	s32(1)(b)(ii) of the RMA	Does this option address the issue at lowest cost and highest net benefit?
<b>Costs</b>	s32(2) of the RMA	What are the social, economic, environmental or cultural costs and/or negative impacts that this option presents?
<b>Benefits</b>	s32(2) of the RMA	What are the social, economic, environmental or cultural benefits and/ or positive impacts that this option presents?
<b>Risks</b>	s32(2)(c) of the RMA	What are the risks of addressing this issue? What are the risks of not addressing this issue?

Table 7 below contains a description of how the criteria are to be “scored”.

**Table 7: Evaluation rankings**

Sections of the RMA	Ranking		
	Poor	Moderate	Strong
<b>Appropriateness</b>	Not appropriate in addressing issue	Somewhat addresses the issue	Appropriate in addressing the resource management issue

<b>Effectiveness</b>	Not effective in addressing issue	Somewhat effective in addressing issue	Addresses the issue effectively
<b>Efficiency</b>	Not efficient	Somewhat efficient	Efficient in addressing issue
<b>Costs</b>	Poses a high cost and/or had negative impact	Moderate costs and/or negative impacts	Little cost and/or negative impacts
<b>Benefits</b>	Little benefit and/or positive impacts	Moderate benefits and/or positive impacts	High benefit and/or positive impacts
<b>Risks</b>	High risks	Moderate risks	Low risk

The evaluation of the two possible options against the evaluation criteria is as follows:

**Table 8: Evaluation of possible options against the selection criteria**

<b>Evaluation Criteria</b>	<b>Option 1 – Status Quo/Do Nothing</b>	<b>Options 2 - Rezone the land to an appropriate open space zoning or an alternative zoning if an open space zoning is inappropriate</b>
Appropriateness	Some district plan around the country do/did not have an open space zone (or equivalent) – e.g. Dunedin (first generation plan), Matamata - Piako District Plans. Use and development of open spaces under these plans relies on a combination of Council ownership, management plans, and/or reserve and recreation policies and the zoning of the land. For the protection of land, relevant overlays are already in place to manage SEA's, outstanding natural features etc.	Majority of the country's district plans, including the Auckland Unitary Plan apply an open space zone(s), or equivalent, to land acquired for open space purposes.  Open Space zonings reflects the land's environmental characteristics, existing or intended use and development.  Conversely, rezoning land that has been incorrectly zoned as open space or is no longer required as open space will enable its use and development for its intended purpose (e.g. residential business uses).
Effectiveness	Not as effective as Option 2 in enabling the protection, use and development of land for open space purposes.	More effective than Option 1 in enabling the protection, use and development of land for open space purposes.
Efficiency	Requires no change so is efficient in terms of cost and time.	There are time and money costs associated with undertaking a plan change and

	<p>Resources (staff time) can be used for other priority projects – so there is greater efficiency in achieving the department’s overall work programme.</p> <p>There will be less efficiencies when land is to be used and developed for open space or recreation purposes as typically a resource consent will be required because of the mismatch between zoning and proposed use.</p>	<p>resolving any subsequent appeals.</p> <p>There will however be greater efficiencies when land is to be used and developed for open space or recreation purposes, (or other uses if an open space zoning is not appropriate) as typically a resource consent will not be required.</p> <p>In addition, just over a 100 land parcels will have the appropriate zoning under this option.</p>
Costs	<p>The non - open space zoning of open space land may trigger the need for resource consents to use and develop the land (depending on what the zoning is and what is proposed)</p> <p>This will result in additional costs for projects and time delays.</p> <p>Not rezoning land on the other hand will mean that staff resources can be directed to other priority projects.</p>	<p>There are time and financial costs of undertaking a plan change (although these are lessened to some extent by bundling a year’s worth of newly vested or acquired land into one plan change).</p> <p>Opportunity costs – staff resources could be directed to other priority projects.</p> <p>These costs are offset by avoiding the need for resource consents further on down the track (for development of both open space zoned land and land that is not appropriately zoned as open space).</p>
Benefits	<p>This is a no cost option.</p> <p>A plan change could be done at a much later date when more land requires an open space zoning thus increasing the “economy of scale” and reducing plan change process costs (e.g. every 2-3 years).</p>	<p>An Open Space zoning reflects the land’s intended use and development.</p> <p>There is greater visibility (i.e. as indicated on the planning maps) on what is/ isn’t land for open space purposes.</p> <p>Conversely, rezoning land that has been incorrectly zoned as open space or is no longer required as open space will enable its use and development for its intended purpose (e.g. residential business uses).</p>
Risks	<p>Open space and recreation objectives for the land may be frustrated by delays and costs associated with the need to obtain resource consent for minor works such as playground equipment.</p> <p>The land is not readily perceived as “public open</p>	<p>There are risks of appeals which delay the plan change process (although those parts not appealed can be deemed to be operative) and add to the cost.</p> <p>Unitary Plan Overlays restrict the use and development of open space zoned land in any</p>

	<p>space” by the public (because of the absence of an open space zone).</p> <p>Environmental objectives may not be as readily achieved – e.g. a residential zoning is more permissive in terms of earthworks and vegetation removal in comparison with an Open Space – Conservation zoning.</p>	<p>case so protection may already be afforded to significant natural resources and landscapes.</p>
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### 9.3 Summary of analysis

A summary of the analysis of both options is:

**Table 9: Summary comparison of Options 1 and 2**

	<b>Option1 Status Quo (do nothing)</b>	<b>Option 2 Change the zone (plan change)</b>
<b>Appropriateness</b>	Poor - Does not address the issue	Strong - Enables appropriate activities and development.
<b>Effectiveness</b>	Poor - Does not address the issue	Strong - Effectively provides for open space and recreation activities and development.
<b>Efficiency</b>	Moderate - Lowest financial cost, but lowest net benefit	Moderate – Moderate financial costs for high benefits
<b>Costs</b>	Moderate - Lowest financial costs, but costs further down the track from not addressing issue	Strong - Higher financial cost initially, but able to be met through current resources.
<b>Benefits</b>	Moderate - Change possible at later date. Staff resources can be used elsewhere.	Strong - Enables appropriate use and development of open space, and land intended to be for residential development (in the case of the Tamaki redevelopment area).
<b>Risks</b>	Poor - Multiple resource consents are required for activities and development associated with open space.	Moderate - Risks of appeals to the plan change.
<b>Summary</b>	<b>Not recommended</b>	<b>Recommended option</b>

Option 1 - Do nothing, is the least cost option (initially). Land can be managed through Council’s role as land owner, reserve management plans and open space and recreation policies. Staff resources and department budgets can be utilised on other priority projects. This option does not however enable the use and development of land for open space purposes unless a resource consent is obtained, nor ensure protection of the environmental

qualities of the land. Under this option, a plan change could still be undertaken at a much later date (say every 2-3 years) when more land requires an open space zoning thus increasing the “economy of scale” and reducing plan change process costs.

Option 2 - Rezoning the land that has been acquired for open space purposes with an appropriate open space zone, best achieves the RMA objective. The majority of district/unitary plans around the country, including the Auckland Unitary Plan apply an open space zone(s) to land acquired for open space and recreation purposes. This option will enable the protection, use and development of land for open space purposes and/or ensure protection of the environmental qualities of the land. Conversely, land that is not open space will be zoned an appropriate zone. There are time and financial costs of undertaking a plan change (although these are lessened/spread to some extent by bundling a years’ worth of newly vested and acquired land into one plan change) but these are offset somewhat by negating the need for resource consents later in the process (which Option 1 would typically require).

#### **9.4 Recommendation**

Option 2- Rezone the land that has been acquired for open space purposes and open space zoning errors with an appropriate open space zone (or in the case of some land swaps and errors an appropriate alternative zone), is the preferred option and is the recommended course of action.

### **10.0 Conclusion**

This plan change seeks to ensure that newly vested or acquired open space can be used, developed or protected in a manner that reflects their environmental qualities and function. It also corrects open space zoning anomalies and include other zoning changes to facilitate Kāinga Ora land swaps/redevelopment and to better reflect the use of land (in the case of a golf course and cemetery).

The Plan Change has four components:

1. Land recently vested or acquired as open space;
2. Rezoning of land that is part of Panuku Auckland’s land disposal and rationalisation process;
3. Open space zoning errors and anomalies; and
4. Rezoning of land to facilitate redevelopment and/or to better reflect the use of land

Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
- Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.

The evaluation must also take into account:

- The benefits and costs of policies, rules, or other methods; and

The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

A section 32 analysis of options to the spatial zoning of land recently vested with Council has been undertaken in accordance with section 32(1)(b) and (2) of the RMA. The two options analysed are:

- Do not change the zoning of recently acquired or vested land or land subject to a land swap to “align” with the purpose for which it has been vested and instead rely on Council ownership, reserve management plans and open space and recreation policies to guide protection, use and development (*Option 1: Status Quo/Do Nothing*)
- Change the zoning of recently acquired or vested land or land subject to a land swap to an appropriate Unitary Plan Open Space zone (*Option 2: change the zone in AUP via a plan change*)

Option 2 is the recommended option.

This option best achieves Part 2 of the Resource Management Act and the purpose or objectives of relevant national and regional planning documents. These include:

- New Zealand Coastal Policy Statement 2010;
- Reserves Act 1977;
- Local Government Act 2002;
- Waitakere Ranges Heritage Area Act 2008;
- Hauraki Gulf Marine Park Act 2000;
- The Auckland Plan 2018;
- The Unitary Plan’s Regional Policy Statement 2016.

PC60 is the most efficient, effective and appropriate means of addressing the resource management issue identified.

Note: A separate Section 32 analysis have been undertaken for the rezoning of land that is part of Panuku Auckland’s land disposal and rationalisation process.

## List of Attachments

Attachment	Name of Attachment
1	Land Recently Vested or Acquired for Open Space Purposes, Open Space Zoning Errors and Anomalies and the rezoning of land to facilitate redevelopment and/or to better reflect the use of land

## **Attachment 1**

### **Land Recently Vested or Acquired for Open Space Purposes**

*(see attached spreadsheet)*



# Section 32 Evaluation Report

Proposed Plan Change 60 to the  
Auckland Unitary Plan (Operative in  
Part) – Open Space (2020) and Other  
Rezoning Matters



## APPLICATION DETAILS

**APPLICANT:** Panuku Development Auckland  
**PROJECT NAME:** Proposed Plan Change 60 – Open Space (2020) and Other Rezoning Matters  
**DOCUMENT:** Section 32 Analysis  
**DATE OF ISSUE:** 23 November 2020  
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**APPROVED FOR  
RELEASE:**



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# 1. Introduction

This report is prepared as part of the evaluation required by Section 32 of the Resource Management Act 1991 (**'the Act'**) for proposed Plan Change 60 (**PC60**) to the Auckland Unitary Plan (Operative in Part) (**Unitary Plan/AUP**).

The plan change seeks to rezone council owned sites that have been through the rationalisation process and have been identified as surplus or that there is no identified service need for, and that have been approved for disposal.

There are 26 sites included in the plan change. The majority of sites (20) were approved for disposal as part of the Auckland Council Emergency Budget 2020/2021.

Three sites are part of the Kia Puāwai a Pukekoke - Unlock Pukekohe High-Level Project plan area.

Two sites are part of Panuku Service Property Optimisations programme. A key element of this programme is that service property is 'optimised' and that sale proceeds are locally reinvested to advance approved projects or activities on a cost neutral basis.

One site is subject to a land exchange under the Reserves Act as part of a future Haumaru development area in Northcote.

The sites are predominantly undeveloped or underutilised land zoned Open Space Informal recreation in the Unitary Plan.

## 1.1. Section 32 Evaluation

Section 32 of the Act requires that before adopting any objective, policy, rule or other method, the Council shall carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act, and
- Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objective.

The evaluation must also take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.

In accordance with section 32(6) of the RMA and for the purposes of this report:

- i. the 'proposal' means this component of the plan change;
- ii. the 'objectives' means the purpose of the plan change – this is to ensure that land that has been deemed surplus to council requirements as part of the Panuku land disposal and rationalisation process is able to be sold and developed for future uses compatible with the site qualities and surrounding environment.

- iii. The 'provisions' means the method(s) used to give effect to the above objective – in this case the rezoning of land that has been approved for disposal, and the addition of other AUP overlays such as height variation controls and commercial frontages where applicable and to provide consistency with adjacent sites.

Sections of this report	Evaluation Approach
<b>Section 2: Issues</b>	This part of the report will explain the resource management issues and why there is a need to resolve them. It will also outline the objectives of PC60
<b>Section 3: Sites</b>	This part of the report details the sites included in PC60
<b>Section 4: The development and evaluation of options</b>	<p>In accordance with section 32(1)(b) and (2) of the RMA, this section examines whether the options appropriately achieve the objectives of the AUP and the sustainable management purpose of the RMA. The options are assessed by their efficiency and effectiveness, costs, benefits and risks to resolve the RMA issue.</p> <p>In accordance with subsections 32(1)(a) and (1)(b)(iii) of the RMA, this part of the report examines the extent to which the objectives of the proposal (PC60) are the most appropriate way to achieve the purpose of the RMA. This section outlines the reasons for PC60 and the scope of PC60</p>
<b>Section 5: Statutory evaluation</b>	<p>This part of the report evaluates the relevance of PC60 to Part 2 (sections 5-8) and other relevant parts / sections of the RMA.</p> <p>This part of the report evaluates the relevance of PC60 against the national and local planning context.</p>
<b>Section 6: Development of the plan change</b>	<p>This part of the report outlines the methodology and development of PC60, including the information used and consultation undertaken in preparing PC60.</p> <p>This part of the report outlines the evaluation conducted on individual issues contained within PC60.</p>
<b>Section 7: Conclusion</b>	This part of the report concludes that PC60 is the most efficient, effective and appropriate means of addressing the resource management issues identified.



## 2. Issue

### 2.1. Issue background and definition

Panuku Development Auckland (Panuku) and the council's Stakeholder and Land Advisory team in Community Facilities have an ongoing review process of the council property portfolio. When a property is identified as non-service, Panuku takes it through a multi-stage rationalisation process. The process involves historical, legal and technical analysis of the site, followed by consultation with council departments, relevant Council Controlled Organisations, local boards, ward councillors, mana whenua and the Independent Māori Statutory Board. If no service use, future-funded project or strategic purpose is identified for a property it is considered for disposal. Any disposal recommendations are approved by the Panuku Board before they are presented to the Finance and Performance Committee which has the delegated authority to approve any proposed disposals.

Sites can be disposed of as part of the Service Property Optimisation programme. Optimisation is where underperforming council service properties are identified for redevelopment. Redevelopment can involve integration of service activities from underperforming assets onto a single site and sale of the vacant assets, or it can involve sale of airspace, or it can involve direct service reinvestment where underutilised sites are sold and the proceeds from the asset sale are directly used to fund projects in the same local board area. This approach is designed to incentivise local boards to deal constructively with service assets which would not usually be released for sale but are also not fit for purpose or that lack adequate funding to maintain or upgrade. The goal of optimisation is to release latent value from underperforming service assets to fund local services while facilitating housing and/or urban regeneration. Funds generated by optimisation is ring-fenced directly back into the service component of the project itself or into other eligible local board projects. Two sites in this plan change, located in the Beachlands area of Franklin, have been identified and approved for sale as part of service property optimisation review.

