

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

Date: Tuesday 28 September 2021 - Tuesday 5 October 2021
Time: 9.30am
Meeting room: Council Chamber
Venue: Ground Floor, Auckland Town Hall
301 Queen Street, Auckland

PRIVATE PLAN MODIFICATION 44
HEARING REPORT
VOLUME TWO
33-37 GEORGE STREET, NEWMARKET
NEWMARKET HOLDINGS DEVELOPMENT
LIMITED PARTNERSHIP

COMMISSIONERS

Chairperson	David Wren
Commissioners	Trevor Mackie
	Sheena Tepania

Laura Ager
SENIOR HEARINGS ADVISOR

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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 the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. 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 applicant** will be called upon to present his/her case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented his/her case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. 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 applicant or his/her representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **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 MODIFICATION TO THE AUCKLAND UNITARY PLAN BY
NEWMARKET HOLDINGS DEVELOPMENT LIMITED PARTNERSHIP**

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Reporting officer, Vanessa Wilkinson, Planner

Reporting on a proposed private plan modification to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket

APPLICANT: NEWMARKET HOLDINGS DEVELOPMENT LIMITED PARTNERSHIP

SUBMITTERS:	
Page 1206	Victor de Bettencor
Page 1208	Marco Creemers
Page 1210	Rob Thomas
Page 1214	Morgan Properties
Page 1216	Gavin Hodder

Page 1218	Philip Robert Eilenberg
Page 1220	Cleveland Properties Limited
Page 1225	Hugh Michael Caughley
Page 1227	Peter Gordon Buchanan and Aroha Buchanan
Page 1229	Moana Point Farms Ltd
Page 1234	Michael John Fischer and Gabrielle Lesley Fischer
Page 1236	KD Properties, The James Gang Trust (Warwick James, Jennifer Goulding and Dean Ellwood)
Page 1239	G T Darby
Page 1240	Freda Constance Green, George William Green and Ian George Lewish
Page 1242	Sharon Stayt
Page 1245	Parkwood Body Corporate 162274
Page 1251	The Foundation Village Partnership
Page 1254	Foundation Properties Limited
Page 1257	MUDI Ltd
Page 1267	Terance Patrick James Macdonald
Page 1269	Jonathan Leonard Newman Eriksen
Page 1272	Zamin Investment Limited
Page 1279	Core City Investments Limited
Page 1286	Graham Burrell
Page 1288	Rose McSherry
Page 1290	Auckland Transport
Page 1298	James A Carmichel
Page 1300	Ian and Catrina Fair
Page 1306	Christoph Paszyna
Page 1307	Domain Terraces Body Corporate 192346
Page 1313	Domain Apartments
Page 1318	Darryl Carey
Page 1320	Alan Herbert Burton and Wendy Alyson Burton
Page 1324	Robyn Hughes
Page 1326	Alasdair and Joan Thompson
Page 1329	Alexandra Garland & Laura Horrocks
Page 1331	Cushla O'Shea
Page 1334	Donald Kay Keung Yung
Page 1335	Roger and Julie France
Page 1338	11 George Body Corporate 344700
Page 1340	Katherine S Lester
Page 1342	Downtown House No. 2 Ltd
Page 1348	FourClayton Properties Limited
Page 1354	TwoMorgan Properties Limited

Page 1361	Aclay Ltd
Page 1369	John Gilbert Ecroyd
Page 1371	Robert Thomas Clark
Page 1373	Auckland Council
Page 1391	Penelope Jane Hansen
Page 1396	33 Broadway Trust
Page 1400	Rostrevor Edwin Burnell
Page 1402	Roland No2 Trust
Page 1404	Tupuna Maunga o Tamaki Makaurau Authority
Page 1408	Parnell Community Committee (Inc)
Page 1411	Patricia Judd
Page 1415	Raymond Robinson

FURTHER SUBMITTERS:

Page 1420	Parkwood Body Corporate 162274
Page 1424	Auckland Transport
Page 1429	Tūpuna Maunga Authority
Page 1434	Mercury NZ Limited

ATTACHMENT 4

EVIDENCE FOR THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991 and the Local Government (Auckland Transitional Provisions) Act 2010

AND

IN THE MATTER of Topic 051-054 Centre Zones, Business Park and industries zones, Business activities and Business controls

AND

IN THE MATTER of the submissions and further submissions set out in the Parties and Issues Report

**STATEMENT OF EVIDENCE OF JEREMY JAMES WYATT
ON BEHALF OF AUCKLAND COUNCIL**

PLANNING

27 JULY 2015

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1. SUMMARY

- 1.1 My name is Jeremy Wyatt. I am a Principal Planner at Auckland Council.
- 1.2 Council's evidence on the business provisions addresses a wide range of issues and there are a large number of witnesses. These include the following primary witnesses, who are supported by a range of experts¹:
- (a) Matt Bonis - commercial activity strategy and implementation and the role and function of centres
 - (b) Jarette Wickham – industrial provisions
 - (c) Ian Munro - commercial zone built form objectives, policies and rules
 - (d) Trevor Mackie - building height in commercial and industrial zones
 - (e) A range of planning witnesses providing evidence on submissions seeking amendments to site-specific height controls
 - (f) A range of planning witnesses providing evidence on Heavy Industry rezoning submissions.
- 1.3 My evidence introduces the Council witnesses and their roles and responsibilities. It then provides a short background to the strategy underpinning the development of the PAUP business provisions and to each of the 9 business zones. I consider that, as a package, the proposed zones give effect to the PAUP Regional Policy statement objectives and policies and fulfil the purpose of the Resource Management Act. I note that where the generic nature of the proposed zones is not supportable in terms of a Section 32 evaluation, overlays and precinct tools are used to tailor the provisions to the outcomes sought in the area.
- 1.4 As discussed above, the zones, overlays and other business themed provisions are addressed by a number of Council witnesses. My evidence addresses a range of matters that do not sit neatly in others' evidence. This includes the following matters.
- 1.5 Amendments have been made to the notified provisions to manage the relationship between commercial and residential activities within the centres and mixed use zones. I support these amendments because they

¹ See Part 8 of my evidence for a full list of Council witnesses.

acknowledge that residential activities should not have reverse sensitivity effects on commercial activities and they should not locate on the ground floor street frontage within centres. Amendments have also been made to clarify the relationship between built form in commercial zones and adjacent residential zones. These amendments give effect to RPS B2.1 Policy 2 and 3.

- 1.6 The general rule in the PAUP is that restricted discretionary activities will not be notified applications. The business provisions exclude height and height in relation to boundary infringements from this general rule and make them subject to the Act's general notification tests. I agree with this rule as infringements of these two rules have potential for significant adverse effects on the environment, and should be subject to potential notification.
- 1.7 My evidence addresses submissions on the activity status for a range of activities in the commercial zones. In my view I have demonstrated why the notified activity statuses, with some amendments in response to submissions, are the best way to achieve the purpose of the Act.
- 1.8 The PAUP business provisions do not have a bespoke set of provisions seeking to maintain residential amenity in the centres and mixed use zones. Instead they rely on provisions that sit in the City Centre zone (for the Metropolitan Centre zone) and the Terrace Housing and Apartment zone (for the Town, Local, Neighbourhood and Mixed Use zones). Rule I3.4.20 cross references the relevant rules in the City Centre and Terrace Housing and Apartment zones. In my view it is appropriate to continue this approach, with the exception of the Terrace Housing and Apartment zone rule relating to outlook. In my view the proposed outlook controls may not be appropriate for larger buildings in the Town Centre and Mixed Use zones and amendments are required to maintain a reasonable level of residential amenity for dwellings in buildings over 21 metres high.
- 1.9 The City Centre Fringe Office provisions apply to areas of the Mixed Use and Local Centre zones around the City Centre and Newmarket. It enables unlimited office activities in these areas, due to the proximity to the City Centre and the good public transport available. Submitters generally support this enablement and I agree that the approach fulfils the purpose of the Resource Management Act.

2. INTRODUCTION

- 2.1 My full name is Jeremy James Wyatt. I hold the position of Principal Planner in the Unitary Plan team at Auckland Council (the **Council**). I have been in this position since November 2010.
- 2.2 Full details of my qualifications and relevant past experience are contained in **Attachment A** to this evidence.

3. CODE OF CONDUCT

- 3.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

4. SCOPE

- 4.1 I have been asked to prepare planning evidence in relation to various parts of D3 Business zone Objectives and policies, I3 Rules and selected definitions and overlays.
- 4.2 In preparing my evidence I have reviewed and relied on relevant background documents including parts of the Auckland Plan, the Business S32, the PAUP Regional Policy Statement (**RPS**) provisions and parts of the Resource Management Act (the **Act**).
- 4.3 My responsibilities during my time at the Council include leading the team responsible for developing the business-related PAUP provisions. This work included developing appropriate business zones to serve the region and the associated provisions therein.
- 4.4 In the core District Plan business provisions (D3 and I3) there are 544 submitters with 3, 317 submission points. There are 30,932 further submissions. Council witnesses also address more primary and further submission points on business related definitions, subdivision, rezoning and height.
- 4.5 In considering the submissions and the PAUP provisions I have been assisted by the evidence of all Council witnesses for Topics 051-054.

- 4.6 I have also relied on planning evidence from previous PAUP hearings, including;
- (a) Matt Bonis – Topic 013 B3.1 Commercial and Industrial Growth
 - (b) Nick Roberts – Topic 050 City Centre
 - (c) Trevor Mackie – Topic 005 RPS Issues
 - (d) Michele Perwick - Topic 004 Chapter G General Provisions
 - (e) Chloe Trenouth - Topic 013 Urban Growth.
- 4.7 I attended all ten days of mediation. A record of the mediation is contained on the IHP website. I note that mediation of all provisions was not completed. This included:
- (a) parts of I3.7.2 Development control infringements
 - (b) all of I3.8 Assessment criteria for integrated retail developments, supermarkets, department stores, large format retail and trade suppliers.
- 4.8 I anticipate that the parties will be able to achieve resolution of further issues through submitters' primary evidence, rebuttal and potentially further offline mediation.
- 4.9 **Attachment C** to my evidence contains Council's proposed amendments under Topic 051-054. Most of these amendments are contained in the mediated provisions, but there are minor amendments that have been made post-mediation. I consider the amendments in Attachment C appropriate to address the purpose of the Act.

5. INCORRECTLY CODED SUBMISSION POINTS

- 5.1 I do not consider that there are any incorrectly coded submission points that materially add to the submission themes that are discussed in this evidence.

6. PROPOSED AMENDMENTS OUTSIDE THE SCOPE OF SUBMISSIONS

- 6.1 I have proposed the following amendments that I do not consider to be within the scope of submissions;

- (a) 13.4.20 Wind, clauses 2 and 3 (paragraph 19.10)
- (b) 13.6.1(4)(c) matters of discretion and 13.4.6(2)(c) Visitor accommodation and boarding houses in the Business Park zone (paragraph 18.11).

7. CONSEQUENTIAL AMENDMENTS TO OTHER PARTS OF THE PAUP

7.1 There are two consequential amendments to other parts of the PAUP that arise from my recommendations;

- (a) Harmonise the references to ‘universal access’ and ‘equal access’ in other parts of the PAUP (see paragraph 14.7)
- (b) Add missing text to Rule 4.30 in the City Centre provisions (see paragraph 19.12).

8. COUNCIL WITNESSES AND RESPONSIBILITIES

8.1 This part of my evidence identifies the Council witnesses and identifies the provisions they each address in their evidence. **Attachment B** lists each objective, policy and rule in the business provisions and identifies which Council planning witness has primary responsibility for each provision. They are supported by experts where appropriate.

8.2 The following Council witnesses have provided evidence to support the business provisions:

Name	Role	Responsibilities
Jeremy Wyatt	Planning	<ul style="list-style-type: none"> • Background • Business Park zone • City Centre Fringe Office overlay • Miscellaneous matters
Matt Bonis	Planning	<ul style="list-style-type: none"> • Commercial activity strategy and implementation • Role and function of centres • Identified Growth Corridor overlay
Jarette Wickham	Planning	<ul style="list-style-type: none"> • Industrial provisions

		<ul style="list-style-type: none"> Evaluation and recommendations for site specific heavy industry rezoning submissions
Ian Munro	Planning and Urban Design	Commercial zone built form objectives, policies and rules
Trevor Mackie	Planning and Urban design	Building height in commercial and industrial zones
Greg Akehurst	Economics	Retail and office distribution and economics
Susan Fairgray	Economics	Modelling
Sarah Coady	Urban design	<ul style="list-style-type: none"> Design statements Spatial application of Key Retail and General Commercial frontages
Kevin Wong-Toi	Transport planning	Transport related provisions
Deanne Rogers	Planning	Retirement villages
Anthony Traub	Planning	Subdivision
George Farrant	Planning	Wind provisions
David Mead	Planning and urban design	Affordable housing height bonuses affecting commercial zones
Panjama Ampanthong	Planning	Dilworth Terrace Houses Viewshaft
Hannah Thompson Hamish Scott Lee-Ann Lucas Douglas Sadlier Ross Moffatt	Planning	Evaluation and recommendations for site specific height submissions
Mike Harvey	Air Quality	Heavy industry rezoning submissions and development control (buffer rule)
Douglas Sadlier	Planning	Evaluation and

Joy LaNauze Roger Eccles Dave Paul Jo Hart		recommendations for site specific heavy industry rezoning submissions
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9. STATUTORY REQUIREMENTS AND RELEVANT PLANNING DOCUMENTS

9.1 In Sections 6 and 7 of his evidence Mr Bonis provides a detailed summary of:

- (a) The statutory requirements for District Plans, objectives policies and rules, and Section 32 assessments
- (b) Relevant planning documents, including the New Zealand Coastal Policy Statement, the Auckland Plan and '*management plans and strategies prepared under other Acts*²', particularly those concerning transport issues
- (c) The RPS objectives and policies that are most relevant to the PAUP's District Plan business provisions.

9.2 I agree with Mr Bonis' summary and do not propose to repeat this summary here.

10. BACKGROUND TO PROPOSED BUSINESS PROVISIONS

10.1 This part of my evidence provides background to development of the proposed business zones and provisions in the PAUP. The zones are collectively referred to as the '**business zones**'.

- (a) Metropolitan Centre zone
- (b) Town Centre zone
- (c) Local Centre zone
- (d) Neighbourhood Centre zone
- (e) Mixed Use zone
- (f) General Business zone

² RMA S74(2)(b)(i)

- (g) Business Park zone
- (h) Light Industry zone
- (i) Heavy Industry zone.

10.2 I note that the zones referred to in (a) to (g) above are generally referred to as the '**commercial zones**' and the zones in (h) to (i) are the '**industrial zones**'.

10.3 In legacy district plans there are 44 business zones. The zones address similar issues but reflect local variations and methods of addressing the issues. When developing the PAUP, these zones were analysed by outcome to assess the parameters of each zone and how they could best fit into a set of 'harmonised' PAUP business zones³.

10.4 From this work a set of business zones was developed to translate the existing legacy provisions into a PAUP approach. This approach attempts to retain the policy direction and essential elements addressed in the legacy plan zones, but enable a different strategic direction where appropriate. Achieving intensification goals is one example of this different strategic direction.

10.5 In harmonising the zones there were many 'overs and unders' in respect of the controls that apply in each zone. Two zones dealing with similar issues may have very different controls. For example, the height of the industrial Business 9 zone in the Auckland Council District Plan – Operative North Shore Section 2002 was 12m. The height of the industrial Business 5 zone in the Auckland Council District Plan – Operative Manukau Section 2002 Plan was unlimited. The PAUP includes most areas of these zones in the Light Industry zone, where the proposed height limit is 20m.

10.6 Another consequence of rationalising the zones is a narrowing of the spectrum and scale of activities that were previously enabled in localised areas, particularly within the Light Industry zone, as set out in Ms Wickham's evidence.

10.7 In my view, when bringing together a wide range of zones and provisions, 'overs and unders' of this type are unavoidable. Where the changes cannot be supported in terms of a Section 32 evaluation, the PAUP structure

³ 'Legacy Zone Harmonisation Review' Beca Carter Hollings & Ferner Ltd (Beca), 29 February 2012

compensates for this by using overlays and precincts to enable bespoke provisions. These address Auckland-wide issues and also site-specific matters that cannot be addressed by a generic set of zones. In many instances however the 'overs and unders' remain and it is some of these areas where the PAUP District Plan business provisions face significant challenge from submissions.

- 10.8 The District Plan business provisions give effect to the PAUP RPS provisions. The principles of B3.1 Commercial and industrial growth were based largely on the consent order provisions of Change 6 to the legacy RPS. It is important to note that the provisions of B3.1 was almost universally agreed by parties attending mediation and in evidence, so the overriding policy framework which the District Plan business provisions give effect to is not in dispute.
- 10.9 In Section 6 of his evidence Mr Bonis outlines the key B3.1 provisions relevant to the District Plan business provisions. In section 7 of his evidence Mr Bonis provides a comprehensive background to how the District Plan business provisions give effect to B3.1. In simple terms the provisions:
- (a) Establish a network of centres that support and serve the quality compact urban form (B3.1 Objective 2 and policies 1, 3, 5, 6)
 - (b) Implement a 'centres plus' commercial strategy, which encourages commercial activities in larger centres, enables commercial activities on Identified Growth Corridors and then in other areas, where appropriate (B3.1 Objective 2, policies 2, 3, 6, 7, 8)
 - (c) Enable industrial activities to locate and develop in appropriate locations, free from the reverse sensitivity effects of sensitive activities (Objective 3, policies 8-12).
- 10.10 The District Plan business provisions also seek to:
- (a) Enable residential activity within centres, provided it does not compromise the accommodation of commercial activities (B2.1 Objective 2 and policies 2 and 3)
 - (b) Deliver a quality built environment, particularly as it relates to public spaces in Auckland's most well used areas (B2.2 Objective 1 and policies 1, 4,).

- 10.11 The commercial strategy and industrial strategy District Plan business provisions are primarily addressed in Mr Bonis' and Ms Wickham's evidence respectively, with some assistance from myself. The urban design provisions are largely addressed in the evidence of Mr Munro and Ms Coady.
- 10.12 To give effect to the RPS provisions, the Council has developed a suite of 9 business zones (excluding the City Centre zone). These are discussed below.

11. BACKGROUND TO PROPOSED BUSINESS ZONES

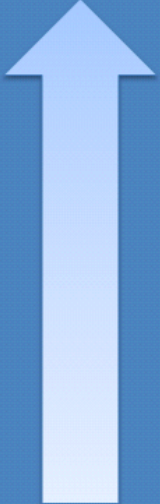

- 11.1 This part of my evidence briefly introduces each PAUP business zone.

Centres zone

- 11.2 Commercial centres are focal points for the community and act at different scales. The '**centres zones**' are the Metropolitan, Town, Local and Neighbourhood Centre zones. Figure 1⁴ below illustrates how the centres zones and City Centre zone serves the Auckland community.

⁴ *Auckland Plan Technical Report: Centres and Corridors Workstream*, September 2011, page 22.

Figure 1

 <p>Regionally significant</p>	<p>City Centre (CBD + fringe)</p>	<p>The focus of national and international business, tourism, education, cultural and civic activities. It provides significant capacity for business and high density residential development within a variety of precincts. It is also the focus for regional transportation services. It is surrounded by the city fringe, a walkable catchment, which provides complementary living, business and entertainment activities within traditional and higher density living and specialist precincts.</p>
	<p>Metropolitan centres</p>	<p>These serve regional catchments or have strategic roles within the region. They provide a diverse range of shopping, business, cultural and entertainment and leisure activities, together with higher density residential mixed environments. They have good transport access and are served by high frequency public transportation. These centres have significant growth opportunities for additional business and residential accommodation</p>
	<p>Town centres</p>	<p>These act as hubs for communities providing a wide range of retail and business services and facilities together with community facilities, and are generally accessible by frequent public transport services. They provide a range of residential living options including mixed use and higher density options. They have variable capacity for accommodating new residential and business development.</p>
 <p>Locally significant</p>	<p>Local centres</p>	<p>These act as a focus for communities providing a range of convenience shops and small business services together with some community facilities. These centres are focussed on walkable catchments supported by public transport services. They have variable capacity for accommodating new residential and business development, but to a lesser extent than town centres due to their individual and accessibility constraints.</p>
	<p>Neighbourhood centres and shops</p>	<p>These provide day to day convenience shopping within walkable neighbourhoods. They may also be aligned to a community facility such as a school.</p>

11.3 The centres hierarchy provides a regulatory framework for categorising centres into a sliding scale, from those that have regional significance to those that have local importance to the community immediately around them and passers-by.

11.4 A centre’s place in the hierarchy depends on a number of factors including:

- (a) size
- (b) location
- (c) access to public transport
- (d) scale of built form
- (e) existing activities and future activities anticipated in the centre
- (f) surrounding environment and growth expectations in that environment.

- 11.5 Scale is not the sole determining factor for a centre's place in the hierarchy, as the role and function of a centre is determined based on a consideration of all the factors above. For these reasons there is not a clear cut distinction between centres at different levels of the hierarchy. Some local centres are larger than some town centres. For example, Eden Valley Local Centre is approximately 6.4 hectares whereas Devonport is approximately 4 hectares.
- 11.6 The objectives, policies and rules relating to each centre depend on its place in the hierarchy. The PAUP regulates the anticipated activities and scale of built form in centres using their place in the hierarchy.
- 11.7 For example, the PAUP encourages commercial activities of all sizes into metropolitan centres, which reflects the sub-regional catchment of those centres and the excellent public transport access. Local and neighbourhood centres serve the surrounding residential environment and the PAUP proposes to limit the scale of anticipated commercial activity. Mr Bonis' evidence outlines the role that the centres hierarchy plays in the PAUP strategy for commercial activity.
- 11.8 Scale of built form is also relevant to the hierarchy. The larger scale of metropolitan centres reflects their sub-regional importance and generally anticipates a larger scale of built form than centres lower in the hierarchy. This aspect of the centres hierarchy is fluid however. For example Papakura Metropolitan Centre has lower proposed heights than many town centres. Some town centres that have historic character elements or are located rurally have the same heights as neighbourhood centres. These height issues are outlined in Mr Mackie's evidence.
- 11.9 The next part of my evidence introduces the PAUP zones.

Metropolitan Centre zone

- 11.10 There are 10 metropolitan centres, as contained in **Attachment D**. These centres are based in different sub-regional catchments. They are identified as significant areas for growth and intensification and are second only to the city centre in terms of scale and intensity. They are important public transport hubs for the region and serve a wide range of activities including commercial, civic, community and above-ground floor residential activities. Unlike other zones there are no GFA restrictions on commercial activities as these zones are considered a primary location for the commercial

intensification, due to the public and private investment in these centres and their excellent public transport access. The proposed zone height is 72.5m but precincts in some centres increase or decrease this height limit.

- 11.11 For these reasons Metropolitan Centres are considered regionally significant. People from a wide catchment will use the centres for shopping, entertainment or as a public transport hub. The total zone area is 339 hectares and comprises 13% of all commercial zones.