Sites can also be identified for disposal or redevelopment as part of Panuku's priority area developments. These sites are specifically identified within the High-Level Project Plans for the area. Three sites in this plan change have been included as part of priority location area urban regeneration for Pukekohe.

One site included in this plan change is subject to a land exchange under the Reserves Act and requires rezoning along the new proposed boundary. It is a Haumaru Housing site in Northcote.

The majority of sites included in this plan change have been through the rationalisation process and have been approved for disposal by the Finance and Performance Committee as part of Resolution number FIN/2020/31 at the Extraordinary Finance and Performance Committee meeting of 16 July 2020 and as a result of the Emergency Budget.

The two sites that are part of the service property optimisation programme were approved for sale under the service property optimisation policy on 26 March 2020 by

the Franklin Local Board, and for reserve revocation at the Parks Arts Community and Events committee meeting of 13 February 2020 (PAC/2020/9).

The three sites included in the Plan Change that are in the Unlock Pukekohe project area went to the Finance and Performance committee on 18 June 2019 (FIN/2019/60) as part of the High-Level Project Plan approval.

The Northcote site at Greenslade Reserve is the subject of a land exchange under s15 of the Reserves Act. This is currently in process. The land exchange was approved by the Environment and Community committee on 10 July 2019 (ENV/2019/116).

All the sites in this plan change are currently zoned for open space purposes or are road in the AUP<sup>1</sup>. They are therefore not zoned for future uses and development opportunities that may be compatible with their site characteristics. Because of this, development at these sites could be unnecessarily delayed by resource consenting requirements. There may also be an inconsistency between the potential future use and development of the sites and the specific objectives and policies under their current zoning. To enable appropriate development to occur, and to ensure consistency between the intended future land uses and the zoning under the AUP, a plan change to the zoning of these sites is proposed.

## **2.2. Objective of plan change**

The objective of this plan change is to ensure that land that has been declared surplus to council requirements as part of the Panuku land disposal and rationalisation process, or the site optimisation programme, is able to be developed for future uses compatible with the sites' qualities and surrounding environment.

The method to achieve this is through zoning the sites in the AUP with a zone that is appropriate to their surroundings, anticipated future use and development potential.

Where relevant, and to provide consistency with adjacent sites, other AUP controls such as height variations will also need to be applied to rezoned sites. The proposed change to zoning will clearly signal to potential buyers and to the public the level of development considered compatible and appropriate for the site.

## **2.3. Scope of this plan change**

The scope of this plan change is limited to addressing the issue described in Section 2.1 above. The only sites considered in scope are those listed in Section 3 below and described further in Appendix A. The plan change does not seek to alter the provisions or policy direction of the AUP, rather it proposes a suitable zone for sites identified for disposal.

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<sup>1</sup> Noting one site is a boundary realignment along a residential / open space boundary.



### 3. Sites

26 sites are included in this plan change. Locational details, current zoning, proposed zoning and other background details of the sites are included in Appendix A. In brief, the sites are:

Table 1: Sites included in PC60

Address	Legal description	Current Auckland Unitary Plan zone
<b>24R Linwood Avenue, Forrest Hill (part only)</b>	Part of Lot 251 DP 53183	Open Space – Informal recreation
<b>8 Magnolia Drive, Waiuku</b>	Lot 1 DP 190074	Open Space – Informal recreation
<b>28R Simon Owen Place Howick Auckland 2013</b>	LOT 10 DP 144679	Open Space – Informal recreation
<b>R 105 Stott Avenue Birkenhead 0626</b>	Lot 3 DP 68569	Open Space - Conservation
<b>5R Ferguson Street Mangere East Auckland 2024</b>	LOT 46 DP 19985	Open Space – Informal recreation
<b>31R Killington Crescent Mangere Auckland 2022</b>	LOT 145 DP 58967	Open Space – Informal recreation
<b>26 Princes Street Otahuhu Auckland 1062</b>	PT ALLOT 9 SEC 1 Village ONEHUNGA	Open Space – Informal recreation
<b>1-5 Lippiatt Road Otahuhu Auckland 1062</b>	Lot 2 DP 189032	Open Space – Informal recreation
<b>37 Olive Road Penrose Auckland 1061</b>	Lot 5 DP 98115	Open Space – Informal recreation
<b>23 Waipuna Road Mount Wellington Auckland 1060</b>	SEC 2 SO 399704	Open Space – Informal recreation
<b>12R Rockfield Road Ellerslie Auckland 1061</b>	Lot 9 DP 18690	Open Space – Informal recreation
<b>11R Birmingham Road Otara Auckland 2013</b>	LOT 35 DP 57069	Open Space – Informal recreation
<b>2R Keeney Court Papakura Auckland 2110</b>	Lot 1 DP 88704	Open Space – Informal recreation
<b>Adjacent to 45 Brandon Road Glen Eden</b>	LOT 4 DP 49387	Open Space – Informal recreation
<b>67A Glengarry Road Glen Eden</b>	LOT 3 DP 57164	Road
<b>45 Georgina Street Freemans Bay Auckland 1011</b>	Lot 3 DP 71812	Open Space – Informal recreation
<b>36 Cooper Street Grey Lynn Auckland 1021</b>	Lot 1 DP 87358	Open Space – Informal recreation

<b>30 Willerton Avenue New Lynn</b>	LOT 4 DP 38999	Open Space – Informal recreation
<b>Trojan Crescent New Lynn</b>	LOT 6 DP 119411	Open Space – Informal recreation
<b>13 Davern Lane New Lynn</b>	LOT 13 DP 160552	Open Space – Informal recreation
<b>67 East Street Pukekohe Auckland 2120</b>	Lot 2 DP 88435	Open Space – Informal recreation
<b>Adjacent to 176 Princes St West Pukekohe 2120 (part)</b>	SEC 1 SO 430835	Open Space – Informal recreation
<b>Adjacent to 995 Paerata Road Pukekohe</b>	Lot 6 DP 16500	Open Space – Informal recreation
<b>39R Pohutukawa Road Beachlands Auckland 2018</b>	LOT 89 DP 19657	Open Space – Informal recreation and Open Space-Conservation
<b>17W Hawke Crescent Beachlands Auckland 2018</b>	Road	Road (Open Space – Informal recreation (PC36))
<b>R 1 Greenslade Crescent Northcote 0626</b>	Lot 1 DP 54824, Lot 5 DP 66691, Lot 6 DP 66691, Lot 7 DP 66691, SECT 5 SO 539305	Road Open Space- Sport and Active Recreation Residential - Terrace Housing and Apartment

## 4. Options

### 4.1. Description of options

To consider the most appropriate means to respond to the resource management issue and achieve the objective of the plan change two options have been considered. These are:

- I. Do nothing – leave the land that has been approved for disposal with its current zone. Future landowners will choose how to progress with any development on the sites through the resource consent process.
- II. Rezone land that has been approved for disposal, prior to sale, with a zone appropriate for the future development of the site and that is compatible with the land qualities and the surrounding environment characteristics. Rezoning will add value to the sites as it clearly indicates the level of development appropriate for the site through the zone, and as shown on the AUP maps. This will assist future owners and the general public.

### 4.2. Evaluation of options

In accordance with Clauses 32(1)(b) and 32(2) of the Act, the options have been assessed on their appropriateness, efficiency, effectiveness, costs, benefits and

risks. The results of this evaluation and a summary of the reasons for deciding on the provisions are included in this section and in the table below.

Table 2 outlines the criteria to assess the options for addressing the resource management issue and provides an evaluation of the two options against the criteria.

**Table 2: Evaluation of option against the evaluation criteria**

<b>Evaluation Criteria</b>	<b>Option 1 – Status Quo/Do Nothing</b>	<b>Options 2 - Rezone the land to an appropriate zone</b>
<p><b>Appropriateness</b></p> <p>s32(1)(a) and s32(1)(b) of the RMA</p> <p>Is this option the most appropriate way to address the issue at hand?</p> <p>Is this option the most appropriate way to meet the objective of the AUP and the purpose of the RMA?</p>	<p>This option does not address the identified resource management issue.</p> <p>Sites will still be zoned inappropriately as open space where there is no future functional or service requirement for them to have this zone.</p> <p>Open space zoning of sites identified and approved for disposal limits the development opportunities for the land. It does not align with the objectives and policy directive for open space or development in the AUP.</p>	<p>Rezoning open space sites approved for disposal directly addresses the identified issue and will provide for the sites to be appropriately developed within the policy framework of the AUP. It indicates potential uses compatible with the sites prior to sale.</p>
<p><b>Effectiveness and Efficiency</b></p> <p>s32(1)(b)(ii) of the RMA</p> <p>How successfully can this option address the issue?</p> <p>How successfully does this option meet the objectives of the AUP and the purpose of the RMA?</p> <p>Does this option address the issue at lowest cost and highest net benefit?</p>	<p>This is not an effective option for meeting the objectives of the plan change or the AUP.</p> <p>This option does not effectively enable the future use and development of land identified for disposal.</p> <p>This option requires no change so is efficient in terms of staff and council cost and time.</p> <p>Resources (staff time) can be used for other projects – so there may be greater efficiency in the overall work programme.</p> <p>While open space zoned land could be developed for other purposes through resource consents there will be associated time and cost factors for the future property owners and for council in processing these applications.</p>	<p>Rezoning is an effective option in addressing the issue as it enables the use and development of sites for uses other than open space.</p> <p>It is more efficient to deal with the issue created through the disposal process in a single plan change than for resource consenting issues associated with each site to be dealt with on a case by case basis.</p> <p>There will be greater efficiencies when land is to be used and developed for future residential or business purposes.</p>

<p><b>Costs</b></p> <p>s32(2) of the RMA</p> <p>What are the social, economic, environmental or cultural costs and/or negative impacts that this option presents?</p>	<p>Open space zoning will generally trigger the need for resource consents to use and develop the land for other uses. This will result in additional costs for projects and time delays. This could cause delays to the sale and development of sites.</p> <p>There will be additional costs for council staff time having to process resource consent applications.</p> <p>This option does not signal to potential buyers the development potential of the sites. There could be economic and social costs to this.</p>	<p>There are time and money costs associated with undertaking a plan change and resolving any subsequent appeals. These costs would be offset by avoiding the need for resource consents further on down the track</p> <p>There are opportunity costs – staff resources could be directed to other projects.</p>
<p><b>Benefits</b></p> <p>s32(2) of the RMA</p> <p>What are the social, economic, environmental or cultural benefits and/ or positive impacts that this option presents?</p>	<p>There is no cost to council of developing the plan change – this could be perceived as a benefit.</p> <p>A plan change could be done at a later date when there are more sites to consider, thus increasing the economy of scale and reducing plan change costs. This may delay the sale and development of sites.</p>	<p>Benefits of rezoning are that it will reflect the land's potential use and development opportunities. It will rectify the zoning anomalies that the disposal process creates. There is greater visibility for the general public of the development potential of the sites.</p> <p>The objectives, policies and provisions of the zones that the sites will be adopting have already been tested as part of the development of the provision under the AUP.</p> <p>Rezoning multiple disposal sites in one plan change will save money and time than undertaking separate processes for each of the sites in the future.</p> <p>Clearly indicating the appropriate level of development at a site through zoning can have environmental and social benefits.</p>
<p><b>Risks</b></p> <p>s32(2)(c) of the RMA</p> <p>What are the risks of addressing this issue? What</p>	<p>There is a reputational risk for Council in disposing of inappropriately zoned land that could lead to an onerous development process for future property owners.</p>	<p>There are risks of appeals which could delay the plan change process and add to the cost.</p> <p>Rezoning sites currently zoned open space may create</p>

<p>are the risks of not addressing this issue?</p>	<p>There is a risk that developers could propose inappropriate levels of development for sites.</p> <p>There is risk that development would not be approved as it may be inconsistent with the AUP objectives and policy framework.</p> <p>By not removing the restrictions on development and use inherent in the open space zoning the development potential of the sites may not be realised. This would not be consistent with the planning framework or the purpose of the Act.</p>	<p>a perception from the public that Council is privatising land set aside for public open space use.</p>
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### 4.3. Summary of evaluation table

**Option 1** – ‘Do nothing’ is the least costly option for council initially as there are no plan change costs and staff time and resources can be spent on other projects. Costs, in the form of resource consent requirements, will be passed on to the future landowners and to the time of resource consent processing staff in the future.

This option does not address the inconsistencies that disposal and sale for development of these sites creates within the AUP policy framework. It also does not signal to potential owners and the public the type of development that may be considered appropriate for a site. The need to apply for additional consents to develop land may also impact on the ability to sell sites and their perceived value and this will negatively impact the broader purpose of council’s land rationalisation process. This option does not directly address the identified resource management issue.

**Option 2-** Rezoning sites ensures the integrity of the AUP zoning regime and clearly indicates the potential future uses compatible with the sites prior to sale, to both potential developers and the general public. The initial costs of staff time and resources in developing the plan change will be offset by the reduction in costs to future landowners and council staff time in processing applications on a case-by-case bases. Although the sites have gone through robust rationalisation processes and have been approved for disposal there is a risk that rezoning could be seen as an erosion of the public open space network. This option directly addresses the identified resource management issue.

### 4.4. Recommendation

Option 2 is the preferred option and is the recommended course of action as it is the option that most effectively deals with the identified resource management issue.

Rezoning the land that has been approved for disposal with an appropriate zone best achieves the purpose of the RMA and the objectives of the plan change.

## 4.5. Risk of acting or not acting

Section 32(2)(c) of the Act requires this evaluation to assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. Consideration of risks are included in Table 2, above. I consider there is sufficient information about the sites included in this plan change for the plan change to proceed.

The section 32 evaluation will continue to be refined in relation to any new information that may arise following notification, including information arising from submissions on the plan change and during hearings on the plan change.

## 5. Statutory Evaluation

### 5.1. Resource Management Act 1991

#### Part 2 of the Act

Section 5 of the RMA describes the purpose of the Act:

- (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.*

The issue addressed by this plan change is, what is the most appropriate method to provide for the sustainable management and future use and development of council sites currently zoned for open space that have been approved for disposal? Applying an appropriate zone will help avoid, remedy or mitigate any adverse effects on the environment of the future development of these sites.

Section 6 of the RMA outlines matters of national importance. In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*

- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:*
- (g) the protection of protected customary rights:*
- (h) the management of significant risks from natural hazards.*

This plan change applies the already tested zoning regime of the AUP. The matters included in Section 6, where relevant, have already been considered and apply to the sites through existing AUP overlays, particularly where sites are located in the coastal environment or there are identified significant ecological areas or built heritage values. Rezoning will not impact on these.