Town Centre zone

- 11.12 There are 43 town centres, as contained in **Attachment D**. The explanation in Figure 1 above provides a good explanation of their role. They are suburban focal points strategically located around the region, which enable a range of commercial, community and above-ground floor residential activities. Like the Metropolitan Centre zone, there are no GFA restrictions on commercial activities as these zones are considered a primary location for commercial intensification, due to the public and private investment in these centres and their generally good public transport access.
- 11.13 Like metropolitan centres, town centres are considered regionally significant. People from a relatively wide catchment will use the centres for shopping, entertainment or as a public transport hub. The zone covers 430 hectares and comprises 16% of all commercial zones.
- 11.14 Town centres are identified in the Auckland Plan and the PAUP adopts this classification and the town centres listed in the Auckland Plan. Some town centres in the PAUP have been added to those listed in the Auckland Plan. These include centres identified as 'City Fringe' in the Auckland Plan, such as Devonport and Ponsonby. The PAUP also proposes rural centres such as Warkworth and Wellsford to be included in the Town Centre zone.
- 11.15 This zone serves a wide range of environments. There is no single zone height limit proposed in the Town Centre zone. Instead, each centre has a specific height limit shown on the Additional Zone Height Control layer on the GIS system, which reflects the local environment and levels of anticipated intensification.
- 11.16 There are some town centres where the proposed PAUP height is relatively consistent with legacy plans. These include centres with historic character

environments (such as Ponsonby or Parnell) or special topography or location (such as rural town centres such as Wellsford or Pukekohe). In these centres the scale of development is not expected to increase significantly but intensification of commercial activity is anticipated when this is achievable in the proposed scale of built form.

- 11.17 Some town centres have good public transport and fewer environmental constraints, and these are earmarked for significant intensification and growth. In some cases the proposed height limit is significantly higher than in legacy plans. Examples include Avondale, Glenfield and Northcote. Other town centres have a reduced height limit comparative to the legacy plan but the proposed height limits are generally higher than existing built form. Examples include Pakuranga, Glen Eden and Mangere, all of which have unlimited height limits in legacy plans.
- 11.18 Town centre heights attracted extensive community interest, particularly during the March 2013 draft submission process but also in submissions to the PAUP. There was extensive opposition to some of the height limits proposed. Mr Mackie's evidence discusses the issues surrounding the proposed height limits in the Town Centre zone and I agree with his analysis.
- 11.19 While the zone applies to centres with a variety of different building scales, I do not consider it necessary to address these variations using a different zone. The key attributes of town centres is their ability to support the surrounding suburban community with a wide range of commercial and community activities and good public transport. These attributes continue although the built form is at different scales.

Local Centre zone

- 11.20 This zone applies to 66 local centres, as contained in **Attachment xx**. It applies to smaller centres in Auckland that have a range of smaller commercial activities and some have community and civic activities. Residential above-ground floor is enabled. Public transport is often good but this is not always the case. Each local centre is not considered significant on a regional scale. The zone comprises a small percentage of all commercial zones. They are relatively small in scale and their purpose is to serve the surrounding local community. For this reason the zone rules

apply GFA limits for commercial activities, as discussed in Mr Bonis' evidence.

- 11.21 Local centres are identified in the Auckland Plan and the PAUP adopts this classification and most of the local centres listed in the Auckland Plan.

Neighbourhood Centre zone

- 11.22 The zone description provides a fair assessment of the role of neighbourhood centres. The zone applies to single sites such as the corner dairy and also to small strips of shops, and varies in scale from 200m² to greater than 2 hectares. The centres provide the surrounding residential areas with frequent shopping needs and are of a scale that is compatible with those surrounding areas. Public transport may be good if the centre is on an arterial route or corridor, but this is not a prerequisite for the zone and they are often located in quiet residential neighbourhoods. The proposed zone height is 13m.

- 11.23 Like local centres, neighbourhood centres are not considered significant on a regional scale. The zone comprises a small percentage of all commercial zones. They are relatively small in scale and their purpose is to serve the day to day convenience needs of the local community. For this reason the zone rules apply GFA limits for commercial activities, as discussed in Mr Bonis' evidence.

Mixed Use zone

- 11.24 The Mixed Use zone enables residential activity and small scale commercial uses to support this activity. The genesis of the zone is in the legacy Isthmus District Plan Mixed Use zone and the isthmus area comprises the majority of the area that is zoned mixed use. There are 776 hectares of Mixed Use zone in Auckland, which comprises 28% of the commercial zones. 100 hectares of the PAUP Mixed Use zone covers areas formerly zoned Business 4 in the legacy Isthmus District Plan.
- 11.25 The zone is predominantly located around centres and along the rapid and frequent service network. The zone height is 18m but this can increase or decrease subject to context, using the Additional Zone Height Control overlay. The level of amenity expected is different to that in a purely residential zone, as the range of enabled activities will provide local benefits

but also have some nuisance effects on residential activities within the zone.

- 11.26 Judging by submissions it appears to be a popular zone, presumably due to the range of different activities that are enabled and the development capacity available, especially in areas where the Additional Zone Height control applies greater height. The zone does not require a mix of uses.

General Business zone

- 11.27 This zone provides for a mixture of activities that may not be appropriate for, or are unable to locate in, centres. This includes large format retail and industrial activities. The zone is an important part of the PAUP's 'centres plus' commercial strategy. Although legacy plans do not have a zone with similar objectives and outcomes, the PAUP zoned area largely applies to existing cohesive areas of out-of-centre large format retail,
- 11.28 Small retail activities are not generally anticipated within the zone because these activities are more easily available to locate in-centre. In addition, if located with large format retail there is increased potential to adversely affect the role, function and amenity of centres. Residential and other sensitive activities are not anticipated due to reverse sensitivity effects and the generally lower standard of amenity in this zone.
- 11.29 The zone is predominantly located in areas close to major centres or within identified growth corridors. The zone comprises 10% of commercial zones, which is only slightly less than the area covered by metropolitan centre zones.

Business Park zone

- 11.30 As discussed in Mr Bonis' evidence and supported by Mr Akehurst, the PAUP strategy is to encourage office activities within larger centres. When offices locate in-centre, the activity and its employees support public and private investment in centres. Office employees also have relatively consistent peak hour travelling routes and often travel at peak hours. From a transport perspective the location of offices in larger centres with good public transport hubs greatly supports efficient and effective public transport.

11.31 The Business Park zone provides for out-of-centre areas with intensive office development. The PAUP currently identifies 5 areas of the Business Park zone:

- (a) 'Central Park' along Great South Rd near Ellerslie
- (b) The old DSIR building along Mt Albert Rd, near Mt Albert Town Centre
- (c) The Warehouse head office complex along Warehouse Way near AUT on the North Shore
- (d) 'Smales Farm', along Taharoto Rd near the North Shore Hospital
- (e) 'Orchard Park' and surrounds, southeast of the Albany Metropolitan Centre.

11.32 The zone enables these existing office developments to continue their activities. Most of these locations also have relatively recent plan changes that set limits on the scale and type of built form and the permitted office GFA. The PAUP enables this anticipated development by applying precincts to each area of the Business Park zone. From a PAUP strategic perspective, the precincts continue the approach of limiting the amount of office GFA in each location, to ensure that any proposed expansion beyond these limits will consider the PAUP strategy that seeks to locate offices in-centre and the effects on centres that further out-of-centre development may have.

11.33 The objectives and policies of the zone also provide limited scope for new business parks to develop. The built form anticipated in the zone is a campus like landscaped development with high amenity. The zone height limit is set at 21m.

Light Industry zone

11.34 The Light Industry zone provides for industrial activities that do not generate objectionable odour, dust or noise. Industrial activities have potential nuisance effects on sensitive activities, so these activities are not provided for in the zone, due to potential reverse sensitivity effects.

11.35 The amenity expected in the zone is a working environment and resource consents for buildings are not required unless development controls are

infringed. The zone covers 4,222 hectares within Auckland, although Council proposes that some Light Industry zoned areas should be rezoned to Heavy Industry zone, as outlined below in the Heavy Industry zone discussion.

- 11.36 As addressed in Topic 035 Air Quality, Council's position is that the air quality anticipated in the zone is 'moderate to high', depending on the surrounding environment. While activities that require air discharge consents are considered more suitable in the Heavy Industry zone, the Light Industry zone is appropriate provided that adverse effects on activities sensitive to air discharges can be avoided, remedied or mitigated. The zone also recognises that there are existing heavy industry activities within the zone and that these should be able to continue to operate.
- 11.37 Although the zone primarily provides for industry, it also anticipates a range of supporting activities, including food and beverage, dairies and small offices. Trade suppliers are also anticipated within the zone. Beyond these activities however and as discussed in the S32, the evidence of Mr Bonis, Ms Wickham and Mr Akehurst, the PAUP proposes a more restrictive regulatory regime than many legacy industrial zones. This is to support the centres plus approach to commercial activity and to preserve industrial land for industrial uses.
- 11.38 The zone covers a wide range of environments, from the industrial heartland of Penrose to the higher amenity light industry areas around Apollo Drive on the North Shore. Due to the different strategic approaches to industrial land by legacy councils, the range of existing activities within the zone is wider than anticipated by the PAUP Light Industry zone. For this reason existing commercial activities within the zone have been specifically provided for.

Heavy Industry zone

- 11.39 The zone provides for activities that may produce objectionable odour, dust or noise emissions. The zone has a functional standard of amenity. The scope of the zone can be described by comparing the primary differences between the Heavy Industry zone and the Light Industry zone:
- (a) the anticipated activities in the Heavy Industry zone is narrower than in the Light Industry zone, due to the shortage of Heavy Industry

land and the reverse sensitivity effects sensitive activities can have on industrial activities that have discharges to air

- (b) the anticipated air quality amenity level in the Heavy Industry zone is a 'reduced' air quality, compared to the Light Industry zone's 'moderate to high' air quality
- (c) the subdivision size is larger in the Heavy Industry zone (this is addressed in the evidence of Mr Anthony Traub).

- 11.40 This zone applies to approximately a dozen discrete areas in Auckland. With several exceptions, it largely applies to those areas that are covered by the legacy Regional Plan Industrial Air Quality Management Areas. The zone covers 1,456 hectares in the notified PAUP, although in response to submissions, Council recommends that the area covered by the zone increase, as discussed below.
- 11.41 Due to the reduced air quality amenity of activities anticipated in the Heavy Industry zone, it is preferable to use land zoned Light Industry as a 'buffer' between the Heavy Industry zone and zones containing sensitive activities. From an air quality perspective, from an amenity perspective an ideal separation distance between activities sensitive to air discharges and the many activities anticipated in the Heavy Industry zone is 500m. This is discussed in Mr Harvey's evidence. This distance is not achievable in many parts of Auckland and consequently the zoning of land for heavy industry activities can have effects on the zoning of land around it.
- 11.42 When zoning industrial areas during the PAUP development, in my view Council did not adequately consider the legacy Regional Plan air quality management areas. This became evident at the Topic 035 Air Quality hearing, where submitters who considered themselves heavy industry were concerned that they had been incorrectly placed in the Light Industry zone.
- 11.43 At the invitation of the Panel, Council agreed to address Heavy Industry rezoning submissions as part of the business hearing. This has been done and Council has recommended that several areas of land be rezoned from light industry to heavy industry. This is addressed in the evidence of Jarette Wickham, Douglas Sadlier, Joy LaNauze, Roger Eccles, Dave Paul and Jo Hart.

12. D3.1 GENERAL OBJECTIVES AND POLICIES INTRODUCTION

12.1 This section addresses submissions on D3.1 Introduction. The Introduction is divided into 3 sections:

- (a) Zones – discussed in this part of my evidence
- (b) Height – discussed in Mr Mackie’s evidence at paragraph 10.8
- (c) Offices – discussed in my evidence at paragraph 21.7.

12.2 There are 29 submissions on the introduction and the amendments agreed in mediation largely reflect the themes in the submissions. Amendments include the following:

- (a) Adding detail about the role of the City Centre, Metropolitan Centres and Town Centres and the social and community needs they meet, and the role of Town Centre and Neighbourhood Centres⁵. This amendment distinguishes between the regionally significant centres and those that are locally significant. This implements new Policy 1 in B3.1 and is supported.
- (b) Adding a reference in paragraph 3 to manage residential development, so that it avoids or mitigates the potential for reverse sensitivity effects arising from residential development⁶. This implements B2.1 Policy 3 which enables residential activities provided they do not compromise the ability for commercial activities to locate within centres.
- (c) Amending paragraph 4 to note that the characteristics of the General Business zone are such that it is ‘*presently likely to be accessed by car*’⁷. This amendment was agreed to at mediation. In my opinion it is not necessary to add this to the zone description but I do not oppose it.

13. BUSINESS PARK ZONE DESCRIPTION AND OBJECTIVES AND POLICIES

13.1 This part of my evidence addresses the Business Park zone description and objectives and policies. The remaining zone descriptions, objectives

⁵ AMP Capital Investors 4376-23

⁶ Westfield 2968-229

⁷ The Warehouse 2748-45

and policies will be addressed primarily in the evidence of Mr Bonis, Ms Wickham and Mr Munro.

- 13.2 These provisions were not discussed extensively at mediation because there are a limited number of interested parties. However the provisions were discussed offline with representatives of Central Park, The Warehouse, Smales Farm and Orchard Park so interested parties were well represented.
- 13.3 There are 20 submissions on the zone description and objectives and policies. Submissions include the following;
- (a) delete the zone⁸
 - (b) amend the zone description to make it clear that commercial activities are expected to locate within centres⁹
 - (c) enable existing business parks to continue to develop¹⁰
 - (d) amend Policy 4b so that retail uses within the zone are able to serve a wider section of the community than just office workers¹¹.

Analysis

- 13.4 Three submitters request that the zone be deleted because it undermines centres and the compact city strategy. I do not agree that the zone should be deleted. The zone addresses two key concerns. It provides limited opportunity for new business parks when certain criteria are met and it ensures that existing areas of out-of-centre intensive office activities are recognised, enabled and have ongoing certainty.
- 13.5 Arguably these legacy developments could be addressed using a precinct, but as there are five zoned areas, it seems efficient to address them using a zone and precinct approach. Although the PAUP strategy is to locate commercial activities within centres, I would expect that there will be future applications for more out-of-centre office developments of the type already covered by the zone. With this in mind I consider it prudent to have objectives and policies that will guide an application in the event that new areas are proposed. I note that the objectives and policies require any new

⁸ The New Zealand Institute of Architects 5280-91

⁹ Northcote Rd 1 Holdings Limited 3373-3

¹⁰ Northcote Rd 1 Holdings Limited 3373-4

¹¹ Progressive Enterprises Limited 5723-162

areas of business park zone to also have a precinct that limits the office GFA within the area. In my view this can adequately address potential effects on centres and the compact city strategy.

- 13.6 Northcote Rd 1 Holdings Limited seeks to amend paragraph 2 of the zone description to make it clear that commercial activities are expected to locate within centres. I agree with the proposed addition as it makes it clear why the zone anticipates that the scope for new business parks is limited.
- 13.7 The same submitter seeks to ensure that existing business parks have certainty and are able to continue to develop. To achieve this they seek to split the notified Objective 1 into two objectives and add a new policy. I agree that providing more certainty in the objectives and policies for existing business parks is a desirable outcome, as one of the primary reasons for the zone is to provide for these existing developments. The following amendments have been developed during discussions with the submitter and representatives of other existing business parks. I support these proposed amendments:

Objectives

~~1. Existing business parks continue and limited opportunities exist for new business parks for office-based employment where they:~~

1. Existing business parks are efficiently and effectively developed.

2. Limited opportunities exist for new business parks for office-based employment where they:

Policies

1a Enable the efficient and effective development of existing areas zoned Business Park having regard to the development potential anticipated in precinct provisions applying to each zoned area.

- 13.8 Other miscellaneous amendments to policies 1 and 4 are also proposed, to clarify the distinction between existing and new business parks. I support these amendments.
- 13.9 One submitter seeks to amend Policy 4b so that retail uses within the zone are able to serve a wider section of the community than just office workers. In my view the key aspect of Policy 4b is that anticipated retail is limited to food and beverage and convenience goods. I do not support larger retail that diminishes the function, role and amenity of centres and undermines the ability for intensive office activities within the zone. However the notified

policy 4b is poorly phrased and I agree that it is unrealistic to expect the zone to be able to serve only office workers. There will be visitors to the area and passers-by that will also use the convenience retail. At mediation the following redraft was suggested and agreed by all present parties:

limit retail to those services such as food and beverage and convenience goods which meet the immediate day to day needs of workers and visitors to the zone. ~~such as food, ,and beverages,~~

14. D3.1 OBJECTIVES AND POLICIES

14.1 This part of my evidence addresses the objectives and policies in this section that do not relate to the role and function of centres, commercial activities or urban design matters. These are addressed in the evidence of Mr Bonis and Mr Munro respectively. My evidence relates to policies 2, 4, 9, 10, 10a, 10b and 11, which deal with general planning issues. Policy 14 is addressed in the bespoke section on the City Centre fringe office provisions at paragraph 21.

Policy 2 and Policy 10a - residential activities in the centres and mixed use zones

14.2 This part of my evidence addresses the policies and rules addressing housing in the centres and mixed use zones. Residential activities are generally enabled in these zones, except at ground floor adjacent to the street in the centres zones.

14.3 Residential activities are generally permitted activities in centres and mixed use zones and this activity status is supported by Policy 2 in D3.1. There were three submissions on this policy, one in support¹² and two seeking amendments, both of which were discussed at mediation.

Analysis

14.4 One submitter¹³ sought amendments to Policy 2 to ensure centres are not inhibited from being the primary focus for commercial activity. There is concern that increased residential activity in centres may result in reverse sensitivity effects on commercial and other activities that are strongly encouraged to locate within centres. All present parties at mediation agreed that a reference to reverse sensitivity is appropriate, to ensure that it is clear that there is a different level of amenity expected within centres and mixed use zones compared with purely residential zones. For example, residential activities are expected to protect themselves from increased noise within centres and mixed use zones and the internal noise standards for centres in the noise provisions reflects this. I support this amendment:

Accommodate an increase in the density, diversity and quality of housing in the centres and Mixed Use zones while managing any reverse

¹² Summerset Group Holdings Limited 6650-64

¹³ Westfield (New Zealand) Limited 2968-233

sensitivity effects including the higher levels of ambient noise and reduced privacy it may be subject to that may result from non-residential activities.

- 14.5 On the final day of mediation the following Policy 10a was added and agreed to by all parties present:

Enable residential development above ground floor in centres while managing any reverse sensitivity effects on non-residential activities.

- 14.6 Policy 10a was added because there was perceived to be a gap in terms of policy recognition of the permitted activity status for residential in the centres and mixed use zones. While the new Policy 10a does no harm, in my view Policy 2 already addresses residential activities and reverse sensitivity in centres and mixed use zones and Policy 10a is unnecessary. In my view it can be deleted and Council's marked up changes reflect this.

- 14.7 Housing New Zealand sought to include a reference to 'affordability' in Policy 2¹⁴. As I understand the submitter, a reference to affordability would highlight that intensification in centres and mixed use zones will lead to more affordable housing. I agree that such intensification will help facilitate increased housing supply and in doing so may help to limit housing price inflation. In my view however it is unnecessary to reference it in the policy. It is adequately captured by the references to density and diversity as these will be key factors in achieving affordability. It is also captured by other policies seeking significant growth and intensification¹⁵.

Policy 10b - discouraging dwellings at ground floor within centres

- 14.8 In the notified PAUP each of the centres zones has a similar policy¹⁶:

Enable residential development above street level.

- 14.9 These policies seek to make it clear that residential activity is enabled above ground floor. The policies support Rule I3.4.11 which restricts dwellings at ground floor adjacent to the street. The rule's purpose is to retain appropriate levels of street activation and preserve ground floor space for commercial uses.
- 14.10 Submissions sought amendments to the policies. It is currently not clear that the policy seeks to discourage residential at ground floor adjacent to the street. Auckland Council redrafted the policy to make this clear and I

¹⁴ Housing New Zealand Corporation 839-10089

¹⁵ Eg: Metropolitan Centre Objective 2a and Policy 1A, Town Centre Objective 2 and Policy 1.

¹⁶ Metropolitan Centre zone Policy 5, Town Centre zone Policy 2.b., Local Centre zone Policy 3 and Neighbourhood Centre zone Policy 3.

agree with the proposed amendment. In doing so, the policy within each zone has been deleted and a new Policy 10b in D3.1 General objectives and policies has been added which refers to all centres zones:

Discourage dwellings at ground floor in centres zones.

- 14.11 The proposed redraft was made in preparation for the last day of mediation and parties present reserved their position. In my view the proposed policy adequately supports rule 4.11 and in combination with other policies in D3.1, makes it clear that residential activity is not expected in areas where high quality street activation is proposed. As discussed above the proposed policy and rule also seek to preserve this ground floor space for commercial uses and the importance of commercial activity in centres is addressed in objectives and policies elsewhere in D3.1 and in the centres zones themselves¹⁷.
- 14.12 Rule 4.11 implements the new D3.1 Policy 10b. Submissions on this rule included retaining the rule¹⁸, deleting the rule¹⁹ and making it more flexible²⁰, so in streets that are less important from a commercial perspective, residential activity may be appropriate.
- 14.13 During mediation an agreed change to the rule was an amendment to make it clearer that the rule only restricts residential at ground floor in centres where it has frontage to a street. I support this amendment. I do not consider that the rule should be deleted, nor do I think further amendments are necessary. The rule is simple and clear and the restricted discretionary status to infringe the rule provides scope for an assessment concerning the location of the proposed dwelling in the centre's overall context.

Policy 4 – equal access

- 14.14 This policy requires '*equal physical access and use for people of all ages and abilities*' in a percentage of residential development and encourages the same in all development. The policies objective is to ensure that developments are usable by as many of the population as possible. There are 14 submissions on the policy, seeking to retain²¹ or delete²² the policy,

¹⁷ Eg D3.1 Objective 1, Policy 1, D3.3 Objective 2, Policy 1a, Policy 3 etc.

¹⁸ Fletcher Residential Limited 1731-105

¹⁹ Ockham Holdings Limited 6099-124

²⁰ Property Council New Zealand 6212-40

²¹ Gary Russell 2422-12

²² Body Corporate 6356-29

delete the reference to physical²³, and amend the introductory verb from 'require' to 'encourage'²⁴.

- 14.15 Through track changes the Council deleted the reference to 'physical' but left the policy otherwise unchanged. The mediated outcome shows that a clarification of what 'equal access' means is sought.

Analysis

- 14.16 I agree with the amended reference to 'equal access'. The reference to physical implies that only mobility is important, but other sensory impairments such as low vision are also intended to be addressed by the concept. However I note that the phrase 'equal access' has been used interchangeably with 'universal access' throughout the PAUP. In my view these terms should be made consistent and defined, to remove interpretation ambiguity. This will necessitate consequential amendments to other parts of the plan, which are detailed below. In my view the phrase 'universal access' is more widely known and a proposed definition of this term is:

The provision of buildings that are accessible and usable to the greatest extent possible by people of all ages and abilities.

- 14.17 In my view it is sufficient for Policy 4 to 'encourage' universal access and I propose the following amendment. The amendment recognises that it may be less cost effective to provide universal access to smaller scale development:

Encourage universal access for all development, particularly medium to large scale development. Require a percentage of residential development, and encourage all other development, to provide equal physical access and use for people of all ages and abilities.

- 14.18 There are references to 'equal access' in the following locations that should be amended to 'universal access'. While these hearings have already occurred, I do not consider there is a risk of submitters being disadvantaged, as the amendment is for clarity and in my view does not have material significance. I note that there may be other references in the PAUP of which I am not aware:

- (a) B2.2 Quality Built Environment – Objective 1(c) and Policy 3

²³ Blind Foundation 5998-5

²⁴ Housing New Zealand Corporation 839-10091

- (b) City centre zone - Rule 4.41 Universal access for residential buildings; assessment criterion 6.2(c)(v); assessment criterion 6.2(d)(iv).