#### 7 Other matters

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—*

- (a) kaitiakitanga:*
  - (aa) the ethic of stewardship:*
  - (b) the efficient use and development of natural and physical resources:*
    - (ba) the efficiency of the end use of energy:*
  - (c) the maintenance and enhancement of amenity values:*
  - (d) intrinsic values of ecosystems:*
  - (e) [Repealed]*
  - (f) maintenance and enhancement of the quality of the environment:*
  - (g) any finite characteristics of natural and physical resources:*
  - (h) the protection of the habitat of trout and salmon:*
  - (i) the effects of climate change:*
  - (j) the benefits to be derived from the use and development of renewable energy.*

Section 7 - Other matters that are relevant to this plan change include the efficient use and development of natural and physical resources, the maintenance and enhancement of amenity values and any finite characteristics of natural and physical resources. By applying the already tested zoning regime of the AUP, this plan change is consistent with Section 7.

#### 8 Treaty of Waitangi

*In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*

The Treaty principles include the principles of partnership, reciprocity, active protection, equity and equal treatment. Through consultation undertaken as part of the various rationalisation processes, and the development and notification required

for the plan change, I consider that the principles of the Treaty have been, and will continue to be considered as part of the process

## **5.2. National and Regional Planning Context**

### **5.2.1. Matters to be considered by a territorial authority**

Sections 63-68 and 72-76 of the Act sets out the matters to be considered by a territorial authority when preparing or changing its regional and district plans. These matters include: any proposed regional policy statement, any proposed regional plan in relation to any matter of regional significance, any management plans or strategies prepared under other legislation, and any relevant entry on the New Zealand Heritage List/Rārangi Kōrero. The authority must take into account any relevant planning document recognised by an iwi authority to the extent that its content has a bearing on the resource management issues of the district and must not have regard to trade competition.

*75(3) A district plan must give effect to—*  
*(a) any national policy statement; and*  
*(b) any New Zealand coastal policy statement; and*  
*(ba) a national planning standard; and*  
*(c) any regional policy statement.*

A district plan must not be inconsistent with a regional plan for any matter specified in 30(1).

Section 80 of the RMA also sets out the approach to which local authorities may prepare, implement, and administer the combined regional and district documents. The Auckland Unitary Plan is a combined regional and district plan.

The AUP contains existing objectives, policies, rules and other methods that are of regional and district significance. This plan change seeks to rezone land that has been identified as surplus to council open space requirements. Land-use zones are a district plan level mechanism in the AUP, and the following sections evaluate the proposed plan change against Section 75.

### **5.2.2. National Policy Statements**

National Policy Statements are instruments issued under section 52(2) of the Resource Management Act 1991 and state objectives and policies for matters of national significance. There are currently four national policy statements developed by the Ministry for the Environment. These are as follows:

- National Policy Statement on Urban Development 2020;
- National Policy Statement for Freshwater Management;
- National Policy Statement for Renewable Electricity Generation; and
- National Policy Statement on Electricity Transmission

The National Policy Statement on Urban Development (NPS:UD) came into effect on 20 August 2020. It is intended to improve the responsiveness and competitiveness of



land and development markets and requires local authorities to open up more development capacity, so more homes can be built in response to demand.

In particular it includes provisions that seek to provide for increased intensification in areas of high demand, close to rapid transport and town centres (Policies 3, 4 and 5), planning that is responsive to changing circumstances (Policy 8) and specific removal of minimum parking rates (Policy 11).

Council has two years from the commencement date to put specific intensification policies into effect that may alter the current zoning in the AUP. Until such time, the existing zoning pattern in the AUP has formed the basis of consideration for sites in this plan change.

This plan change seeks to enable the development of land parcels deemed to be surplus to open space requirements through rezoning. At a high level, rezoning to facilitate development of these sites will help give effect to the NPS:UD as it will provide a suitable alternative use for land that has been identified as underutilised and approved for disposal. Depending on the site location and characteristics, these uses may be residential or commercial.

The National Policy Statement on Electricity Transmission 2008 provides guidance for councils on how to recognise the national significance of the national grid in planning documents. The current provisions of the AUP, including specific National grid relevant overlays, recognise this and rezoning of any sites already subject to an overlay does not impact on this recognition. The plan change is therefore not inconsistent with this NPS.

No other National Policy Statements are particularly relevant to the proposal.

### **5.2.3. New Zealand Coastal Policy Statement**

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

This plan change does not include any sites within the coastal marine area, although the two sites in Beachlands are adjacent to the coast. Of particular relevance to these sites are Objective 5<sup>2</sup> and Objective 6<sup>3</sup> and Policy 6<sup>4</sup> of the NZCPS. As the

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<sup>2</sup> To ensure that coastal hazard risks taking account of climate change, are managed by: • locating new development away from areas prone to such risks; • considering responses, including managed retreat, for existing development in this situation; and • protecting or restoring natural defences to coastal hazards.

<sup>3</sup> To enable 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 limits

<sup>4</sup> Activities in the coastal environment (1) In relation to the coastal environment: (b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment; (c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;

plan change is applying the existing AUP zoning provisions and considerations to sites, it is not inconsistent with the NZCPS.

#### **5.2.4. National Planning Standards**

The purpose of the National Planning Standards (Standards) is to improve consistency in plan and policy statement structure, format and content so they are easier to prepare, understand, compare, and comply with. The Standards will also support implementation of national policy statements and help people observe the procedural principles of the Act.

The Standards were introduced as part of the 2017 amendments to the Act and have been under development since that time. The Minister for the Environment and the Minister of Conservation approved the first set of Standards on 5 April 2019. The Standards must be implemented within the specified timeframes. Unitary councils have ten years to adopt the Standards, unless a full plan review is undertaken within this timeframe (in this case the new plan must meet the Standards when it is notified for submissions). This plan change is not required to implement them.

#### **5.2.5. Relevant provisions of the Auckland Unitary Plan Operative in Part – Regional Policy Statement**

The Regional Policy Statement (RPS) in the AUP sets out the direction for managing the use, development and protection of the natural and physical resources of the Auckland region. Issues of regional significance are identified and include:

- (1) urban growth and form;
- (2) infrastructure, transport and energy;
- (3) built heritage and character;
- (4) natural heritage (landscapes, natural features, volcanic viewshafts and trees);
- (5) issues of significance to Mana Whenua;
- (6) natural resources;
- (7) the coastal environment;
- (8) the rural environment; and
- (9) environmental risk.

Of particular relevance to this plan change are the objectives and policies related to urban growth and form. These seek to provide for growth in a quality compact urban form by providing for higher residential densities around established centres and on frequent public transport routes and near stations. The zoning proposed for the sites in this plan change give effect to the RPS by providing each site with a zone appropriate for its environmental qualities and compatible with its surroundings, thereby avoiding inappropriate or spot zoning.

### **5.3. Other relevant Acts and plans**

#### **5.3.1. Reserves Act 1977**

The purpose of the Reserves Act 1977 (RA) is to provide for the preservation and management of areas of possessing recreational use/potential, wildlife, indigenous

flora/fauna, environmental and landscape amenity or interest or special features or value for the benefit and enjoyment of the general public.

All necessary reserve revocations under the Reserves Act 1977 will be undertaken concurrently as a separate process to this plan change. This proposed plan change is therefore not contrary to purpose of the Reserves Act 1977.

### **5.3.2. Local Government Act 2002**

Where open space is not subject to the Reserves Act 1977, Auckland Council manages it under the Local Government Act 2002. Specific relevant sections of this Act include s138, 139 and 139 which refer to disposal of parks and the protection of regional parks. Adherence to the requirements of this Act form part of the disposal process.

### **5.3.3. Heritage New Zealand Pouhere Taonga Act 2014**

The Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) sets out Council's statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of the purpose of the RMA and the HNZPTA. Although several sites in this plan change are subject to heritage character overlays in the AUP none of the sites are specifically recognised as heritage sites.

### **5.3.4. The Auckland Plan 2050**

The Auckland Plan 2050 is the council's long term non-statutory spatial plan that sets the strategic direction for the region to 2050. The plan includes six outcomes and a Development Strategy that shows how Auckland will physically grow and change over the next 30 years.

This plan change is particularly relevant to the Homes and Places outcome, that Aucklanders live in secure, healthy, and affordable homes, and have access to a range of inclusive public places.

Rezoning suitable land for development addresses one of Auckland's key challenges – population growth and its implications, by providing for development of land within the existing urban areas that has been assessed as surplus to requirements, for other uses. This will help in achieving Direction 1 of the Auckland Plan – a quality compact urban form, through the application of the AUP zoning regime.

### **5.3.5. Kia Puāwai a Pukekohe - Unlock Pukekohe High-Level Project Plan**

Three of the sites included in this plan change are within the Kia Puāwai a Pukekohe - Unlock Pukekohe High-Level Project Plan area (HLPP). This project seeks to unlock the potential of Pukekohe's town centre. The HLPP was endorsed by the council's Planning Committee in June 2019. The plan identifies council owned sites with development potential that can work to achieve the regeneration goals of the plan.

The properties included in this plan change identified in the HLPP are the land adjacent to 995 Paerata Road, Pukekohe, 67 East Street, Pukekohe, and the land adjacent to 176 Princess St West, Pukekohe. These sites are identified as no longer

required for reserve purposes and as potential future residential development opportunities.

### 5.3.6. Open Space Provision Policy

The Open Space Provision Policy 2016 informs the investment decisions to create a high-quality open space network that contributes to Aucklanders' quality of life. It provides direction on the provision of open space at a network scale (across multiple open spaces rather than an individual site). Provision is considered on the basis of four inter-related factors, function; distribution; location and configuration.

Open space included in this plan change has been considered under this policy prior to approval for disposal.

## 5.4. Iwi Management Plans

An iwi management plan (IMP) is a term commonly applied to a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. IMPs are generally prepared as an expression of rangatiratanga to help iwi and hapū exercise their kaitiaki roles and responsibilities. IMPs are a written statement identifying important issues regarding the use of natural and physical resources in their area.

The RMA describes an iwi management plan as "*...a relevant planning document recognised by an iwi authority and lodged with the council*". IMPs must be taken into account when preparing or changing regional policy statements and regional and district plans (sections 61(2A)(a), 66(2A)(a), and 74(2A) of the RMA).

I am aware of the following iwi management plans:

- Ngāti Whātua Ōrākei - 2018
- Te Kawerau-a-Maki - 1995
- Ngāti Rehua Ngataiwai Ki Aotea - 2013
- Ngāti Whatua o Kaipara (South) Environmental Protection and Management Plan - 2013
- Waikato -Tainui - 2013
- Te Uri o Hau - 2011

This plan change does not seek to alter the current policy direction of the AUP and is instead addressing specific zoning issues at specific sites. Therefore, I consider it is not inconsistent with any relevant iwi management plan.

## 6. Development of the Plan Change

### 6.1. Rationalisation Process

Prior to a site being included in this plan change it has been identified as not required for any council service and has been through the rationalisation process. The sites have been approved for disposal by the Finance and Performance Committee.

The majority of sites included in the plan change were identified through the general review process and approved for disposal as part of the Emergency budget. As discussed in Section 5.3.5 above, three sites are within the Unlock Pukekohe project area and their development will work to enable regeneration in the town centre and

two sites are being disposed of as part of the service property optimisation programme in the Franklin Local Board area.

## **6.2. Reserve Revocation Process**

Concurrent to this plan change sites subject to reserve status under the Reserves Act will need to go through the reserve revocation process. (s.24 and s.25 of the Reserves Act). The process requires public notification of the proposal to revoke reserve status in local newspapers and in the Gazette.

## **6.3. Process for determining proposed zoning**

In many, but not all, cases the new zone proposed for a site approved for disposal has been determined by the zoning of the surrounding sites. The AUP contains existing objectives, policies and rules for zones that have been considered as part of this determination. Table 3 shows the zoning considerations that have informed the zone that is proposed as most suitable for each site:

Table 3: Zoning analysis

Site address	Current zone	Proposed zone	Zoning considerations
R 24 Linwood Avenue, Forrest Hill (part only)	Open Space – Informal recreation	Mixed Housing Suburban	This site is a small part of the wider reserve area that provides access onto Linwood Reserve from Woodstock Road. The site is located between 13 and 15 Woodstock Road. A larger, more formal access is provided approx. 60m further along Woodstock Road. An adjoining owner has previously expressed an interest in purchasing the site. Rezoning to Mixed Housing Suburban will provide consistency with adjoining residential sites.
8 Magnolia Drive, Waiuku	Open Space – Informal recreation	Mixed Housing Suburban	This site is a small undeveloped lot in a residential area. The site has a large scheduled Magnolia tree at its rear. It is proposed to rezone the site to Mixed Housing Suburban to provide consistency with the adjoining sites and surrounding area. Rezoning the site will not impact on the protection provided to, or the status of, the scheduled tree.
28R Simon Owen Place Howick Auckland 2013	Open Space – Informal recreation	Mixed Housing Suburban	This site is an undeveloped lot adjoining the adjacent large school site. It is proposed to rezone the site Mixed Housing Suburban to provide consistency with the adjoining residential properties and the enabled scale of development in the area.
R 105 Stott Avenue Birkenhead 0626	Open Space - Conservation	Single House	This site has no legal access from the road. Adjoining sites are zoned Single House and the subject site is completely within a Significant Ecological Area. An adjoining owner has previously expressed an interest in purchasing this site. Rezoning the site Single House will provide consistency with the adjacent residential sites. Rezoning will not have an impact on the existing Significant Ecological area overlay.
5R Ferguson Street Mangere East Auckland 2024	Open Space – Informal recreation	Mixed Housing Suburban	This vacant site is no longer required as road reserve. It adjoins the Transpower substation site and is subject to the National Grid Corridor Overlay - National Grid Substation Corridor 12m from the rear boundary. The wider area is zoned Mixed Housing suburban. Rezoning the site to Mixed Housing Suburban will

			provide consistency with the adjacent sites and will not impact on the substation corridor overlay.
31R Killington Crescent Mangere Auckland 2022	Open Space – Informal recreation	Mixed Housing Urban	This site backs onto George Bolt Memorial Drive near the Kirkbride Road offramp. Nearby sites on the western side of Killington Crescent and Staverton Crescent are zoned Mixed Housing Urban while on the opposite side of the road sites are zoned Terrace Housing and Apartment Building. Rezoning this site to Mixed Housing Urban will be consistent with the immediately adjacent sites and avoid the creation of a spot zone.
26 Princes Street Otahuhu Auckland 1062	Open Space – Informal recreation	Business Mixed Use	This site is located at the busy intersection of Princes Street and Atkinson Road in Otahuhu, opposite the town centre. Adjacent sites to the north and east are zoned Business Mixed Use. It is proposed to rezone this site to Mixed Use to provide consistency with immediately adjoining sites and to provide for development in keeping with its proximity to the town centre.
			A height variation control of 21m applies to the adjacent Mixed Use zoned sites and applying the height variation to this site would also provide consistency with adjoining sites.
1-5 Lippiatt Road Otahuhu Auckland 1062	Open Space – Informal recreation	Terrace Housing and Apartment	This is undeveloped reserve space of approx. 1369m <sup>2</sup> with a large tree at the front boundary. It is located at the edge of, but within the extent of place of, the Lippiatt Road Pegler Brothers Housing Historic Heritage Area. Land to the north of the site is zoned Mixed Use and to the east is Terrace Housing and Apartment Building (THAB). Land to the west (and within the heritage area) is zoned Single House. The site is subject to overland flow paths and is also within a flood plain that extend east and south through the wider area.  The heritage area is comprised of a number of small bungalow type houses known as Pegler houses that were constructed around the time of the Great Depression. These houses symbolise Otahuhu's second significant housing scheme (after Fencible cottages) and Lippiatt Road retains the largest cluster of Pegler houses with a cohesive 1930s character. The subject site is located at