14.19 I also note an amendment to the business provisions assessment criterion 6.2.1(c) to incorporate the use of 'universal access'.

Policy 9, 10 and 11 – adverse effects of activities and development

14.20 Policy 9 addresses potential adverse effects of business zone development on adjacent residential zones. There are 6 submissions, which seek to retain²⁵, delete²⁶ and amend the wording of the policy to change the words 'close to' to 'adjacent'²⁷.

14.21 In my view the notified policy is poorly worded. The policy requires development close to residential zones to mitigate adverse effects on residential neighbours. It is unclear whether the residential neighbours need to be in the residential zone or whether they can be in the commercial zone itself. At mediation the following amendment was proposed, which was agreed by most parties present:

~~*Require development close to residential zones to mitigate adverse visual effects, acoustic privacy, and minimise overlooking and shadow effects to residential neighbours. Require development adjacent to residential zones and the Special Purpose School and Maori Purpose zones to maintain the reasonable amenity of those areas, having specific regard to dominance, overlooking and shadowing.*~~

14.22 I agree with the proposed amendment as it addresses three issues:

- (a) It makes it clear that the policy applies only to adjacent residential zones, and Special Purpose School and Maori Purpose zones
- (b) It addresses Scentre's submission to amend the words 'close to' to 'adjacent'
- (c) It introduces policy support for the application of the height in relation to boundary rule to the Special Purpose School and Maori Purpose zones, which is discussed in Mr Mackie's evidence at paragraphs 10.98.

²⁵ Gary Russell 2422-17

²⁶ Progressive Enterprises Limited 5723-118

²⁷ Scentre 2968-237

14.23 Policy 10 seeks to discourage activities which have undesirable adverse effects from locating within the centres and mixed use zones. It supports the non-complying rule for industrial activities in these zones. There were two submissions on this policy. Housing New Zealand²⁸ seek to retain the policy and Gary Russell²⁹ seeks to delete part of the policy, as highlighted below:

Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, ~~while recognising the need to retain employment opportunities.~~

14.24 In my view this balancing phrase is important as it gives an indication of the outcome it is trying to achieve. The policy is not attempting to force existing activities that have some undesirable qualities out of these zones. If they are able to mitigate their adverse effects to an appropriate level, they should be able to remain in their existing locations. I do not support the proposed amendment and consider that the policy should remain as notified.

14.25 Policy 11 provides policy support for rules relating to wind, glare and shading effects on public open spaces and streets. Most of the 11 submissions seek to delete the policy³⁰. Scentre³¹ seeks to retain it and one seeks to delete the reference to shading on streets, because there are no rules that implement this part of the policy³².

14.26 In my view the policy should be retained because it supports the wind development control (I3.4.19) and the shading effects implicit in the height controls (eg I3.4.2 Height and I3.4.2 Height in relation to boundary). During mediation the following wording was agreed by all parties present:

Require development to avoid, remedy or mitigate adverse wind, and glare and shading effects on public open spaces, including and streets, and shading effects on public open space zoned land.

14.27 In my view, the proposed redraft addresses Scentre's submission that the height and height in relation to boundary controls do not seek to manage shading effects on streets. For example, when a residential zone is across the street from a commercial zoned development, the height in relation to boundary recession plane begins from the neighbouring residential zone

²⁸ Housing New Zealand Corporation 839-10095

²⁹ Gary Russell 2422-18

³⁰ Eg I B and G A Midgley 4778-35

³¹ Gary Russell 2422-19

³² Scentre 2968-238

boundary across the street. The street itself does not trigger the height in relation to boundary recession plane. Correspondingly, I note that references to sunlight and daylight access to streets are deleted from the purpose of the building height and height in relation to boundary rules. This is discussed in Mr Mackie's evidence at paragraph 10.98.

- 14.28 The proposed amendment to the policy makes this position clear but still provides policy support for managing effects on public open spaced land, which is included in the scope of the height in relation to boundary rule.

15. NOTIFICATION

- 15.1 There are two discrete sections in the business notification provisions. I3.2(1) addresses notification requirements in the industrial zones. Ms Wickham addresses this in her evidence at Part 25 and I support her conclusions. Rule I3.2(2) makes building height and height in relation to boundary development controls subject to the normal tests for notification under the RMA. I will address this matter here.
- 15.2 The PAUP has a presumption of non-notification for restricted discretionary activities (G2.4(1)). This presumption is addressed in the evidence of Michele Perwick for Topic 004 Chapter G General Provisions, at pages 36-40. For the reasons expressed there I agree with Ms Perwick's conclusion that this rule should be retained.
- 15.3 Rule I3.2(2) removes the building height and height in relation to boundary control from this presumption, so they are subject to the normal tests for notification under the RMA. Mediation discussion on this topic was limited and submissions range from those seeking to:
- (a) retain the rule³³
 - (b) extend the rule to yard controls when adjacent to a residential zone³⁴
 - (c) make all resource consent applications limited notified applications so that affected persons are notified.³⁵

Analysis

- 15.4 During the PAUP development height was a topic of much community debate. Buildings that are taller than others around them may have greater shading, dominance and visual effects. Of all the business development controls I consider that exceeding building height has the most potential for adverse effects on a wide number of people and is most likely to be of interest to the wider community. I consider that an exemption from the general presumption of non-notification is appropriate. Whether the adverse effects of the building are considered more than minor under S95D of the RMA will determine whether the application is notified. In my view this

³³ Fulton Hogan Limited 5776-77

³⁴ Chalmers Properties Limited 2260-6

³⁵ Pukekohe Business Association 8971-3

is consistent with the revised approach taken, as discussed in the evidence of Mr Munro, to focus particular urban design attention in business zones on larger buildings.

- 15.5 I also think that the height in relation to boundary infringement should be exempted from the general presumption of non-notification. These infringements have potential for adverse shading and visual dominance effects on adjacent properties and I consider those directly affected by development in this way should be notified if appropriate.
- 15.6 In response to submissions therefore, I agree that the rule should be retained. I do not consider that the yard control is as likely to have as significant an effect on adjacent properties as the two rules discussed above and do not consider it necessary to include in the proposed I3.2(2). Nor do I consider that all resource consent applications need to be limited notified applications. In my view this would create an unnecessary regulatory burden on development.

16. LAND USE CONTROLS

16.1 There are several land use controls proposed in the business provisions. These are:

- (a) I3.3.1 Activities within 30m of a residential zone
- (b) I3.3.2 Retail up to 200m² per tenancy in the Mixed Use zone
- (c) I3.3.2a Food and beverage in the Mixed Use zone
- (d) I3.3.2b Food and beverage in the General Business zone
- (e) I3.3.3 Office activities close to the City Centre zone and Newmarket Metropolitan Centre zone in the Mixed Use and Local Centre zone (City Centre Fringe Office provisions)
- (f) I3.3.4 Light Industry Zone - Existing lawfully established commercial activities as at the date the Unitary Plan becomes operative
- (g) I3.3.5 Activities within 100m of a Heavy Industry Zone

16.2 Matters (a) and (e) are discussed in this evidence. Matter (a) is discussed directly below and (e) is discussed at paragraph 21. Controls (b)-(d) concern commercial activities and are discussed in Mr Bonis' evidence. Controls (f) and (g) concern industrial zones and are discussed in Ms Wickham's' evidence.

I3.3.1 Land use control - activities within 30m of a residential zone

16.3 This land use control amends the activity status of some permitted activities to restricted discretionary where they are within 30m of a residential zone. The restricted discretionary assessment criteria are discussed elsewhere in this evidence beginning at paragraph 20.1.

16.4 Submissions include the following:

- (a) make these activities a discretionary activity when they are within 30m of a residential zone³⁶. Most of the 38 submissions seek this outcome.

³⁶ Darrol Martin 1765-10

- (b) make it clear that the relevant part of the activity needs to be within 30m, rather than any part of the entire site on which the activity is located³⁷.
- (c) add other activities to those requiring restricted discretionary consent, including commercial sex services, food and beverage, education facilities, industrial laboratories, light manufacturing and servicing³⁸ and animal breeding and boarding³⁹.

Analysis

- 16.5 The rule seeks to control potential nuisance effects of permitted activities on adjacent residential zones. In my view, amending the permitted activity status to a discretionary activity when the rule is infringed, would unreasonably limit the ability for some business activities to locate on sites that are adjacent to residential zones. The scope of the potential nuisance effects of these activities are limited and in my opinion can be adequately addressed by the matters of discretion and assessment criteria. In my view, residential zoned sites that are adjacent to commercial zoned sites can expect a different level of amenity, compared with residential zoned sites that are surrounded entirely by other residential zoned sites. While there might be increased activity and nuisance effects for the former, this should be balanced against the positive aspects of living next to a commercial centre. I do not support amending these permitted activities to discretionary.
- 16.6 At mediation, those present agreed that the following addition would make it clear that the relevant part of the activity needs to be within 30m of the residential zone, rather than any part of the entire site on which the activity is located. I support the amendment:

This control only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

- 16.7 Submitters also requested that other activities be added to those listed in I3.3.1. The activities currently listed in I3.3.1 are there because they have the potential to create nuisance effects on surrounding areas. These effects include the number of people they attract, the volume of traffic, the hours of operation and the noise they generate. With two exceptions

³⁷Westfield (New Zealand) Limited 2968-265

³⁸Miranda and Michael Lang 5492-8

³⁹Janine Bell 3765-12

discussed below, I consider that the activities listed in 16.4 (c) above have less potential to create similar nuisance effects.

- 16.8 A possible exception to this is commercial sexual services, which includes brothels. Small brothels that comply with the home occupation rules (permitted numbers of workers, traffic generation, hours of operation etc) can locate in residential zones as permitted activities. I consider that the effects of a larger scale brothel is akin to the effects of a dentist or doctor's clinic. Large brothels are unlikely to generate the same volume of people, traffic or noise as a tavern or drive-through restaurant, or create similar noise to an outdoor eating area. I do not consider it is appropriate to include this activity within the scope of the 30m rule.
- 16.9 The second exception is 'animal breeding and boarding'. In response to submissions Auckland Council has added this activity to the list of activities in the rule. This includes catteries and dog boarding kennels, which are permitted in the Light Industry zone. The intensity and scale of these activities correlates significantly to the potential noise they may generate and in my view it is reasonable to require consent to assess whether the intensity and scale of the activity is appropriate in locations adjacent to residential zones.

18. ACTIVITY STATUS FOR SELECTED ACTIVITIES

18.1 This part of my evidence addresses the activity status of those activities in 13.1.1 Activity table that are not addressed in the evidence of Mr Bonis or Ms Wickham. It includes:

- (a) **Accommodation:** dwellings, conversion of a building or part of a building to dwellings, visitor accommodation and boarding houses, retirement villages and supported residential care
- (b) **Commerce:** commercial sexual services, conference facilities, drive through restaurants and submissions seeking to address alcohol and psychoactive substance retailing
- (c) **Community** – all matters listed in the activity table for the commercial zones
- (d) Demolition of buildings

Accommodation: dwellings

18.2 Dwellings are permitted activities in all commercial zones except for General Business and the Business Park zone, where they are non-complying. One submission seeks to retain the notified activity status in the Town Centre zone⁴⁰, another seeks to make dwellings a discretionary activity in the General Business zone⁴¹ and another seeks to make dwellings a restricted discretionary activity in the Business Park zone⁴².

18.3 In the General Business zone dwellings are not anticipated because the zone permits industrial activities and reverse sensitivity issues may arise. The zone also provides for large format retail activities that are unable to locate within or are not suitable for centres and land of this nature is limited in supply.

18.4 The proposed Business Park zone has limited application in Auckland and is intended for intensive office activities. Dwellings compete directly for above-ground space with offices and in my view a restricted discretionary activity for dwellings would undermine the purpose of the zone.