			<p>the far eastern end of the identified heritage area where it is identified as a non-contributing site to the heritage significance.</p> <p>I support THAB zone for this site for the following reasons:</p> <p>The site is approx. 300m from Otahuhu Town centre and approx. 900m from Otahuhu Train station. It adjoins sites zoned for more intensive residential and mixed-use development to the north and east, including directly adjoining THAB zoned sites to the east. It is therefore not creating a spot zone. THAB at this site is also consistent with the general 'stepped down' zoning pattern of the AUP.</p> <p>Rezoning to THAB will have no effect on the site's inclusion in, or the values of the wider heritage area. The AUP Historic Heritage Policy D17.3(6) specifically enables use and development of contributing and non-contributing sites or features within a Historic Heritage Area where it is compatible with the historic heritage values of the area. Therefore, the heritage values of the area will form a key component of the design consideration for any development at the site and a key consenting issue consideration. The response to these heritage issues can be managed at the design and consenting stage of future development.</p> <p>The presence of a flood plain and overland flow path should also not impact on zoning. Rather these are also matters that will need to be considered as part of any future development design. I note that land to the east of the site, on the south side of Hall Avenue is also within the flood plain and is also zoned for THAB.</p> <p>With a site area of 1369m<sup>2</sup>, and within a walkable catchment of Otahuhu town centre zone and transport networks, this site is able to support development at a scale commensurate with THAB zone.</p>
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37 Olive Road Penrose Auckland 1061	Open Space – Informal recreation	Business Light Industry	This site is known as Tanner Reserve and is located in a wider industrial area. At present the site is landscaped with trees, planted boxed and seating. Parks have confirmed that the site is not required as part of the open space network and it has been approved for disposal. Rezoning the site to Light Industry will provide consistency with the adjoining sites and enable the development of the site for further light industrial uses. The wider area is subject to view shafts to One Tree Hill however rezoning this site will have no impact on these overlays.
23 Waipuna Road Mount Wellington Auckland 1060	Open Space – Informal recreation	Terrace Housing and Apartment	This site is on a busy street intersection and is landscaped with some trees, planted beds and seating. It is approx. 200m east of Local Centre zone on Mt Wellington Highway and 300m north of the Sylvia Park Metropolitan centre. Adjoining sites are zoned THAB with an additional height variation control of 22.5m. It is proposed to rezone this site to THAB, and to also apply the height variation control to provide consistency with the immediately adjoining sites and to provide for redevelopment at a scale appropriate given its location.
12R Rockfield Road Ellerslie Auckland 1061	Open Space – Informal recreation	Mixed Housing Suburban	This site is landscaped with paving, a rock wall, plantings and mature trees. The trees are not scheduled in the AUP. Surrounding sites are predominantly residential and it is proposed to rezone the site Mixed Housing Suburban to provide consistency with the zone and scale of development enabled in the surrounding area.
11R Birmingham Road Otara Auckland 2013	Open Space – Informal recreation	Business Light Industry	This is a large vacant site of 2527m <sup>2</sup> in a wider Light Industrial area that is not required for open space uses. Rezoning the site for light industrial activities will align with the wider area activities and uses and provide for light industrial uses while avoiding the creation of a 'spot' zone.
2R Keeney Court Papakura Auckland 2110	Open Space – Informal recreation	Mixed Housing Urban	Adjacent sites are zoned Mixed Housing urban and this zone is also proposed for this site to align with the adjacent sites and to provide development at a scale appropriate for the site's proximity to the Papakura Metropolitan centre and transport network.
Adjacent to 45 Brandon Road Glen Eden	Open Space – Informal recreation	Terrace Housing and Apartment Building	The adjoining sites to this accessway are predominantly Terrace Housing and Apartment zone on Brandon Road and Westward Ho Road, while the properties on Westtech Place to the east of the walkway are zoned for Light industrial

				uses. THAB is considered the more appropriate zone for this site due to its frontage onto Brandon Road.
67A Glengarry Road Glen Eden	Road		Mixed Housing Urban	This accessway is road in the AUP. Immediately adjoining land to the north is an access to a rear site and is zoned Mixed Housing urban. To the south the site directly adjoins two sites that are zoned Mixed Housing suburban. Mixed Housing urban is proposed for this narrow site and is considered more appropriate due to the layout and orientation of the adjoining sites.
45 Georgina Street Freemans Bay Auckland 1011	Open Space – Informal recreation		Single House	This small piece of vacant land was originally acquired for street widening. The adjacent sites are zoned Single House and are subject to the Special Character Areas Overlay Residential and Business - Residential Isthmus A overlay that sits over the majority of Ponsonby and Freemans Bay.
				Single House is also proposed for this site due to its size and the zoning of the adjacent sites.
36 Cooper Street Grey Lynn Auckland 1021	Open Space – Informal recreation		Single House	This site is located within the Historic Heritage Overlay Extent of Place - Cooper Street Historic Heritage Area where the site is identified as a non-contributing site. Single House zone is proposed at this site due to its size and in keeping with the zone of the adjacent sites in the area. Rezoning will not affect the site's inclusion in the wider heritage area (albeit as a non-contributing site) but its inclusion in the overlay will raise heritage considerations as part of the consenting of any future development of the site.
30 Willerton Avenue New Lynn	Open Space – Informal recreation		Mixed Housing Urban	This is a large undeveloped site that is not required as part of the open space network. There is an overland flow path adjacent to the northern boundary of the site and most of the site is within a flood plain. These are considerations for any future development of the site but should not impact on the zoning proposed.

				The wider area is zoned Mixed Housing Urban and rezoning this site to MHU will provide consistency with the enabled scale of development proposed in the surrounding area.
Trojan Crescent New Lynn	Open Space – Informal recreation	Mixed Housing Urban		This is a flat grassed site with numerous small trees planted across it. The surrounding area (known as 31 Trojan Crescent) is owned by Kāinga Ora and is zoned Mixed Housing Urban. Rezoning this site to MHU will provide consistency with the adjacent site zoning and provide for appropriate density of development across the area.
13 Davern Lane New Lynn	Open Space – Informal recreation	Mixed Housing Urban		This site is relative flat with several mid-sized bushes/trees planted across it. The wider area is zoned Mixed Housing Urban and rezoning to MHU will provide consistency with the surrounding sites and the enabled scale of development proposed in the surrounding area.
67 East Street Pukekohe Auckland 2120	Open Space – Informal recreation	Single House		East Street is a key entrance road into Pukekohe Town centre. Sites on the south side of the road in the vicinity of this site are zoned Single House while to the north they are zoned Mixed Housing Suburban. Single house is proposed at this site and will provide consistency with the wider area and avoid the creation of a spot zone.
Adjacent to 176 Princes St West Pukekohe 2120 (part)	Open Space – Informal recreation	Mixed Housing Suburban		The portion of the wider reserve site subject to this plan change has existing residential developments on the east and west boundaries. The wider area is live zoned Mixed Housing Suburban although land to the west is yet to be developed. Mixed Housing suburban is appropriate for this site as part of the wider development potential enabled in the area.
Adjacent to 995 Paerata Road Pukekohe	Open Space – Informal recreation	Single House		This site is adjacent to Single House zoned existing dwellings. The wider area is Future Urban zoned to the immediate north, east and west, while further to the north is live zoned Mixed Housing Urban and forms part of the Paerata structure plan development area. Single House zone is considered appropriate at this site given the surrounding existing development and zoning.
39R Pohutukawa Road Beachlands Auckland 2018	Open Space – Informal recreation and	Single House		This vacant site is zoned Open Space Informal Recreation at the street frontage and Open Space conservation at the cliff edge (generally from the fenced cliff edge north). Surrounding sites are generally large, single residential dwelling

	Open Space- Conservation		sites. It is proposed to rezone this site to Single House zone, in keeping with the anticipated nature and scale of development in the surrounding area.
17W Hawke Crescent Beachlands Auckland 2018	Road Open Space – Informal recreation (PC36)	Single House	This site was included in PC36 where it was proposed to rezone from road to Open Space - Informal recreation. It is now proposed to rezone the site to Single House zone for disposal, in keeping with the zoning and scale of development enabled in the surrounding site. There is a Significant Ecological area and a coastal inundation control along the coastal edge of the site, however rezoning the site for residential uses will not impact on these existing AUP considerations.
R 1 Greenslade Crescent Northcote 0626	Road Open Space – Sport and Active recreation Residential – Terrace Housing and Apartment	Residential – Terrace Housing and Apartment Open Space – Sport and Active recreation	This site is currently subject to a land exchange under the Reserves Act, and a boundary adjustment subdivision. The proposed new zonings are consistent with the existing zones for the sites into which the land is to be incorporated. As the walkway is stopped road it will be rezoned THAB under the existing provisions of the AUP. Where the currently residential land is proposed to be incorporated into the open space the height variation control (of 19.5m) that currently applies to this part of the site will need to be removed. For all the land proposed to be rezoned to THAB, the height variation control should be applied to provide for consistency with the wider site and for redevelopment at appropriate scale given the site's strategic location adjacent to the Northcote town centre.

## 6.4. Consultation

As part of the rationalisation process consultation has been undertaken with the relevant local boards and mana whenua groups for each site included in this plan change prior to their approval for disposal from the Finance and Performance Committee.

The revocation of reserve statuses, where relevant, will be undertaken concurrently with this plan change and will require a further public notification process. This is separate to the plan change process<sup>5</sup>.

Further consultation will be undertaken as required under the RMA for the wider open space plan change.

## 7. Conclusion

The purpose of this plan change is to ensure that land that has been declared surplus to council requirements as part of the Panuku land disposal and rationalisation process, and approved for disposal as part of the Emergency Budget or programme of urban regeneration for the Panuku priority location Pukekohe, is able to be developed for future uses compatible with the site qualities and surrounding environments.

The rezoning of sites (Option 2) is the most appropriate method for addressing the planning related issues associated with land disposals. To provide consistency with adjacent sites Auckland Unitary plan height variation controls are also proposed where relevant.

The rezoning of sites will avoid ad-hoc additional consenting processes for future landowners when they develop the properties. This will provide benefits to both council and future owners.

This option will ensure consistency of future land uses with the AUP planning framework by providing consistency between the objectives and policies of the zones and the future uses.

This option best achieves Part 2 of the Resource Management Act and the purpose or objectives of relevant national and regional planning documents. These include:

- New Zealand Coastal Policy Statement 2010;
- National Policy Statement on Urban Development 2020
- Reserves Act 1977;

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<sup>5</sup> Panuku process under s24 of the Reserves Act 1977 is as follows:

1. Resolution to dispose of property subject to satisfactory completion of required statutory processes.
2. Iwi notification – 2 month notification period (this is not part of the Reserves Act)
3. Public notification (notice in local paper and on Council website, plus letters to adjoining owners) – 1 month notification period
4. Assess any objections received
5. Report to PACE committee to recommend forwarding request to revoke to DoC
6. Publication of Gazette Notice
7. New title issued

- The Auckland Plan 2018;
- The Unitary Plan's Regional Policy Statement 2016.

It is my opinion that PC60 is the most efficient, effective and appropriate means of addressing the resource management issue identified.

## **APPENDIX A**

### **Specific site information**

**Part R 24 Linwood Avenue Forrest Hill 0620**



\*Plan change area is outlined in red above

<b>Legal description</b>	Part Lot 251 DP 53183
<b>Legal Status</b>	Recreation reserve
<b>Land area</b>	Approx. 130 m <sup>2</sup>
<b>Auckland Unitary Plan zone</b>	Open Space - Informal Recreation
<b>Proposed Zoning</b>	Residential – Mixed Housing Suburban

**Further Information**

The site is an accessway approx.130m<sup>2</sup> providing access onto Linwood Reserve from Woodstock Road. It is located between 13 and 15 Woodstock Road. An adjacent property owner has previously expressed an interest in purchasing the site. This site is subject to Reserves Act 1977 and Parks and Recreation Policy have advised it is no longer required to provide additional access to the park. Partial reserve revocation for this portion of the site will be required. The immediately adjoining sites are all Mixed Housing Suburban.



## 8 Magnolia Drive, Waiuku Auckland 2123



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 1 DP 190074
<b>Legal Status</b>	Recreation Reserve
<b>Land area</b>	312 m <sup>2</sup>
<b>Plan Modification</b>	Plan Change 29 - Notable Trees
<b>Auckland Unitary Plan zone</b>	Open Space - Informal Recreation
<b>Overlays</b>	Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Awhitu Sand Aquifer  Natural Heritage: Notable Trees Overlay - 2160, Magnolia Tree
<b>Proposed Zoning</b>	Residential – Mixed Housing Suburban

### Further Information

This site sits in front of 6 Magnolia Drive in Waiuku. Adjacent sites are zoned Mixed Housing suburban. To the immediate west is private road. The site has a large, scheduled notable magnolia tree located on it. This was subject to PC 29 however no changes were proposed to the scheduling as part of this plan change. This site is subject to Reserves Act 1977 and Parks and Recreation Policy have advised it is not required for open space network. Reserve revocation will be required.

**28R Simon Owen Place, Howick, Auckland 2013**



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 95 DP 104330
<b>Legal Status</b>	Recreation Reserve
<b>Land area</b>	483 m <sup>2</sup>
<b>Auckland Unitary Plan zone</b>	Open Space - Informal Recreation
<b>Designations</b>	Airspace Restriction Designations - ID 1102 Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Suburban

**Further Information**

This flat, triangular shaped site is subject to Reserves Act 1977 and Parks and Recreation Policy have advised that this site is not required as part of the open space network. It will be subject to reserve revocation process. The site is located at the end of a cul-de-sac and adjoins the Elim School at its south-west (rear) boundary. Surrounding sites are zoned Residential - Mixed Housing Suburban.

## R 105 Stott Avenue Birkenhead 0626



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 3 DP 68569
<b>Land area</b>	526 m <sup>2</sup>
<b>Legal Status</b>	Reserve status revoked
<b>Auckland Unitary Plan zone</b>	Open Space – Conservation
<b>Overlays</b>	Natural Resources: Significant Ecological Areas Overlay - SEA_T_8039, Terrestrial
<b>Controls</b>	Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise Controls: Macroinvertebrate Community Index - Native Controls: Macroinvertebrate Community Index - Urban Controls: Stormwater Management Area Control - KAHIKA, Flow 1
<b>Designations</b>	Airspace Restriction Designations - ID 4311, Defence purposes - protection of approach and departure paths (Whenuapai Air Base)
<b>Proposed Zoning</b>	Residential - Single House

### Further Information

This site has no legal access from the road and the adjoining owner has contacted council to enquire about purchasing the site. In 1998 the reserve status of the property had been revoked by North Shore City Council in preparation for disposal which did not take place. Adjoining sites are zoned Single House and this site is completely within a Significant Ecological Area overlay.



## 5R Ferguson Street Mangere East Auckland 2024



\*Subject area is outlined in blue above

<b>Legal description</b>	LOT 46 DP 19985
<b>Land area</b>	885 m <sup>2</sup>
<b>Legal Status</b>	Road reserve
<b>Auckland Unitary Plan zone</b>	Open Space - Informal Recreation
<b>Overlays</b>	Infrastructure: National Grid Corridor Overlay - National Grid Subdivision Corridor Infrastructure: National Grid Corridor Overlay - National Grid Substation Corridor
<b>Designations</b>	Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Suburban

### Further information

This site was initially acquired as road reserve but is no longer required for this purpose. The site is subject to the Reserves Act 1977 and reserve revocation will be required. Surrounding uses are residential but land to the north is the designated Transpower Mangere electricity substation. The site is used by Transpower to access the rear of the substation land (noting the main access point to the substation site is from Driver Road). 12m to the rear of the site adjoining the substation is subject to the National Grid Substation corridor overlay, and a very small portion of the north east of the site is within the National Grid Subdivision Corridor.

### 31R Killington Crescent Mangere Auckland 2022



\* Subject area is outlined in blue above

<b>Legal description</b>	LOT 145 DP 58967
<b>Land area</b>	329 m <sup>2</sup>
<b>Legal Status</b>	Utility Services
<b>Auckland Unitary Plan zone</b>	Open Space - Informal Recreation
<b>Designations</b>	Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban

### Further information

This triangular shaped site is the residue of land taken for State Housing Purposes by the Crown in 1967. Crown land was subdivided for state housing purposes and this lot was set apart for a proposed recreation reserve. The site is subject to Reserves Act 1977 and will require reserve revocation process.

The site backs onto George Bolt Memorial Drive, near the Kirkbride Road offramp and is approximately 500m west of Mangere Town centre. Nearby sites on the western side of Killington Crescent and Staverton Crescent are zoned Mixed Housing Urban while on the opposite sides of the road sites are zoned Terrace Housing and Apartment Building.

### 26 Princes Street Otahuhu Auckland 1062



\*Subject area is outlined in blue above

<b>Legal description</b>	PT ALLOT 9 SEC 1 Village ONEHUNGA
<b>Land area</b>	600 m <sup>2</sup>
<b>Auckland Unitary Plan zone</b>	Open Space - Informal Recreation



<b>Designations</b>	Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Business – Mixed Use

**Further information**

This site is 600m<sup>2</sup> of land acquired for road widening in 1984 that is no longer needed for this purpose. It is located at the north east intersection of Princes Street and Atkinson Road. There are numerous mature trees on the site, including over ten palms and a large Morton Bay fig at the north of the site. These trees are not scheduled in the AUP. Adjacent sites to the north and east are zoned Business Mixed Use with a height variation of 21m. The block to the south west of the site is zoned Town centre.

**1-5 Lippiatt Road Otahuhu Auckland 1062**



\*Subject area is outlined in blue above

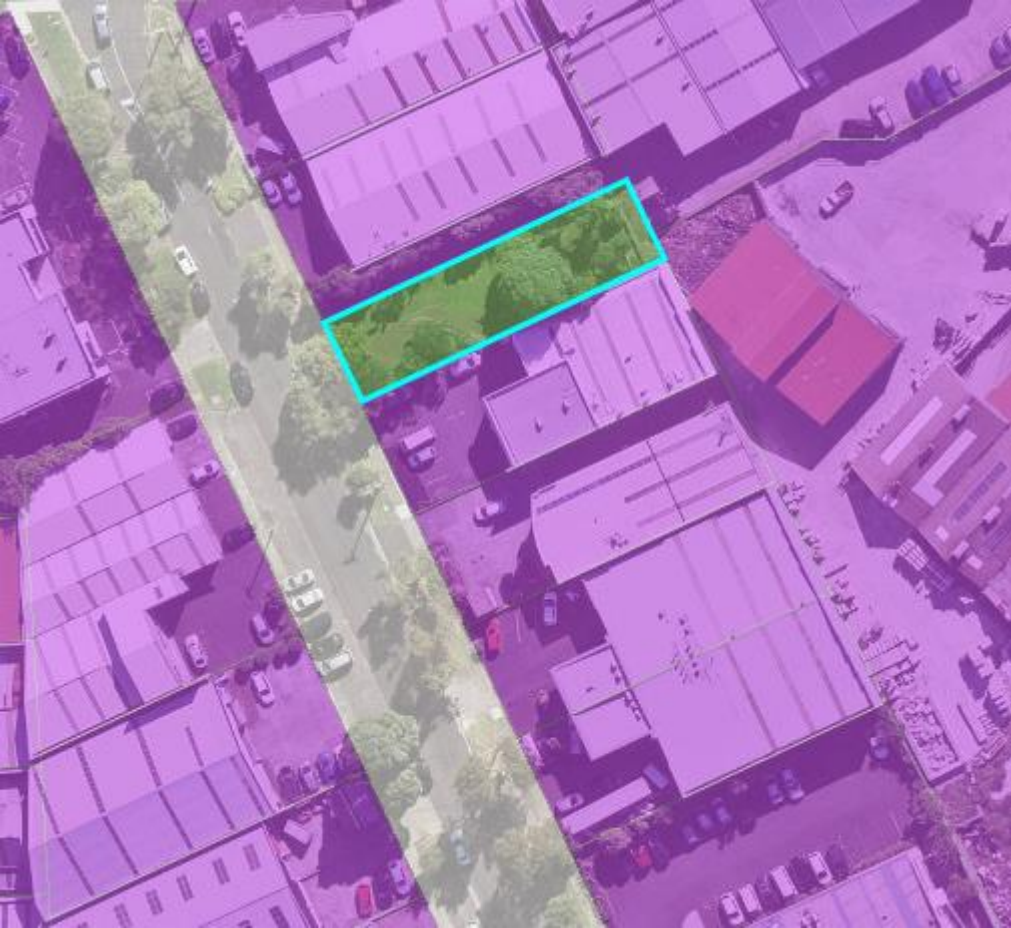
<b>Legal description</b>	Lot 2 DP 189032
<b>Legal Status</b>	Recreation Reserve
<b>Land area</b>	1369 m <sup>2</sup>
<b>Auckland Unitary Plan zone</b>	Open Space – Informal Recreation
<b>Overlays</b>	Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 2564, Lippiatt Road Pegler Brothers Housing Historic Heritage Area
<b>Designations</b>	Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd

<b>Proposed Zoning</b>	Residential – Terrace Housing and Apartment
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**Further Information**

This is mostly undeveloped reserve space subject to the Reserves Act and reserve revocation will be required. The site has a large tree at the front boundary of the site, is 1369m<sup>2</sup> and is located at the edge of the extent of place of the Scheduled Lippiatt Road Pegler Brothers Housing Historic Heritage Area which comprises a cluster of 1930s character bungalows. Land to the north is zoned Mixed Use and to the east is Terrace Housing and Apartment Building. Land to the west is within the Single House zone. The site is subject to overland flow paths and is within a flood plain that extend east and south within the wider area.

**37 Olive Road Penrose Auckland 1061**



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 5 DP 98115
<b>Area</b>	819m <sup>2</sup>
<b>Legal Status</b>	Local Purpose (Amenity) Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone



<b>Overlays</b>	<p>Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Mt Wellington Volcanic Aquifer</p> <p>Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Mt Wellington Volcanic Aquifer</p> <p>Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - O3, One Tree Hill, Viewshafts</p> <p>Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - O4, One Tree Hill, Viewshafts</p>
<b>Designations</b>	<p>Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd</p>
<b>Proposed Zoning</b>	<p>Business - Light Industry</p>

**Further Information**

This site was transferred to the One Tree Hill Borough Council in 1983 as a reserve contribution. It is located in an industrial area, and surrounding sites are zoned for Light Industrial uses. The site itself is landscaped with trees, planted boxes and seating. The wider area is subject to view shafts to One Tree Hill, with height limits of 32-33m across the site. The site is subject to the Reserves Act 1977 and reserve revocation will be undertaken.

**23 Waipuna Road Mount Wellington Auckland 1060**



\*Subject area is outlined in blue above

<b>Legal description</b>	SEC 2 SO 399704
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<b>Area</b>	437m <sup>2</sup>
<b>Legal Status</b>	Local Purpose Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Terrace Housing and Apartment

#### Further Information

This site is a 437m<sup>2</sup> narrow strip on land at the intersection of Waipuna Road and Musket Place. It is landscaped with trees, planted beds and seats at the northern boundary. The site is approx. 200m east of Local Centre zone on Mt Wellington Highway and 300m north of the Sylvia Park Metropolitan centre. The adjacent land is zoned THAB and has a height variation control of 22.5m. Reserve revocation will be required.

#### 12R Rockfield Road Ellerslie Auckland 1061



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 9 DP 18690
<b>Area</b>	809m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Overlays</b>	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer

	<p>Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Onehunga Volcanic Aquifer</p> <p>Natural Heritage: Regionally Significant Volcanic Viewshafts And Height Sensitive Areas Overlay [rcp/dp] - W26, Mount Wellington, Viewshafts</p>
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Suburban

**Further Information**

This is a mostly flat site of 809m<sup>2</sup> located approx. 260m from Great South Road and 800m from the Ellerslie Railway station. The entrance to the Rockfield Reserve is located on the opposite side of the road to the site, and One Tree Hill College sportfields and grounds adjoin the site to the east. There are viewshafts over the site but due to their height (approx. 68m) they do not impact. This site is landscaped with paving, a rock wall and numerous mature trees including a large maple. The site has been identified as not required to support the function of the open space network in the area. It is subject to Reserves Act 1977 and reserve revocation will be required.

**11R Birmingham Road Otara Auckland 2013**



\*Subject area is outlined in blue above



<b>Legal description</b>	LOT 35 DP 57069
<b>Area</b>	2527m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Business Light Industrial

### Further Information

This is a vacant, relatively flat underutilised 2527m<sup>2</sup> vacant site in a Light Industrial zoned area. It is subject to a flood plain over three quarters of the site and an overland flow path runs close to the western site boundary. The site has been identified as not required to support the function of the open space network in the area. It is subject to Reserves Act 1977 and reserve revocation will be required.

### 2R Keeney Court Papakura Auckland 2110



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 1 DP 88704
<b>Area</b>	475m <sup>2</sup>

<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Overlays</b>	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Clevedon West Waitemata Aquifer
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 200, Ardmore Airport - Height Restrictions, Ardmore Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban

### Further Information

This is a 475m<sup>2</sup> unformed reserve subject to Reserves Act 1977. It has been identified as not required for as part of the open space network and reserve revocation will be required. The site is 600m from Papakura Metropolitan centre and less than 800m from the train station. Adjacent sites are zoned Mixed Housing urban.

### Adjacent to 45 Brandon Road Glen Eden



\*Subject area is outlined in blue above

<b>Legal description</b>	LOT 4 DP 49387
<b>Area</b>	637m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve

<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Proposed Zoning</b>	Residential - Terrace Housing and Apartment Building

### Further Information

This is a long and narrow access strip of land approx. 637m<sup>2</sup> that traverses between Brandon Road and the Westward Park Development on Westward Ho Street. An adjacent owner has previously made an enquiry about purchasing it. The adjoining sites are predominantly Terrace Housing and Apartment zone on Brandon Road and Westward Ho Road, while the properties on Westtech Place to the east of the walkway are zoned for Light Industrial uses. The site is subject to the Reserves Act and reserve revocation will be required.

### 67A Glengarry Road Glen Eden



\*Subject area is outlined in blue above

<b>Legal description</b>	LOT 3 DP 57164
<b>Area</b>	147m <sup>2</sup>
<b>Legal Status</b>	Accessway reserve
<b>Auckland Unitary Plan zoning</b>	Road
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban



### Further Information

This is a 147m<sup>2</sup> accessway subject to Reserves Act 1977 and reserve revocation will be required. An adjoining owner has previously enquired about purchasing the site. Parks and Recreation Policy have advised that this site is not required as part of the open space network. Sites to the north are generally zoned Mixed Housing Urban and to the south they are zoned Mixed Housing Suburban.

### 45 Georgina Street Freemans Bay Auckland 1011



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 3 DP 71812
<b>Area</b>	109m <sup>2</sup>
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Proposed Zoning</b>	Residential – Single House

### Further Information

This is 109m<sup>2</sup> of vacant land original acquired for street widening in 50 years ago. It is located at the intersection of Georgina Street and Ryle Street. There is a small power box located on the at the south west corner of the site. The adjacent sites are zoned Single House and are subject to the Special Character Areas Overlay Residential and Business - Residential Isthmus A overlay that applies to much of Ponsonby and Freemans Bay.

**36 Cooper Street Grey Lynn Auckland 1021**



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 1 DP 87358
<b>Area</b>	324m <sup>2</sup>
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Overlays</b>	Historic Heritage and Special Character: Historic Heritage Overlay Extent of Place [rcp/dp] - 2518, Cooper Street Historic Heritage Area
<b>Proposed Zoning</b>	Residential – Single House

**Further Information**

This is a 324m<sup>2</sup> flat site located on the corner of Cooper Street and Seddon Street. The site has seating and a small amount of landscaping with two mature trees and a low wire fence at the Cooper Street frontage. There is encroachment of an existing shed from the adjacent site to the east.

The site is located within the Historic Heritage Overlay Extent of Place - Cooper Street Historic Heritage Area where the site is identified as a non-contributing site. This is a significant subdivision of early Victorian cottages from the Arch Hill farm, representing some of the oldest surviving housing in the inner city.

The site does not require reserve revocation.



### 30 Willerton Avenue New Lynn



\*Subject area is outlined in blue above

<b>Legal description</b>	LOT 4 DP 38999
<b>Area</b>	958m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban

#### Further Information

This is 958m<sup>2</sup> of undeveloped reserve land sloping east to west that is not required as part of the open space network. There are a number of bushes to the rear of the site. There is an overland flow path adjacent to the northern boundary of the site, and the site is located almost completely within a flood plain. Reserve revocation will be required.

## Trojan Crescent New Lynn



\*Subject area is outlined in blue above

<b>Legal description</b>	LOT 6 DP 119411
<b>Area</b>	300m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Controls</b>	Controls: Stormwater Management Area Control - WHAU 2, Flow 2
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban

### Further Information

This is a 300m<sup>2</sup> site at the forked intersection of Trojan Crescent. It is a flat grassed area with numerous trees planted across the site and is not required as part of the open space network. The surrounding area (being 31 Trojan Crescent) is owned by Kainga Ora and is zoned Mixed Housing Urban. The site is subject to the Reserves Act but is not required for the open space network. Reserve revocation will be required.