⁴⁰ All Saints Anglican Church Ponsonby 5876-2

⁴¹ Fletcher Residential Limited 1731-103

⁴² Skylin Home Limited 5851-21

- 18.5 I consider that a non-complying activity status for dwellings is appropriate in both the General Business and Business Park zones.

Accommodation: supported residential care

- 18.6 Supported residential care includes facilities used to provide accommodation and fulltime care for aged or disabled people. Like dwellings, the facilities are permitted activities in all commercial zones except for General Business and the Business Park zone, where they are non-complying.
- 18.7 One submission seeks to retain the notified permitted activity status in centres and mixed use zones⁴³. Another seeks to amend the activity status from permitted to discretionary in Metropolitan and Neighbourhood Centre zones⁴⁴. The submitter also seeks to provide for the facilities as permitted in residential zones, because the rules as they stand will drive supported residential care facilities towards zones where the facility becomes disconnected from the community.
- 18.8 In my view the notified permitted activity status in Metropolitan and Neighbourhood Centre zones is appropriate, regardless of the facilities' status in residential zones (which will be addressed in Topics 059-063 Residential). Centres of this nature anticipate intensive land uses such as this, are hubs for the surrounding community and in many cases are easier to access than residential zones.

Accommodation: visitor accommodation and boarding houses

- 18.9 Visitor accommodation and boarding houses are permitted activities in all commercial zones except for the General Business zone where they are non-complying, and the Business Park zone where they are restricted discretionary.
- 18.10 One submission seeks to make all visitor accommodation and boarding houses obtain consent, to ensure that the property is fit for purpose⁴⁵. In my view visitor accommodation and boarding houses should be enabled as permitted activities in these zones as they are ideal locations for these activities. Ensuring the property is fit for purpose will be addressed using the building consent process and the assessment criteria in I3.6.2(5)(g) for

⁴³ Bupa Care Services 6259-12

⁴⁴ Navigate 5373-15

⁴⁵ The Great Ponsonby Art Hotel 1234-1

new buildings, that address the design and layout of visitor accommodation and boarding houses.

- 18.11 I note that visitor accommodation and boarding houses are a restricted discretionary activity in the Business Park zone, but there are no matters of discretion or assessment criteria for these activities. I propose an out of scope amendment to address this gap, with discretion limited to intensity and scale and whether the activity plays an accessory and supporting role to the established office activities, rather than displacing them.

Commerce – commercial sexual services

- 18.12 There are five submissions concerning the activity status of commercial sexual services. Two submitters seek to amend the activity status in neighbourhood centres from a permitted activity, to require consent⁴⁶. Another seeks to amend the activity status in the Local Centre zone from permitted to discretionary⁴⁷. The Panmure Business Association seeks to require restricted discretionary consent for the activity and also that the activity should not be located at street level⁴⁸.
- 18.13 The submitters consider that such activities are not suitable for residential areas and that the activities have adverse effects on surrounding businesses, local residents and customers who visit centres.

Analysis

- 18.14 The Prostitution Reform Act 2003 decriminalised commercial sexual services. Under the Act, territorial authorities may regulate the location of brothels through its district plan and/or a bylaw. Five out of seven legacy district councils had bylaws regulating the location of commercial sexual services. On 31 October 2015 these bylaws will lapse and the location of commercial sexual services will be regulated through the PAUP⁴⁹.
- 18.15 I do not consider that commercial sexual services should require consent in centres and mixed use zones. The environmental effects associated with these activities are considered compatible with the range of small scale commercial activities anticipated in Local and Neighbourhood Centres. I

⁴⁶ Jan Pilkington 6300-01, Crotty Family Trust 3602-4

⁴⁷ Ian H and Ilene G Bone 3909-24

⁴⁸ Panmure Business Association 3853-4, 5

⁴⁹ The signage and health aspects of commercial sexual services will continue to be regulated through signage and public health bylaws respectively.

consider the risk of a large scale brothel locating in a Neighbourhood Centre zone to be relatively small.

- 18.16 Nor do I consider that commercial sexual services should be required to locate above street level. From an environmental effects perspective, these activities are generally similar to other commercial activities in these zones. Other commercial activities are not required to locate above ground floor and in my view commercial sexual services should be treated consistently, provided the activities are not visible to people passing by on the street.
- 18.17 With this in mind, Auckland Council seeks to add a new Rule I3.4.9(3) to ensure that sensitive aspects of commercial sexual services are not visible to the general public⁵⁰. Rule 4.9 requires glazing on the fronts of buildings in certain areas and this potentially conflicts with the sensitive nature of commercial sexual services. The proposed Rule 4.9(3) is:

The ground floor frontage of buildings used for commercial sexual services and strip clubs must screen the areas where the services take place, if they are directly visible from the street.

- 18.18 I agree with this amendment. It ensures that any sensitive aspects of commercial sexual services (and strip clubs) are screened from public view and in doing so addresses some of the concerns of the Panmure Business Association.
- 18.19 There is also a development control infringement criterion I3.7.2(iii) which addresses infringements of this control. I agree with the proposed wording in the criterion.

Commerce: conference facilities

- 18.20 Regional Facilities Auckland⁵¹ has requested that 'conference facilities' be a permitted activity in the Metropolitan Centre zone. Conference facilities are defined as:

Facilities provided for the specific purpose of holding organised conferences, seminars and meetings.

Includes:

- *convention centres*
- *lecture halls*
- *seminar rooms and*
- *accessory restaurants and cafes.*

⁵⁰ Auckland Council 5716-53

⁵¹ Regional Facilities Auckland 5473-750

18.21 In my view this amendment is appropriate. However the definition includes convention centres and the large scale of this activity would not necessarily be appropriate in the remaining commercial zones. In my view these conference facilities in the remaining commercial zones should be discretionary activities. I anticipate that most 'conference facilities' will be accessory to tertiary education facilities, schools, hospitals, hotels etc and will not have to use the 'standalone' conference facilities definition.

Drive through restaurants

18.22 Submitters seek a more permissive activity status for drive through facilities⁵², retention of the notified activity statuses⁵³, and that these activities be non-complying in the Neighbourhood Centre zone⁵⁴. The notified PAUP treated these activities as 'drive through facilities' and submissions seek to amend the definition to 'drive through restaurants'. Council amended this definition through track changes. I support this outcome, which is discussed in Mr Bonis' evidence.

18.23 The activity statuses were not discussed in detail during mediation, but offline mediation was held with representatives of Restaurant Brands and McDonalds to discuss these and associated matters.

18.24 Council's position is that the activity statuses should remain as notified. In my view the merits of the submissions require further investigation, and I agree that the notified version is the appropriate activity status for drive through restaurants at this time.

Submissions seeking to address alcohol and psychoactive substance retailing

18.25 Submissions request that the PAUP regulate the sale of alcohol and psychoactive substances. For example:

- (a) restrict the sale of psychoactive substances using zoning⁵⁵
- (b) amend the activity table to make retailing of psychoactive substances a discretionary activity within 100m of sensitive activities such as kindergartens, schools and places of worship⁵⁶

⁵² Restaurant Brands Ltd 4449-42, 81 – 85

⁵³ McDonalds 4857-3-7

⁵⁴ J&P Wise 4724-5

⁵⁵ Auckland Regional Public Health Service 6100-65

⁵⁶ Matthew Ward 5798-1

(c) ensure that the PAUP enables and enhances the Local Alcohol Policy to achieve a reduction in alcohol related harm⁵⁷.

18.26 At mediation the Auckland Regional Public Health Service also sought a prohibited activity status for any premises that sell alcohol within 200m of a sensitive site, in defined areas. Auckland Council did not agree.

18.27 The Sale and Supply of Alcohol Act 2012 empowers local councils to implement new alcohol licensing laws and develop a Local Alcohol Policy for their region. In May of 2015, Auckland Council adopted a provisional Local Alcohol Policy. This sets out Auckland Council's policy approach for granting alcohol licences and includes specific policies regarding the location of off-licences.

18.28 I do not consider it necessary for the PAUP's district plan provisions to duplicate or add to those in the Local Alcohol Policy. Parliament has set up a preferred legislative regime for dealing with alcohol issues and the Council's Local Alcohol Policy implements this approach. I note that any issues arising from inconsistencies between the PAUP and the Local Alcohol Policy can be addressed at an operational level. For example, the PAUP permits activities that anticipate the sale of alcohol in many areas of Auckland. This does not imply that the activity will be allowed by the Local Alcohol Policy. This can be addressed operationally by ensuring that planning staff advise applicants, when they apply for their Liquor Planning Certificate (or resource consent if required), of the extra layer of regulation that the Local Alcohol Policy provides.

18.29 Likewise, the Psychoactive Substances Act was enacted in 2013. This sets a framework for the manufacture and sale of licensed substances and 'legal highs'. The act gives local authorities the power to develop a Local Approved Products Policy to decide where these substances can be sold. Council adopted such a policy this year. I do not consider it necessary for the PAUP's district plan provisions to duplicate or add to those in the Local Approved Products Policy.

Community: community facilities

18.30 Community facilities are permitted in all commercial zones except for the Neighbourhood Centre and Business Park zones. They are defined as:

⁵⁷ Auckland Regional Public Health Service 6100-63

Facilities for the wellbeing of the community, generally on a not for profit basis.

Includes:

- *arts and cultural centres*
- *places of worship*
- *community centres*
- *halls*
- *libraries*
- *marae complex*
- *recreation centres*
- *Citizens Advice Bureaux.*

Excludes:

- *entertainment facilities*
- *care centres*
- *healthcare facilities.*

- 18.31 2 submissions seek to retain the permitted activity statuses. The North Harbour Business Association⁵⁸ seeks to amend the activity status of community facilities in the General Business zone from permitted to discretionary. The Church of Jesus Christ of Latter-day Saints Trust Board⁵⁹ seeks to amend the activity status in the Business Park zone from discretionary to permitted.
- 18.32 General Business zones are areas largely comprised of large format retail and form an important part of the PAUP's retail strategy. Land for these uses is highly valued and in my view the zone does not anticipate a wide mix of activities. I note that Policy B2.7.1 seeks to make social infrastructure accessible to users by locating them where they are accessible to local communities. I consider the General Business zone is less accessible than the other commercial zones, both from a transport perspective and an amenity perspective. I also note that community facilities are permitted activities in the majority of commercial zones. I support the submission that the General Business zone activity status for community facilities should be amended from a permitted activity to a discretionary activity.
- 18.33 I do not support the submission seeking a permitted activity for community facilities in the Business Park zone. While the zone is generally in very accessible locations, the zone is intended to serve high intensity office activities and their accessory needs. I do not consider that community facilities are an essential part of the uses expected in this zone. In saying

⁵⁸ North Harbour Business Association 6354-4

⁵⁹ The Church of Jesus Christ of Latter-day Saints Trust Board 7344-25

this I note that the inclusion of 'recreation centres' is proposed to be deleted from the definition of community facilities, as discussed at paragraph 18.56.

Community: education facilities

- 18.34 Education facilities are facilities used for education to secondary level. One submission seeks to amend the education facilities activity status in the General Business zone from permitted to a discretionary activity⁶⁰.
- 18.35 Through its track changes the Council amended this activity status as requested by the submitter. I agree with this approach. The General Business zone is a relatively low amenity zone which anticipates large format retail and industrial activities. In my view the General Business zone is not the best location for a school.