## 13 Davern Lane New Lynn



\*Subject area is outlined in blue above

<b>Legal description</b>	LOT 13 DP 160552
<b>Area</b>	300m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Controls</b>	Controls: Stormwater Management Area Control - WHAU 2, Flow 2
<b>Designations</b>	Designations: Airspace Restriction Designations - ID 1102, Protection of aeronautical functions - obstacle limitation surfaces, Auckland International Airport Ltd
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban

### Further Information

This site is 300m<sup>2</sup> located at the end of Davern Lane cul de sac. It is subject to the Reserves Act but is not required as part of the open space network. Reserve revocation will be required. The site is flat and grassed, with several mid-sized bushes/trees planted across it. The wider area is zoned Mixed Housing Urban.



**67 East Street Pukekohe Auckland 2120**



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 2 DP 88435
<b>Area</b>	815m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Overlays</b>	Natural Resources: High-Use Aquifer Management Areas Overlay Pukekohe Kaawa Aquifer
<b>Proposed Zoning</b>	Residential -Single House

**Further Information**

This site is subject to the Reserves Act 1977 and reserve revocation is required. The site was cleared for disposal as part of the Pukekohe High Level Project Plan. It is located east of the town centre at the corner of East Street and Kowhai Place. The site is gently sloping south to north and has numerous small and larger trees planted at the western edge.

## Adjacent to 176 Princes St West Pukekohe 2120 (part)



\*Subject area is outlined in blue above

<b>Legal description</b>	SEC 1 SO 430835
<b>Area</b>	943m <sup>2</sup>
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Overlays</b>	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Pukekohe Kaawa Aquifer Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Pukekohe Central Volcanic Natural Resources: Quality-Sensitive Aquifer Management Areas Overlay [rp] - Franklin Volcanic Aquifer
<b>Proposed Zoning</b>	Residential – Mixed Housing Urban

### Further Information

This site is a flat undeveloped portion of the wider Ray Fausett Reserve, located to the west of the town centre. This is a naturally planted wetland reserve with the Whanapouri Creek running through the south. The portion of the reserve included in this plan change has a frontage to Princes Street and there is residential development on either side boundary. A flood plain and overland flow are located along the eastern boundary. The site is not subject to the Reserves Act and will not require reserve revocation. The site was cleared for disposal as part of the Pukekohe High Level Project Plan.

## Adjacent to 995 Paerata Road Pukekohe 2120



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 6 DP 16500
<b>Area</b>	1012m <sup>2</sup>
<b>Legal Status</b>	Recreation Reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone
<b>Overlays</b>	Natural Resources: High-Use Aquifer Management Areas Overlay [rp] - Pukekohe Kaawa Aquifer
<b>Designations</b>	Designations - 6705, State Highway 22: Karaka to Pukekohe - Road widening, Designations, New Zealand Transport Agency
<b>Proposed Zoning</b>	Residential – Single House

### Further Information

This is a 1012m<sup>2</sup> reserve subject to the Reserves Act 1977. It was created in 1925 upon subdivision and vested in the Crown as a Reserve under S16(5) of the Land Act 1924. In 1963 the reserve was vested in the County of Franklin under S44 of the Counties Amendment Act 1961. Reserve revocation is required. The site was cleared for disposal as part of the Pukekohe High Level Project Plan. The site is located on State Highway 22 and subject to a road widening designation for 5m from the front boundary. The North Island Main Trunk railway line is located east of the site.



## 39R Pohutukawa Road Beachlands Auckland 2018



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 89 DP 19657
<b>Area</b>	1333m <sup>2</sup>
<b>Legal Status</b>	Plantation reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Informal Recreation Zone and Open Space – Conservation
<b>Controls</b>	Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise
<b>Proposed Zoning</b>	Residential – Single House

### Further Information

This is a flat, vacant 1333m<sup>2</sup> site zoned Open Space Informal Recreation at the street frontage and Open Space conservation at the cliff edge (generally from the fenced cliff edge north). This portion of the site is also subject to the Coastal inundation control. There is no landscaping or planting on the site. Adjacent sites are zoned Single House. The Beachlands Park Open Space – Informal Recreation reserve is located on the opposite side. Reserve revocation will be required.

## 17W Hawke Crescent Beachlands Auckland 2018



\*Subject area is outlined in blue above

<b>Legal description</b>	Lot 11 DP 19523
<b>Area</b>	1558m <sup>2</sup>
<b>Legal Status</b>	Accessway reserve
<b>Auckland Unitary Plan zoning</b>	Road (Note - Plan Change 36 proposed rezoning this site to- Open Space - Informal Recreation Zone)
<b>Overlays</b>	Natural Resources: Significant Ecological Areas Overlay - SEA_T_4539, Terrestrial
<b>Controls</b>	Controls: Coastal Inundation 1 per cent AEP Plus 1m Control - 1m sea level rise
<b>Proposed Zoning</b>	Residential - Single House

### Further Information

A portion of this site is located in the Coastal Marina Area and is zoned General coastal marine. This proposed plan change seeks to rezone the landward portion of the site. This site was created in 1926 upon subdivision and vested in the Crown as a Reserve under S16(5) of the Land Act 1924. In 1962 the purpose of the reserve was changed to reserve for access way purposes. As part of Plan Change 36 it was proposed to rezone the site from road to Informal recreation. Plan Change 36 hearing was held of 7 October 2020 and the decision is forthcoming. No submissions were received on this site as part of Plan Change



36. The site is located on a cliff near the western end of Beachlands. Adjacent sites are predominantly single unit residential developments zoned Single House zone. There is a large, landscaped area in the centre of the site and a significant ecological area at the rear of the site. Reserve revocation will be required.

**R 1 Greenslade Crescent Northcote 0626**



\*Areas outlined in red above to be rezoned Terrace Housing and Apartment.  
Area outlined in blue to be rezoned Open Space Sport and Active Recreation

<b>Legal description</b>	Lot 1 DP 54824, Lot 5 DP 66691, Lot 6 DP 66691, Lot 7 DP 66691, SECT 5 SO 539305
<b>Area</b>	Approx 436m <sup>2</sup> open space to THAB Approx 449m <sup>2</sup> THAB to open space Approx 274m <sup>2</sup> road to THAB
<b>Legal Status</b>	Recreation reserve
<b>Auckland Unitary Plan zoning</b>	Open Space - Sport and Active Recreation Zone, Residential - Terrace Housing and Apartment, Road
<b>Controls</b>	Controls: Height Variation Control - Northcote, 19.5m (THAB zone)
<b>Proposed Zoning</b>	Open Space - Sport and Active Recreation Zone and Residential - Terrace Housing and Apartment

## **Further Information**

This site is the subject of a land exchange under section 15 of the Reserves Act and a subdivision boundary adjustment is currently being prepared for the southern boundary of the site. The purpose of the boundary realignment is to straighten the boundary between the Greenslade Reserve land and the adjacent Haumaru Housing residential pensioner village which is zoned Terraced Housing and Apartment (THAB). This land exchange was approved by the Environment and Community Committee in 2019.

Rezoning of the site is proposed to align the zones with the future boundary adjustment alignment. The portion of reserve land proposed for residential rezoning is grassed with some space for sitting and walking while the portion of residential land proposed to be included in the open space zone has one building on it that will be removed as part of the future redevelopment of the wider residential site. The Northcote town centre is located directly opposite the site to the east and to the south the wider Greenslade reserve is currently the subject of a comprehensive upgrade that will create an urban wetland to help alleviate flooding of the town centre that will help support and enable the wider growth of Northcote. A new sport field also forms part of the reserve redevelopment.

The site also includes the stopped road access walkway that runs parallel to the north of the site between Lake Road and Greenslade Crescent into the wider residential site. This land is no longer required or classified as road reserve, and the road stopping was approved by the Auckland Transport Board at their December 2018 meeting. Once this process is complete the site will revert to THAB zoning under the provisions of the AUP Infrastructure chapter.

## **ATTACHMENT 3**

### **RELEVANT LEGISLATIVE AND POLICY FRAMEWORK**



## Attachment 3 – Relevant Legislative and Policy Framework

This attachment contains relevant legislative and policy frameworks that inform Proposed Plan Change 60. This is grouped under the subheadings of the titles of relevant documents.

### The Resource Management Act 1991

#### Relevant Statutory Matters for Plan Changes

Contained in this section is:

Section 31	Functions of territorial authorities in giving effect to the Resource Management Act 1991
Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan
Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 31, Part 2 of the RMA, national policy statement, other regulations and other matter
Section 75	Outlines the requirements in the contents of a district plan
Section 76	Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effect (including adverse effects), of activities in the proposal, on the environment
Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities

#### **Section 31 Functions of territorial authorities under this Act**

- (1) *Every authority shall have the following functions for the purpose of giving effect to this Act in its district:*
- (a) the establishment, implementation and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.....*
- (aa)..... to (e).....*
- (f) any other functions specific in this Act*
- (2) .....

#### **Section 32 Requirements for preparing and publishing evaluation reports**

- (1) *An evaluation report required under this Act must-*
- (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by-*
- (i) identifying other reasonably practicable options for achieving the objectives; and*

- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
- (iii) summarising the reasons for deciding on the provisions; and*

*(c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal*

*(2) An assessment under subsection (1)(b)(ii) must—*

*(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*

- (i) economic growth that are anticipated to be provided or reduced; and*
- (ii) employment that are anticipated to be provided or reduced; and*

*(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*

*(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions*

*(3)- (6) .....*

**Section 73 Preparation and change of district plans**

*(1) There must at all times be 1 district plan for each district, prepared in the manner set out in the relevant Part of Schedule 1*

*(1A) A district plan may be changed in the manner set out in the relevant Part of Schedule 1*

*(1B) – .....*

*(5)*

**Section 74 Matters to be considered by territorial authority**

*(1) A territorial authority must prepare and change its district plan in accordance with—*

*(a) its functions under section 31; and*

*(b) the provisions of Part 2; and*

*(c) a direction given under section 25A(2); and*

*(d) its obligation (if any) to prepare an evaluation report in accordance with section 32; and*

*(e) its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and*

*(ea) a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and*

*(f) any regulations.*

*(2) – (3) .....*

**Section 74 Matters to be considered by territorial authority**

*(1) A territorial authority must prepare and change its district plan in accordance with—*

- (a) its functions under section 31; and
- (b) the provisions of Part 2; and
- (c) a direction given under section 25A(2); and
- (d) its obligation (if any) to prepare an evaluation report in accordance with section 32; and
- (e) its obligation to have particular regard to an evaluation report prepared in accordance with section 32; and
- (ea) a national policy statement, a New Zealand coastal policy statement, and a national planning standard; and
- (f) any regulations.

(2) – (3) .....

**Section 75 Contents of district plans**

- (1)- (2) .....
- (3) A district plan must give effect to-
  - (a) any national policy statement; and
  - (b) any New Zealand coastal policy statement; and
  - (ba) a national planning standard; and
  - (c ) any regional policy statement
- (4)- (5) .....

**Section 76 District rules**

- (1)- (2A) .....
- (3) In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect.
- (4)- (5) .....

**Schedule 1 of the Resource Management Act 1991**

Clause 8B A local authority shall hold a hearing into submissions on its proposed policy statement or plan.....

Clause 10

- (1) A local authority must give a decision on the provisions and matters raised in submissions, whether or not a hearing is held on the proposed policy statement or plan concerned
- (2) The decision—
  - (a) must include the reasons for accepting or rejecting the submissions and, for that purpose, may address the submissions by grouping them according to—
    - (i) the provisions of the proposed statement or plan to which they relate; or
    - (ii) the matters to which they relate; and
  - (ab) must include a further evaluation of the proposed policy statement or plan undertaken in accordance with section 32AA; and
  - (b) may include—
    - (i) matters relating to any consequential alterations necessary to the proposed statement or plan arising from the submissions; and
    - (ii) any other matter relevant to the proposed statement or plan arising from the submissions.
- (3) To avoid doubt, the local authority is not required to give a decision that addresses each submission individually.

# Auckland Council Unitary Plan

## Regional Policy Statement(s)

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This section contains the following:

B2.4	Residential growth
B2.7	Open space and recreation facilities

### **B2: Urban growth and form**

#### **B2.4 Residential growth**

##### **B2.4.1. Objectives**

- (1) Residential intensification supports a quality compact urban form.*
- (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.*
- (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.*

##### **B2.4.2. Policies**

###### *Residential intensification*

- (1) Provide a range of residential zones that enable different housing types and intensity that are appropriate to the residential character of the area.*
- (2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space.*
- (3) Provide for medium residential intensities in area that are within moderate walking distance to centres, public transport, social facilities and open space.*

### **B2: Urban growth and form**



## **B2.7 Open space and recreation facilities**

### **B2.7.1. Objectives**

- (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.*
- (2) Public access to and along Auckland's coastline, coastal marine area, lakes, rivers, streams and wetlands is maintained and enhanced.*
- (3) Reverse sensitivity effects between open spaces and recreation facilities and neighbouring land uses are avoided, remedied or mitigated.*

### **B2.7.2. Policies**

- (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.*
- (2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.*
- (3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.*
- (4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.*
- (5) Enable the development and use of existing and new major recreation facilities.*
- (6) Encourage major recreation facilities in locations that are convenient and accessible to people and communities by a range of transportation modes.*
- (7) Avoid, remedy or mitigate significant adverse effects of land use or development on open spaces and recreation facilities.*
- (8) Avoid, remedy or mitigate significant adverse effects from the use of open spaces and recreational facilities on nearby residents and communities.*
- (9) Enable public access to lakes, rivers, streams, wetlands and the coastal marine area by enabling public facilities and by seeking agreements with private landowners where appropriate.*
- (10) Limit public access to and along the coastal marine area, lakes, rivers, streams and wetlands by esplanade reserves, esplanade strips or other legal mechanisms where necessary for health, safety or security reasons or to protect significant natural or physical resources.*



## **ATTACHMENT 4**

### **SUBMISSIONS AND FURTHER SUBMISSIONS**

**These submissions have not  
been reproduced in this  
document - see separate  
volume**



**ATTACHMENT 5**  
**RECOMMENDED CHANGES TO**  
**PLAN CHANGE 60**



## Attachment 5 – Recommended Changes to Plan Change 60

(Refer to attached maps)

The following maps are recommended to be changed from the proposed maps as notified in PC60 as a result of submissions:

- 2157 East Coast Road, Stillwater (Map 71) – to be rezoned to Residential - Mixed Housing Urban zone
- Brandon Road Walkway, Glen Eden (Map 79) – retain the bulk of the walkway. A small section could be rezoned - that portion south-west of the “accessway to vest”
- 62 Mayflower Close, Mangere East (Map 105) - Rezone the site to road and open space informal recreation zone and follow the outline of those lot boundaries as shown below







## **ATTACHMENT 6**

### **ASSESSMENTS OF THE PROPOSED ZONE CHANGES AGAINST THE RELEVANT SECTIONS OF THE AUCKLAND UNITARY PLAN RPS**



**Attachment 6 - Assessments of the Proposed Zone Changes Against the Relevant Sections of the Auckland Unitary Plan RPS**

**Assessment of Proposed Zone Changes for R24 Linwood Ave, Forrest Hill; 37 Olive Road, Penrose; 67A Glengarry Road, Glen Eden; Paerata Road, Pukekohe; 39R Pohutakawa Road, Beachlands; 17W Hawke Crescent, Beachlands; AND 8 Magnolia Drive, Waiuku Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>                      (1) A quality compact urban form that enables all of the following:                      (a) a higher-quality urban environment;                      (e) greater social and cultural vitality;                      (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>37 Olive Road, Paerata Road, &amp; 8 Magnolia Drive provide open space and contain mature trees around the periphery</p> <p>37 Olive Road, Paerata Road, &amp; 8 Magnolia Drive provide some opportunity for social and cultural vitality</p> <p>All properties except for R24 Linwood Ave, &amp; 67A Glengarry Road provide opportunity to mitigate stormwater/flooding effects</p>
<p><b>B2.2.2. Policies</b>                      (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:                      (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>Due to the size, location and proposed rezoning of the properties, they don't really contribute to achieving a quality compact urban form</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>                      (1) A quality built environment where subdivision, use and development do all of the following:                      (c) contribute to a diverse mix of choice and opportunity for people and communities;                      (d) maximise resource and infrastructure efficiency;                      (f) respond and adapt to the effects of climate change.                      (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p>	<p>37 Olive Road, Paerata Road, &amp; 8 Magnolia Drive do as they provide open space and/or contain mature trees around the periphery</p> <p>Limited to informal recreation or access to the CMA (39R Pohutakawa Road &amp; 17W Hawke Crescent)</p> <p>Due to the size and location of the properties, they don't really contribute to achieving a quality compact urban form/maximizing infrastructure capacity</p> <p>Mature trees assist in mitigating the effects of climate change. Additional vegetation could be planted</p>

RPS Objective or Policy	Key questions/issues	Comments
	Is the reserve necessary to promote the health and safety of people?	Better quality open spaces are available in the vicinity or could be provided in the future (e.g Paerata Road)
<b>B2.4. Residential growth</b> <b>B2.4.1. Objectives</b> (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.	Does the reserve enhance the quality of the adjacent residential area?	37 Olive Road, Paerata Road, & 8 Magnolia Drive provide open space and contain mature trees around the periphery
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of people	Better quality open spaces are available in the vicinity or could be provided in the future (e.g Paerata Road)
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	Stormwater management and 39R Pohutakawa Road & 17W Hawke Crescent provide access to the CMA
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?	No, all are discrete areas of open space  No, as they are small discrete areas
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Generally, there are other “informal recreation areas” in the vicinity  Access is reduced slightly. There is a shortfall of open space in the vicinity of Olive Road (light industrial area)
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	There is a shortfall of open space in the vicinity of Olive Road (light industrial area) There is minimal open space in the vicinity of Paerata Road but the future urban zone provides opportunity to address this when urbanization occurs

**Assessment of Proposed Zone Change for 1-5 Lippiatt Road, Otahuhu Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and contains mature trees around the periphery</p> <p>Location, area and design means that it provides limited opportunity for social and cultural vitality</p> <p>Mitigates stormwater/flooding effects</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>Contributes to the Nikau Road/Hall Ave intersection as a development node (THaB zoning)</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and contains mature trees around the periphery</p> <p>Limited to informal recreation</p> <p>n/a</p> <p>Mature trees assist in mitigating the effects of climate change. Additional vegetation could be planted</p> <p>Better quality open spaces are a short walk away in the vicinity</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and contains mature trees around the periphery which enhance the amenity of the area</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Otahuhu?	Better quality open spaces are a short walk away in the vicinity
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	Stormwater management
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  Vegetation may act as a "stepping stone"
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	There are other "informal recreation areas" in the vicinity e.g Sturges Park (sports fields), Fairburn Reserve (Otahuhu pool and leisure centre and grounds)
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Not in the general vicinity given Sturges Park (sports fields), Fairburn Reserve (Otahuhu pool and leisure centre and grounds)

**Assessment of Proposed Zone Change for 23 Waipuna Road, Mount Wellington  
Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>It does provide amenity values e.g openness, space for informal recreation, [particularly for the adjacent properties. Not really due to its location and small size.</p> <p>It provides an area of open space in an intensive THAB zone</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>An additional 874 sqm of THAB zoned land is available for development.</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>It currently provides an area of open space in an intensive THAB zone where redevelopment has yet to occur</p> <p>There are other informal recreation reserves in the vicinity e.g. the esplanade reserve around the edge of Panmure Basin, an “island of open space at the centre of the intersection of Mt Wellington Highway, Waipuna Road and Penrose Road and the Hamlin Park sports fields off Mt Wellington Highway</p> <p>Minimal. It contains a small number of trees but could be further planted up.</p> <p>It primarily benefits the adjacent properties from an amenity perspective.</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>It enhances the amenity of the adjacent properties by</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		providing are area of open space, trees.
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Panmure?	There are other high quality open spaces in the vicinity e.g. the esplanade reserve around the edge of Panmure Basin, an "island of open space at the centre of the intersection of Mt Wellington Highway, Waipuna Road and Penrose Road and the Hamlin Park sports fields off Mt Wellington Highway
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No, it provides open space for informal recreation. This is also provided for by other nearby open spaces.
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No.  Unlikely due to the absence of vegetation.
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	No, it provides open space for informal recreation. This is also provided for by other nearby open spaces.  There will be 874 sqm of less open space in an area of future intensive housing (THAB zone)
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Potentially a deficiency once redevelopment of the area for intensive housing occurs.  See Tamaki Open Space Network Plan (just outside the area)



**Assessment of Proposed Zone Change for 12R Rockfield Road, Ellerslie Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>                      (1) A quality compact urban form that enables all of the following:                      (a) a higher-quality urban environment;                      (e) greater social and cultural vitality;                      (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and contains mature trees</p> <p>Location, area and design means that it provides limited opportunity for social and cultural vitality</p> <p>Potentially mitigates stormwater/flooding effects</p>
<p><b>B2.2.2. Policies</b>                      (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:                      (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>Provides only minimal additional development opportunity</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>                      (1) A quality built environment where subdivision, use and development do all of the following:                      (c) contribute to a diverse mix of choice and opportunity for people and communities;                      (d) maximise resource and infrastructure efficiency;                      (f) respond and adapt to the effects of climate change.                      (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and contains mature trees</p> <p>Limited to informal recreation</p> <p>n/a</p> <p>Mature trees assist in mitigating the effects of climate change. Additional vegetation could be planted</p> <p>Provides an area of respite (particularly along the street frontage)</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and contains mature trees.</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		Enhances the amenity of the area
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Ellerslie?	Other quality open spaces are a short walk away in the vicinity
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	Enhances stormwater management, biodiversity & climate change
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?	Larger reserve is across the road  Vegetation may act as a “stepping stone”
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	There are other “informal recreation areas” in the vicinity e.g Konini Reserve, Te Kawa Reserve & Maroa Reserve
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	There are other reserves in the general vicinity and One Tree Hill/Cornwall park approximately 1.9km away

**Assessment of Proposed Zone Change for 11R Birmingham Road, Otara Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>                      (1) A quality compact urban form that enables all of the following:                      (a) a higher-quality urban environment;                      (e) greater social and cultural vitality;                      (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and contains mature trees around the periphery</p> <p>Mainly functions as an area of informal recreation for the adjacent/nearby businesses</p> <p>Mitigates stormwater/flooding effects, vegetation can assist in mitigating climate change</p>
<p><b>B2.2.2. Policies</b>                      (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:                      (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is already intensively developed for light industrial uses</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>                      (1) A quality built environment where subdivision, use and development do all of the following:                      (c) contribute to a diverse mix of choice and opportunity for people and communities;                      (d) maximise resource and infrastructure efficiency;                      (f) respond and adapt to the effects of climate change.                      (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and contains mature trees around the periphery</p> <p>Limited to informal recreation</p> <p>No, the area is already intensively developed for light industrial uses</p> <p>Mature trees assist in mitigating the effects of climate change. Additional vegetation could be planted</p> <p>Mainly functions as an area of informal recreation for the adjacent/nearby businesses</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and contains mature trees around the periphery which enhance</p>

(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		the amenity of the light industrial area
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Otara?	Other open spaces are a short walk away in the vicinity. These relate to the adjacent residential areas.
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	Stormwater management
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?	No, but esplanade reserve alongside the creek are nearby  Vegetation may act as a “stepping stone”
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	There are other “informal recreation areas” in the vicinity but these are not within the light industrial area. They do border it however.
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Not in the general vicinity.

**Assessment of Proposed Zone Change for 2R Keeney Court, Papakura Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>                      (1) A quality compact urban form that enables all of the following:                      (a) a higher-quality urban environment;                      (e) greater social and cultural vitality;                      (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for future tree planting</p>
<p><b>B2.2.2. Policies</b>                      (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:                      (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned for more intensive development with Mixed Housing Urban, Mixed Housing Suburban and THAB zones in close proximity to Papakura metro centre and Papakura train station</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>                      (1) A quality built environment where subdivision, use and development do all of the following:                      (c) contribute to a diverse mix of choice and opportunity for people and communities;                      (d) maximise resource and infrastructure efficiency;                      (f) respond and adapt to the effects of climate change.                      (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation, informal sports</p> <p>Would enable some additional housing in close proximity to Papakura metro centre and Papakura train station</p> <p>There is opportunity for tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally is short of open space for informal recreation</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Papakura?	The area generally is short of open space for informal recreation
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No, but there is a lack of open spaces for informal recreation
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  There is currently a lack of trees and vegetation. Planting may enable the open space to act as a "stepping stone" but it is only 475 sqm in area
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. The area generally is short of open space for informal recreation  Yes by 475 sqm in an area that is zoned for significantly more development
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is lacking open space for informal recreation

**Assessment of Proposed Zone Change for Brandon Road Walkway Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides pedestrian access for the neighbourhood</p> <p>No</p> <p>Potentially mitigates the use of motor vehicles by encouraging walking</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>Not really due to its size. It would need to be amalgamated with adjacent lots</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Yes provides an alternative pedestrian/cycling access</p> <p>An alternative walking/cycling route</p> <p>Not really due to its size. It would need to be amalgamated with adjacent lots</p> <p>Potentially mitigates the use of motor vehicles by encouraging walking &amp; cycling</p> <p>Part of a walking &amp; cycling route, thereby encouraging walking/cycling</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Only in terms of providing pedestrian &amp; cycling access</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Papakura?	It only provides for pedestrian & cycling access
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	Yes, pedestrian & cycling access
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?	It forms part of the greenway network  No
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. It adds to the infrastructure for pedestrians & cyclists  No
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is short of open space for informal recreation. This land parcel provides pedestrian & cycling access only.



**Assessment of Proposed Zone Change for 45 Georgina Street, Freemans Bay Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Provides opportunity for future tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned for single houses, albeit on small lots. NPS:UD will require an investigation of possible more intensive development</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation</p> <p>Zoning would only enable a single dwelling</p> <p>There is opportunity for tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally is lacking in open space for informal recreation, particularly to the south of the property</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Freemans Bay?	The area generally is short of open space for informal recreation
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No, but there is a lack of open spaces for informal recreation
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  There is currently a lack of trees and vegetation. Planting may enable the open space to act as a "stepping stone" but it is only 109 sqm in area
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. The area generally is short of open space for informal recreation  Yes by 109 sqm in an area that is lacking in open space
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is short of open space for informal recreation, especially to the south

**Assessment of Proposed Zone Change for 36 Cooper Street, Grey Lynn Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned for single houses, albeit on small lots. NPS:UD will require an investigation of possible more intensive development</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation</p> <p>Zoning would only enable a single dwelling</p> <p>There is opportunity for tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally is short of open space for informal recreation</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Grey Lynn?	The area generally is short of open space for informal recreation
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No, but there is a lack of open spaces for informal recreation
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  Additional planting may enable the open space to act as a "stepping stone" but it is only 324 sqm in area
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. The area generally is short of open space for informal recreation  Yes by 324 sqm in an area that is lacking in open space
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is short of open space for informal recreation

**Assessment of Proposed Zone Change for Trojan Crescent, New Lynn Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>                      (1) A quality compact urban form that enables all of the following:                      (a) a higher-quality urban environment;                      (e) greater social and cultural vitality;                      (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>                      (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:                      (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned for Mixed Housing Urban. Given the size of the reserve – 300 sqm, it development would not add greatly to achieving a quality compact urban form</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>                      (1) A quality built environment where subdivision, use and development do all of the following:                      (c) contribute to a diverse mix of choice and opportunity for people and communities;                      (d) maximise resource and infrastructure efficiency;                      (f) respond and adapt to the effects of climate change.                      (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation</p> <p>Zoning and land area would only enable 1-2 dwellings</p> <p>There is opportunity for additional tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally is short of open space for informal recreation</p>

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<b>B2.4. Residential growth</b> <b>B2.4.1. Objectives</b> (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.	Does the reserve enhance the quality of the adjacent residential area?	Provides open space and associated amenity values for the adjacent properties in particular
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of New Lynn?	The area is short of open space for informal recreation
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No, but there is a lack of open spaces for informal recreation
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  Additional planting may enable the open space to act as a "stepping stone" but it is only 300 sqm in area
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. The area generally is short of open space for informal recreation  Yes by 300 sqm in an area that is lacking in open space
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is short of open space for informal recreation

**Assessment of Proposed Zone Change for 13 Davern Lane, New Lynn Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned for Mixed Housing Urban. Given the size of the reserve – 300 sqm, it development would not add greatly to achieving a quality compact urban form</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation</p> <p>Zoning and land area would only enable 1-2 dwellings</p> <p>There is opportunity for additional tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally is short of open space for informal recreation</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		the adjacent properties in particular
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of New Lynn?	The area is short of open space for informal recreation
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No, but there is a lack of open spaces for informal recreation
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  Additional planting may enable the open space to act as a "stepping stone" but it is only 300 sqm in area
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. The area generally is short of open space for informal recreation  Yes by 300 sqm in an area that is lacking in open space
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is short of open space for informal recreation



**Assessment of Proposed Zone Change for 67 East Street, Pukekohe Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned Single House. Given the size of the reserve – 815 sqm, it development would not add greatly to achieving a quality compact urban form</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation</p> <p>Zoning and land area would only enable a single dwelling</p> <p>There is opportunity for additional tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally has adequate open space</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p>

RPS Objective or Policy	Key questions/issues	Comments
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Pukekohe?	The area has adequate open space in the vicinity
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	No  Additional planting may enable the open space to act as a "stepping stone"
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	No, there is other open spaces in the vicinity that provide for informal recreation  Yes by 800 sqm
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	No. The area currently has adequate open space. To the east, the Future Urban zone will provide additional open space when it is developed

**Assessment of Proposed Zone Change for Princes Street West, Pukekohe Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Part of a larger reserve that provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>The area is zoned for Mixed Housing Suburban. Given the size of the reserve – 1019 sqm, it development would not add greatly to achieving a quality compact urban form</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Limited to informal recreation</p> <p>Zoning and land area would enable 3-4 dwellings</p> <p>There is opportunity for additional tree planting which would assist in mitigating the effects of climate change</p> <p>The area generally has adequate open space. The land parcel is part of a larger reserve</p>