Community: emergency services

- 18.36 Emergency services are '*places occupied by organisations that respond to and deal with accidents, emergencies, or urgent problems such as fire, illness, or crime*', and include police, fire and ambulance stations. One submitter seeks to amend the activity status in the Local Centre zone from discretionary to non-complying⁶¹. The Minister of Police seeks to make these activities permitted in all zones⁶² and the NZ Fire Service seeks to make 'fire stations' a restricted discretionary activity in all zones⁶³.
- 18.37 Reasons for seeking these activity statuses include the following. Nuisance effects are limited to noise, lights, traffic, and employee parking in surrounding streets. These effects are discrete enough that they are able to be addressed by a restricted discretionary activity status, whilst reserving discretion to the appropriate matters. In addition, the notified residential provisions allow emergency services on an arterial road as a discretionary activity, and the discretionary approach also proposed in the commercial zones do not encourage emergency services to locate in less sensitive commercial areas.
- 18.38 The notified provisions apply a discretionary activity status for emergency services to most commercial zones, except in neighbourhood centres which require a non-complying activity consent. These activity statuses are a

⁶⁰ North Harbour Business Association 6354-5

⁶¹ Ian H and Ilene G Bone 3909-31

⁶² Minister of Police 4274-23

⁶³ NZ Fire Service 867-60

reflection of the activities' 24 hour operation and the nuisance effects they can have. In the Neighbourhood Centre zone the non-complying activity status reflects the generally small size and comparatively residential nature of zone.

18.39 In my view the potential effects of emergency services are discrete enough to be addressed using a restricted discretionary activity status. Emergency services are an essential public service and it is appropriate that such activities be provided for within the PAUP, in a way that does not unduly inhibit their development. I consider that a restricted discretionary activity status is appropriate in all commercial zones except for the Neighbourhood Centre zone. In my view the appropriate matters to restrict discretion to are the following:

- (a) intensity and scale
- (b) operational matters
- (c) parking, access and servicing
- (d) functionality.

18.40 The appropriate changes to implement this recommendation have been made in Council's proposed text changes.

18.41 I do not consider that a restricted discretionary activity status is appropriate in the Neighbourhood Centre zone. This zone provides for the local community's convenience needs and as demonstrated in Objective 2, is anticipated to be '*developed to a scale and intensity that respects the planning outcomes identified in the Unitary Plan for the surrounding environment*'. A community constable may achieve this outcome but a two bay fire station may not. In my view the zone provides for smaller scale local development and I struggle to reconcile the zone objectives with a restricted discretionary activity status, despite the public interest component that these activities serve. However I consider that an amendment from non-complying to a discretionary activity is appropriate in the Neighbourhood Centre zone.

Community: healthcare facilities

18.42 Healthcare facilities are '*facilities used for providing physical or mental health or welfare services*' and include medical practitioners, dentists,

opticians and physiotherapists. The activity is permitted in all zones except for the General Business and Business Park zone, where they are discretionary activities.

- 18.43 Two submissions seek to retain a permitted activity status in the Mixed Use zone⁶⁴ and Northcote Rd Holdings seeks to amend the activity status in the Business Park zone to permitted⁶⁵. The submitter argues that there is already a medical centre at Smales Farm business park and this is useful for those working there as well as the surrounding community.
- 18.44 At mediation the Council agreed to amend this activity status to permitted, as requested by the submitter. A healthcare facility can benefit from the high amenity expected in a business park and as they are generally a ground floor activity, the facility complements the above ground nature of intensive office activities. I agree that the activity status should be amended to permitted in the Business Park zone.

Community: hospitals

- 18.45 The activity status of hospitals is generally discretionary in the commercial zones, however they are non-complying in the Local and Neighbourhood Centre zones. Ormiston Joint Venture Limited requests that the activity status of hospitals in the Local Centre zone be amended from non-complying to permitted⁶⁶.
- 18.46 Hospitals have a range of scales but in my experience they are generally large scale developments. As Objective 1 in the Local Centre zone states, local centres they will primarily service local convenience needs and provide residential living opportunities. I consider that large scale activities that jeopardise this outcome are not generally appropriate. In my view a non-complying activity status is appropriate for the Local Centre zone.

Community – justice facilities

- 18.47 The Minister for Courts has requested a new definition for ‘Justice facilities’ and the addition of a new line in the commercial zones activity table⁶⁷. The proposed definition is:

⁶⁴ Eg Ross Holdings Limited 4804-29

⁶⁵ Northcote Rd 1 Holdings Limited 3373-6

⁶⁶ Ormiston Joint Venture Limited 963-17

⁶⁷ Minister for Courts 4279-5-11 and 13

Facilities used for judicial, court, or tribunal purposes, and/or activities including collection of fines and reparation, administration and support, together with custodial services as part of the operation of New Zealand's justice system

- 18.48 These activities are not directly provided for in the PAUP. In my view the mixed judicial and custodial aspects of the activity make it unique and it is appropriate to indicate preferred locations for the activity. To this end I agree it is appropriate to add this definition to the PAUP and add a new line in the commercial zones activity table, with appropriate activity statuses.
- 18.49 The submitter seeks a permitted activity status in metropolitan and town centres and in the Mixed Use zone, and discretionary or non-complying in other zones. I agree that a permitted activity in Metropolitan and Town Centres is appropriate. These locations have good public transport and are the easiest places to access for large sections of the community. This is not necessarily the case in the Mixed Use zone and I do not agree with the proposed permitted activity status for that zone. In my view a discretionary activity is more appropriate.
- 18.50 To summarise the proposed amendments:
- (a) a new line for 'Justice facilities' has been added to the commercial zones activity table, with appropriate activity statuses
 - (b) add the new definition proposed above to the definitions section
 - (c) I also recommend that 'justice facilities' be added to the list of included activities under the definition of 'Community facilities'. See the proposed amendments in Attachment C for this change.

Community – recreation facility

- 18.51 'Recreation facility' is a defined term and includes recreation centres, pools, gyms and fitness centres. The activity is not listed in the nesting tables and nor is it in the activity table. Two submitters want to add a new line to the commercial zones activity table to include the activity, because it is not provided for in the zone.
- 18.52 Recreation facilities such as pools, gyms and fitness centres are currently provided for in the commercial zones by virtue of activity statuses for 'community facilities'. 'Recreation centres' is nested under community

facilities, and is akin to recreation facilities ('recreation centres' are included in the definition of 'recreation facility').

18.53 This approach has a gap for recreation facilities that are for-profit businesses, as only not-for-profit recreation centres are provided for. The two activities have the same effects as recreation centres and for this reason I agree that 'recreation facility' should be added as a new line to the commercial zones activity table.

18.54 In my view the activity status for recreation facility should be the same as for community facilities, as this keeps the activity status consistent with the notified provisions, which I think are appropriate. However an amendment to the Business Park zone activity status was agreed at mediation, from a discretionary activity to permitted. I agree with this amendment as a gym or fitness centre would be a useful activity to serve office workers that work in the Business Park zone and the potential effects are not problematic.

18.55 In my view several other changes are appropriate to support this amendment. The definition of community facilities should be amended to delete recreation centres or else there will be a conflict between the two activity statuses in the Business Park zone. I also think that the 'recreation facility' activity should be amended so it is called 'recreation facilities'. Nearly all other similar definitions use the word 'facilities' rather than 'facility'. Finally, in my view the definition of 'entertainment facilities' is confusing as it begins: '*Facilities used for paid recreation, leisure or entertainment*'. The use of 'recreation', while not incorrect, is confusing and could be deleted as the words leisure and entertainment are sufficient to define the activity.

18.56 In summary, the proposed changes are:

- (a) add a new line to the commercial zones activity table for recreation facilities, with the listed activity statuses
- (b) delete 'recreation centres' from the definition of 'community facilities'
- (c) amend the definition of 'recreation facility' to 'recreation facilities'
- (d) amend the definition of 'entertainment facilities' as follows:

Facilities used for paid ~~recreation~~, leisure or entertainment.

Includes:

- *cinemas*

- bars and nightclubs
- theatres
- concert venues.

Community – tertiary education facility

18.57 Tertiary education facilities are ‘facilities used for education at a post-secondary level’ and include universities and technical institutes. At a late stage in the PAUP’s development, tertiary education facilities were split from the definition of ‘education facilities’ and the business activity tables were not updated. Submitters have requested this to be remedied. The University of Auckland seeks that tertiary education facilities be permitted in all commercial zones⁶⁸. AUT seeks a discretionary activity status in the General Business zone⁶⁹.

18.58 Through track changes Council amended the error and included tertiary education facilities in the commercial zones activity table. Their amendments were as follows:

MC	TC	LC	NC	MU	GB	BP
<u>P</u>	<u>P</u>	<u>RD</u>	<u>D</u>	<u>P</u>	<u>D</u>	<u>RD</u>

18.59 I agree with these proposed changes. A permitted activity status is appropriate in the Metropolitan and Town Centres, and the Mixed Use zone. In the Local Centre zone however I consider that the potential scale of tertiary education facilities is such that a restricted discretionary activity consent is required, to assess potential effects on the intensity and scale of the local centre. This is consistent with Local Centre Objective 2 which is proposed as: ‘*The scale and intensity of development within local centres respects the planning outcomes identified in the Unitary Plan for the surrounding environment*’. I note that new assessment criterion I3.6.2(4a) has been proposed to address the potential intensity and scale effects of tertiary education facilities on the Local Centre.

18.60 With respect to the Neighbourhood Centre, General Business and Business Park zones, I consider that the zone intent for each zone indicates that a discretionary activity is appropriate.

Demolition of buildings

⁶⁸ The University of Auckland 5662-94

⁶⁹ Auckland University of Technology 3292-14

18.61 Under 'Development' in I3.1 Activity Table 1, the notified PAUP requires a restricted discretionary activity status for demolition of buildings in the Metropolitan Centre zone.

18.62 This rule is based on a similar rule in the City Centre zone. In the notified PAUP the City Centre zone demolition rule required a restricted discretionary activity but this was amended to a controlled activity through Council's track changes⁷⁰. Nick Roberts explains this change in his evidence to Topic 050 City Centre at paragraph 8.28:

The purpose of requiring a resource consent for this activity is to ensure the effects of demolition activities and creation of open space are adequately managed to achieve objective 2 which sets the goal of an attractive city centre. This can be achieved through conditions and does not require consideration of whether the activity should be approved. Therefore, I consider that a controlled activity status is a more appropriate and efficient method in this situation.

18.63 9 submitters⁷¹ oppose the restricted discretionary activity status for buildings in the Metropolitan Centre zone. They seek either a permitted or controlled activity status. Through track changes Council amended the activity status from restricted discretionary to controlled. Submissions also seek to delete or amend the assessment criteria for the restricted discretionary activity⁷².

Analysis

18.64 I agree with Mr Roberts' evidence that a controlled activity status is appropriate for demolition because conditions are sufficient to address the matters with which the rule is concerned. I do not think demolition of buildings in the Metropolitan Centre zone should be permitted (as they are in all other business zones except the City Centre zone). Metropolitan Centres are most like the City Centre in terms of their scale, intensity and complexity. I consider that reserving the right to exercise conditions is appropriate, to manage the effects of demolition activities and achieve Objective 2 in the Metropolitan Centre zone.

18.65 The assessment criteria for the activity are also adapted from the City Centre zone assessment criteria. They deal with the following matters;

(a) pedestrian amenity and safety

⁷⁰ I3.6.2(7) was deleted and a new I3.6a.1-2 was added.

⁷¹ Eg Scentre 2968-277

⁷² Eg The Warehouse Limited 2748-108

- (b) re-use of building materials
- (c) site condition post demolition (temporary or permanent parking)
- (d) traffic generation.

18.66 For the purposes of the Metropolitan Centre zone I consider that criteria (b) and (c) are unnecessary. (b) seeks the re-use and re-cycling of demolished materials as much as possible. While this may mean less material being transported from the site and added to landfill, I do not consider it likely that the criterion will or should materially influence how these materials are used post-demolition. (c) signals that vacant sites post-demolition should not be used for temporary or permanent parking. I consider it useful to make it clear that parking is not anticipated as an appropriate activity for vacant sites, particularly in the City Centre where this is an economically viable option. I consider this outcome less likely in most metropolitan centres, where parking is in greater supply. I also consider that the rules for non-accessory parking are sufficiently clear in the PAUP transport provisions and do not need to be repeated here.

18.67 In my view criteria (a) and (d) should remain as assessment criteria. Vacant sites can have adverse effects on centres and the edge treatment of these sites is particularly important for amenity and safety purposes. As the PAUP does not address vehicle noise I also consider that traffic generation after hours and at peak times should be a matter for consideration when the building is being demolished.