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<b>B2.4. Residential growth</b> <b>B2.4.1. Objectives</b> (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.	Does the reserve enhance the quality of the adjacent residential area?	Provides open space and associated amenity values for the adjacent properties in particular
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Pukekohe?	The area has adequate open space
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a "stepping stone" where wildlife can travel and breed safely between conservation hotspots?	Yes, its part of a wider reserve that follows a stream  Additional planting may enable the open space to act as a "stepping stone". It is currently lacking in vegetation
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Yes. The area generally has adequate open space for informal recreation  Yes by 1019 sqm in an area
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	No. The area currently has adequate open space

**Assessment of Proposed Zone Change for R105 Stott Avenue, Birkenhead Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>                      (1) A quality compact urban form that enables all of the following:                      (a) a higher-quality urban environment;                      (e) greater social and cultural vitality;                      (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Part of a wider SEA. Provides open space and associated amenity values for the adjacent properties in particularly</p> <p>No, It's land locked.</p> <p>Mitigates stormwater/flooding effects and is part of the wider SEA</p>
<p><b>B2.2.2. Policies</b>                      (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:                      (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>No. Given the access constraints, it is likely to be amalgamated with an adjacent property. It's development would not add greatly to achieving a quality compact urban form</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>                      (1) A quality built environment where subdivision, use and development do all of the following:                      (c) contribute to a diverse mix of choice and opportunity for people and communities;                      (d) maximise resource and infrastructure efficiency;                      (f) respond and adapt to the effects of climate change.                      (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>No, It's land locked</p> <p>No. Given the access constraints, it is likely to be amalgamated with an adjacent property.</p> <p>Yes. It contains significant trees and is part of a wider SEA</p> <p>No, It's land locked</p>

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<b>B2.4. Residential growth</b> <b>B2.4.1. Objectives</b> (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.	Does the reserve enhance the quality of the adjacent residential area?	Provides open space and associated amenity values for the adjacent properties in particular
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Birkdale?	The area is short of open space. This reserve however is inaccessible
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	Stormwater and ecological functions
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?	It forms part of a wider SEA (the majority of which is on private land)  Yes, its part of the wider SEA
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	No, because it is inaccessible  No, because it is inaccessible
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	Yes. The area generally is short of open space

**Assessment of Proposed Zone Change for 5R Ferguson Street, Mangere East Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>Rezoning to Mixed Housing Suburban zone would likely enable 3-4 dwellings/units</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>There are other reserves providing for informal recreation in the vicinity</p> <p>Rezoning to Mixed Housing Suburban zone would likely enable 3-4 dwellings/units</p> <p>There is opportunity for tree planting which would assist in mitigating the effects of climate change</p> <p>There is adequate open space in the vicinity</p>
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b></p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for</p>

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
(2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.		the adjacent properties in particular
<b>B2.7. Open space and recreation facilities</b> <b>B2.7.1. Objectives</b> (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.	Is the reserve necessary for the recreational needs of the people of Mangere East?	The area has adequate open space
<b>B2.7.2. Policies</b> (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.	Does the reserve provide any different functions from other reserves in the area?	No. There are other informal recreation reserves in the area
(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.	Is the reserve physically connected to other spaces so that it forms part of a network?  Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?	No  No not currently due to its lack of vegetation
(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.	Does the reserve contribute to a range of open spaces and recreation facilities in the area?  Is access to open space reduced if the reserve is redeveloped?	Provides open space and associated amenity values for the adjacent properties in particular  No. There are other recreation reserves in the area – both informal and sport and active recreation
(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.	Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?	No. There are other recreation reserves in the area – both informal and sport and active recreation



**Assessment of Proposed Zone Change for 26 Princes Street, Otahuhu Against the Relevant Sections of the Auckland Unitary Plan RPS**

<b>RPS Objective or Policy</b>	<b>Key questions/issues</b>	<b>Comments</b>
<p><b>B2.2. Urban growth and form</b>  <b>B2.2.1. Objectives</b>            (1) A quality compact urban form that enables all of the following:            (a) a higher-quality urban environment;            (e) greater social and cultural vitality;            (g) reduced adverse environmental effects.</p>	<p>Does the reserve contribute to a higher quality urban environment?</p> <p>Does the reserve provide opportunity for greater social and cultural vitality?</p> <p>Does the reserve provide opportunity to mitigate adverse environmental effects?</p>	<p>Provides open space and associated amenity values for properties in the vicinity in particular. Also functions as a gateway to the town centre</p> <p>Yes, particularly for the immediate neighbourhood</p> <p>Mitigates stormwater/flooding effects and provides opportunity for additional tree planting</p>
<p><b>B2.2.2. Policies</b>            (7) Enable rezoning of land within the Rural Urban Boundary or other land zoned future urban to accommodate urban growth in ways that do all of the following:            (a) support a quality compact urban form;</p>	<p>Would redevelopment of the reserve for housing/business contribute to achieving a quality compact urban form?</p>	<p>Rezoning to Mixed Use would enable additional development. This is small in comparison to the additional development provided for by the AUP</p>
<p><b>B2.3. A quality built environment</b>  <b>B2.3.1. Objectives</b>            (1) A quality built environment where subdivision, use and development do all of the following:            (c) contribute to a diverse mix of choice and opportunity for people and communities;            (d) maximise resource and infrastructure efficiency;            (f) respond and adapt to the effects of climate change.            (3) The health and safety of people and communities are promoted.</p>	<p>Does the reserve assist in achieving a quality built environment?</p> <p>Does it provide choice and opportunity for the community?</p> <p>Would its development maximise resource and infrastructure capacity?</p> <p>Does the reserve assist in mitigating the effects of climate change?</p> <p>Is the reserve necessary to promote the health and safety of people?</p>	<p>Provides open space and associated amenity values for the properties in the vicinity &amp; street users</p> <p>There are very few other reserves providing for informal recreation in the vicinity</p> <p>Rezoning to Mixed Use would enable additional development. This is small in comparison to the additional development already provided for by the AUP</p> <p>The reserve contains mature trees/palms. There is opportunity for additional tree planting which would assist in mitigating the effects of climate change</p> <p>Provides for passive recreation and amenity</p>

RPS Objective or Policy	Key questions/issues	Comments
<p><b>B2.4. Residential growth</b>  <b>B2.4.1. Objectives</b>            (2) Residential areas are attractive, healthy and safe with quality development that is in keeping with the planned built character of the area.</p>	<p>Does the reserve enhance the quality of the adjacent residential area?</p>	<p>Provides open space and associated amenity values for properties in the vicinity and road users</p>
<p><b>B2.7. Open space and recreation facilities</b>  <b>B2.7.1. Objectives</b>            (1) Recreational needs of people and communities are met through the provision of a range of quality open spaces and recreation facilities.</p>	<p>Is the reserve necessary for the recreational needs of the people of Otahuhu?</p>	<p>Yes, there is a lack of open spaces for informal recreation in the area</p>
<p><b>B2.7.2. Policies</b>            (1) Enable the development and use of a wide range of open spaces and recreation facilities to provide a variety of activities, experiences and functions.</p>	<p>Does the reserve provide any different functions from other reserves in the area?</p>	<p>Yes. There are very few other informal recreation reserves in the area</p>
<p>(2) Promote the physical connection of open spaces to enable people and wildlife to move around efficiently and safely.</p>	<p>Is the reserve physically connected to other spaces so that it forms part of a network?</p> <p>Does the reserve form part of a “stepping stone” where wildlife can travel and breed safely between conservation hotspots?</p>	<p>No</p> <p>Mature trees provide a habitat for birds</p>
<p>(3) Provide a range of open spaces and recreation facilities in locations that are accessible to people and communities.</p>	<p>Does the reserve contribute to a range of open spaces and recreation facilities in the area?</p> <p>Is access to open space reduced if the reserve is redeveloped?</p>	<p>Provides open space and associated amenity values for the adjacent properties in particular</p> <p>Yes. There are very few other recreation reserves in the area – both informal and sport and active recreation</p>
<p>(4) Provide open spaces and recreation facilities in areas where there is an existing or anticipated deficiency.</p>	<p>Is there an existing or anticipated future deficiency in open space/recreation facilities in the area?</p>	<p>Yes. There are very few other recreation reserves in the area – both informal and sport and active recreation</p>

**ATTACHMENT 7**  
**PHOTOS OF SITES**



**Attachment 7 - Photos of Sites**

**R24 Linwood Avenue, Forrest Hill (Map 72) (accessway is located between 13 & 15 Woodstock Road) (Source: Google Street View)**



**1-5 Lippiatt Road, Otahuhu (Map 73) (Source: T Reidy)**



**37 Olive Road, Penrose (Map 74) (Source: Google Street View)**





**23 Waipuna Road, Mount Wellington (Map 75) (Source: T Reidy)**





**12R Rockfield Road, Ellerslie (Map 76) (Source: T. Reidy)**



**11R Birmingham Road, Otara (Map 77)**



**2R Keeney Court, Papakura (Map 78)**



**Brandon Road walkway (Map 79) (Source: T. Reidy)**



**(view from Brandon Road)**





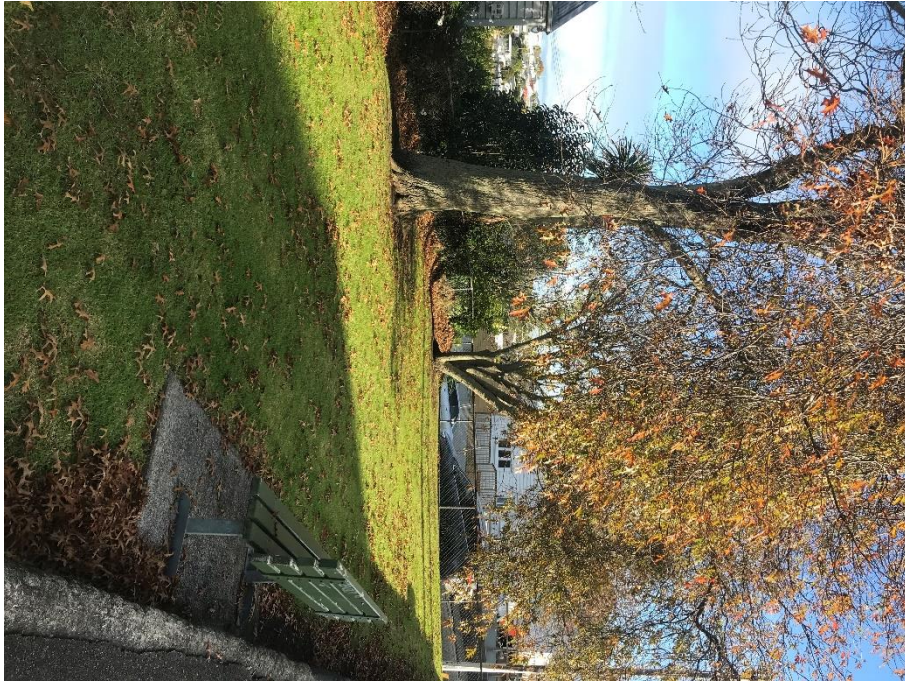
(view from Westtech Place)

**45 Georgina Street, Freemans Bay (Map 81) (Source: Google Street View)**



**36 Coper Street, Grey Lynn (Map 82) (Source: T. Reidy)**





**Trojan Crescent, New Lynn (Map 84) (Source: Google Street View)**



**13 Davern Lane, New Lynn (Map 85) (Source: Google Street View)**





67 East Street, Pukekohe (Map 86) (Source: Google Street View)





**Princes Street West, Pukekohe (Map 87) (Source: Google Street View)**



**8 Magnolia Drive, Waiuku (Map 91) (Source: Google Street View)**

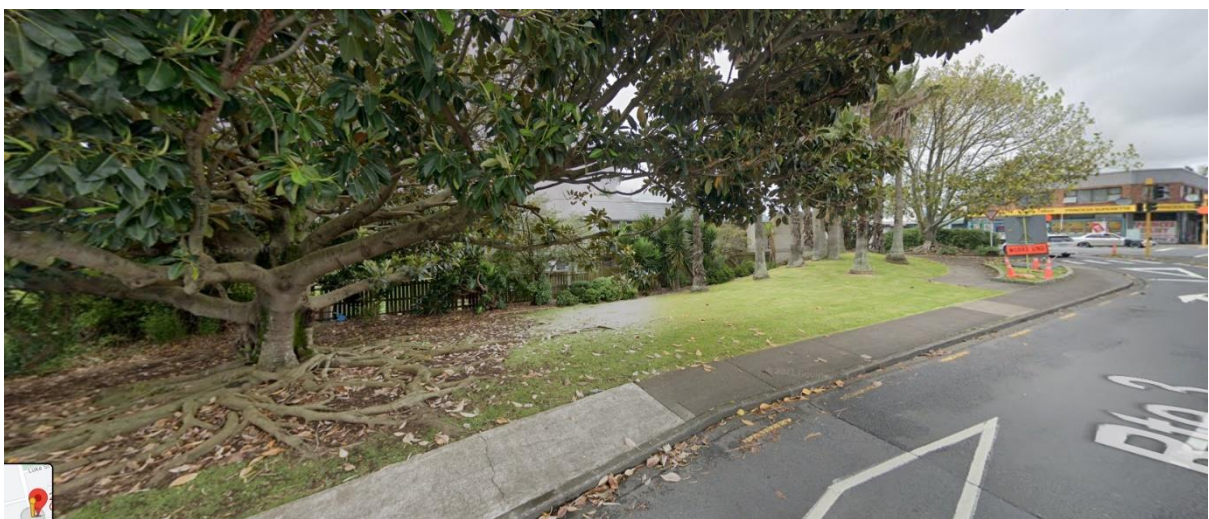




**5R Ferguson Street, Mangere East (Map 94) (Source: T Reidy)**



**26 Princes Street, Otahuhu (Map 96) (Source: Google Street View)**





## **ATTACHMENT 8**

### **QUALIFICATIONS AND EXPERIENCE – TONY REIDY**





## Attachment 8 – Qualifications and Experience - Tony Reidy

### CAREER SUMMARY

<b>Date</b>	<b>Employer</b>	<b>Position</b>
May 2019 – present	Auckland Council	Principal Planner
November 2010 – April 2019	Auckland Council	Team Leader – Auckland – wide Planning (formerly the Unitary Plan team) (2010 – 2018)
January 2007 – October 2010	North Shore City Council	Team Leader – Built Environment
(2000-2007)	North Shore City Council	Senior Environmental Policy Advisor
(1996 – 2000)	North Shore City Council	Strategic Planner
December 1988 – January 1995	Taupo District Council	Planner – Policy
August 1985 – November 1988	Taupo Borough Council	Town Planning Assistant

### QUALIFICATIONS

**1995:** Queensland University of Technology, Masters of Urban Design (Built Environment)

**1981-1984:** Auckland University, Bachelor of Town Planning