19. DEVELOPMENT CONTROLS

19.1 This part of my evidence addresses the development controls not covered in the evidence of Mr Mackie, Ms Wickham or Mr Munro. Mr Mackie addresses I3.4.2 Building height and I3.4.3 Height in relation to boundary. Ms Wickham addresses I3.4.18 Maximum impervious area in the riparian yard. My evidence addresses the development controls listed below and Mr Munro addresses the remainder.

- (a) I3.4.1 Development control infringements
- (b) I3.4.11 Residential at ground floor (addressed beginning at paragraph 14.8 of this evidence)
- (c) I3.4.19 Wind
- (d) I3.4.20 Dwellings, retirement villages, visitor accommodation and boarding houses

I3.4.1 Development control infringements

19.2 In the notified PAUP, developments that infringe development controls are a restricted discretionary activity. If a development infringes more than 3 of the named development controls, I3.4.1 deems this a discretionary activity. The rule seeks to ensure that an application is not 'artificially' assessed using individual development control infringements for each infringement, but so the whole application is assessed holistically. As a discretionary activity, infringement of the rule would also expose the development to the potential for notification, according to the statutory tests.

19.3 There are 39 submissions concerning this rule, seeking a range of relief. Most seek to delete the rule⁷³ or to remove some of the development controls which trigger the rule⁷⁴. Another seeks to apply the rule only when adjacent to residential zones⁷⁵. Another does not support the guaranteed non-notification when less than three rules are infringed⁷⁶.

19.4 Those that oppose the rule do so on the basis that:

- (a) the assessment criteria provide sufficient scope to consider all relevant matters related to the infringement

⁷³ Vuksich and Borich Limited and Cook Group Holdings Limited 3653-52

⁷⁴ 88 Broadway Limited 3449-4

⁷⁵ McDonalds Restaurants (NZ) Limited 4857-15

⁷⁶ Kim Walker 7387-1

- (b) the effects for each infringement can be assessed directly using a restricted discretionary activity consent, rather than by using a discretionary activity consent which reduces certainty as it may involve assessment of effects that are unrelated to the infringement.

Analysis

- 19.5 In my view the significance of any development control infringement is more important than the number of infringements. The significance and effects of an infringement can be adequately assessed using the development control infringement assessment criteria and the purpose of the development control. For this reason I do not consider that the rule is necessary, provided that there is ability to assess the combined effects of all development control infringements.
- 19.6 For multiple infringements, I have concern that each development control infringement may be assessed individually and not as a whole. Multiple development control infringements may indicate that the scale and effects of the proposed development is beyond that anticipated for the surrounding environment, particularly if the infringements are significant. If each infringement is considered individually, there is a risk that the overall effects of the development are not adequately avoided, remedied or mitigated.
- 19.7 To ensure that assessment criteria are sufficiently flexible to assess multiple infringements, in my view it is appropriate to add a new development control assessment criterion to G2.3 Rule infringements for permitted, controlled and restricted discretionary activities. This specifically states that the cumulative effect of multiple development control infringements should be considered. Council recommended text through track changes and further amendments were agreed at mediation. The full text is shown in Attachment C but is summarised below for completeness. I agree with the proposed amendments:

3. For control infringements that are a restricted discretionary activity, the council will restrict its discretion to the following matters, in addition to any specific matters listed in the rules:

....

c. cumulative effects arising from multiple development control infringements.

4. When assessing a restricted discretionary control infringement, for the matters of discretion listed above the council may consider the following criteria....

d. Whether the infringement will, in combination with other control infringements, give rise to adverse cumulative effects on the environment. This will require the effects of multiple development control infringements to be considered as a whole and not in isolation from one another.

- 19.8 In my view this reduces the risk that individual development control infringements will be assessed in isolation. I consider that the deletion of Rule 13.4.1, in combination with the proposed addition to G2.3, will increase certainty for applicants and enable Council to adequately assess applications with multiple development infringements.
- 19.9 I note that the potential for notification of discretionary activities is also an important part of the proposed Rule 4.1. I consider that height and height in relation to boundary infringements are the most likely development control infringements to have significant adverse effects on the surrounding environment. Rule 13.2 Notification requires that any building height and height in relation to boundary infringements to be subject to the normal tests for notification. In this way, notification may occur if these key development controls are significantly infringed.

13.4.19 Wind

- 19.10 This rule is addressed in Mr Farrant's evidence and I support his conclusions there. The proposed amendment to the rule adds new provisions to make it easier for applicants to demonstrate compliance with the rule.
- 19.11 This amendment is not within the scope of submissions and is shown as such in the amended text attached to my evidence.
- 19.12 At paragraph 17, Mr Farrant's evidence also recommends a consequential amendment to Rule 4.30 Wind in the City Centre provisions. This rule is incomplete as it is missing the part of the text that explains the wind graph. Auckland Council seeks to include this text⁷⁷ but unfortunately this was not addressed during Topic 050 City Centre.
- 19.13 I note also that there are 22 submissions concerning Rule 13.10.2 Wind report. This rule requires a wind report from a registered engineer qualified in wind assessments for any building over 20m. Nearly all submissions seek to delete the rule⁷⁸ or seek that it not apply where a canopy is

⁷⁷ Auckland Council 5716-75

⁷⁸ Westfield (New Zealand) Limited 2968-325

provided over public space⁷⁹. I agree the rule should be deleted as it duplicates rule 4.19 Wind.

13.4.20 Dwellings, retirement villages, visitor accommodation and boarding houses

19.14 This proposed rule seeks minimum standards of residential amenity within and between dwellings, visitor accommodation and boarding houses. Dwellings are anticipated in the centres and mixed use zones. Rule 4.20 applies residential amenity controls based on rules in the City Centre zone and the Terraced Housing and Apartment Buildings (**THAB**) zone:

- (a) Rule 4.20.1(a) applies the City Centre residential amenity rules to dwellings in the Metropolitan Centre zone
- (b) Rule 4.20.1(b) applies the **THAB** zone residential amenity rules to dwellings in the Town, Local and Neighbourhood Centre zones and the Mixed Use zone.

19.15 There are 21 submissions on the rule. 5 submissions concern the general approach that is described above and 4 of these support the approach⁸⁰. The other submission seeks to exclude retirement villages from Rule 4.20. This is addressed in Ms Rogers' evidence and I agree with the proposed approach explained there.

19.16 I agree with the general approach of cross referencing the residential amenity controls to the City Centre or THAB zone as appropriate. The approach is clear and certain and saves repetition. The anticipated amenity of most areas of metropolitan centre zone is similar to the amenity expectations of the City Centre zone. The remaining commercial zones are reduced in scale and less intense, and the amenity expected here is more similar to that anticipated in the THAB zone. With one exception that is discussed at 19.21 below, I agree with this general approach.

19.17 The remaining submissions seek to amend individual controls within 4.20. In respect of the City Centre residential amenity controls the submissions include:

⁷⁹ Athol McQuilkan 5940-16

⁸⁰ Eg Richard and Deborah Peers 3251-5, CCS Disability Action - Northern Region 6262-70, Mansons TCLM Limited 3194-47

- (a) Reduce the required glazing in the daylight to dwellings control from 40% to 20%⁸¹
- (b) Reduce the minimum widths of balconies⁸² and retain or increase the minimum dwelling size control⁸³
- (c) delete universal access control and any associated criteria⁸⁴
- (d) include specific rules for acoustic attenuation for activities sensitive to noise that locate within the business zones⁸⁵
- (e) amend control 4.20(1)(a)(i) so that the outlook space required for the Takapuna 1 precinct is the same as the THAB outlook space control.

19.18 Topic 050 City Centre has been heard and in my view the residential amenity controls that are considered appropriate by the Panel should apply in the Metropolitan Centre zone. The Council's approach to the City Centre residential amenity controls was contained in Mr Nick's Roberts primary evidence on that topic. I agree with Mr Roberts' evidence on those controls and do not propose to add to that discussion. I note however that the submissions in (a)-(c) above have been addressed in Mr Roberts' evidence and Council's proposed changes:

- (a) The minimum glazing control in the daylight to dwellings control has been reduced from 40% to 20%
- (b) The balcony width has been reduced to 1.2m for studios and 1.8m for one or more bedroom dwellings and the minimum dwelling sizes have been increased
- (c) The universal access rule has been deleted and is proposed to be addressed using criteria.

19.19 In response to (d) above, I note that the Auckland-wide noise rules do contain specific acoustic attenuation rules for activities sensitive to noise that locate within the business zones. In response to (e) above, I consider

⁸¹ Crown Mutual Limited and Crown Pacific Finance Limited and State Advances Corporation Limited 4203-17

⁸² Eg 88 Broadway Limited 3449-8

⁸³ Eg Suzanne V and Alan Norcott 6214-13

⁸⁴ Crown Mutual Limited and Crown Pacific Finance Limited and State Advances Corporation Limited 4203-19

⁸⁵ Fulton Hogan Limited 5776-79

that this is a precinct specific submission and can be dealt with as part of the Takapuna precinct in Topic 081.

- 19.20 As Topic 059-063 Residential has not been heard, in my view it would be a duplication of effort to try to address how the THAB controls apply to the relevant commercial zones, when the final provisions have not yet been determined. It appears more appropriate to wait until this topic is heard to assess how the controls have changed and how they should apply to the relevant commercial zones.
- 19.21 In my view there is one exception necessary to the general cross referencing approach. One submitter seeks to amend the outlook space control to ensure adequate light and ventilation between tall buildings⁸⁶. The submitter argues that having outlook space requirements of only 6m, 3m, or 1m do not ensure adequate light ventilation, sunlight access or amenity for taller buildings.
- 19.22 I agree with the submitter. In my view there is potential for occupants of taller buildings to endure poor amenity outcomes if the THAB outlook controls are applied. In my view the City Centre controls, or a variation of them, are more suitable for tall buildings and should be applied to buildings in Town Centres and Mixed Use zones over 21m in height. The City Centre control requires a 20m outlook space for the parts of buildings over 24m in height. While this may be excessive for buildings that only exceed 24m by a small margin, in my view the THAB outlook controls proposed are inappropriate for taller buildings in these zones. Amendments are proposed to 4.20 to implement this approach.
- 19.23 The notified PAUP has bespoke assessment criteria that support Rule 4.20. This is contained in:
- (a) I3.6.2.5(g) Design and layout of dwellings, retirement villages, visitor accommodation and boarding houses
 - (b) I3.6.2.6 Conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses
 - (c) Development control infringement I3.7.2.4 Outlook space

⁸⁶ Emilia Kabazamalova 7205-6

- (d) Development control infringement I3.7.2.5 Minimum dwelling size, minimum floor to floor height (dwellings), minimum dimension of principal living rooms and bedrooms, outdoor living space, storage servicing and waste, daylight to dwellings and dwelling mix
- (e) Development control infringement I3.7.2.6 Separation between buildings on the same site.

19.24 Given the general approach in Rule 4.20 which cross-references the relevant sections in the City Centre and THAB zone, it seems efficient to take the same approach to the assessment criteria that relate to the rule. In my view the bespoke criteria should be deleted and the criteria in the City Centre and THAB zone should apply as appropriate.

20. ASSESSMENT CRITERIA

20.1 This part of my evidence focuses on assessment criteria, including:

- (a) I6.2.1(a) Intensity and scale
- (b) I6.2.1(b) Noise, lighting and hours of operation
- (c) I6.2.1(c) Design of parking, access and servicing
- (d) I6.2.1(c) Functionality
- (e) I6.2.5(h) Water sensitive design

20.2 I note that the matters of discretion in I3.6.1 and I3.7.1 largely repeat the concepts in I3.6.2 and I3.7.2. These are addressed in this evidence and that of Mr Bonis, Mr Munro and Ms Wickham. I do not propose to discuss the matters of discretion separately in my evidence.

I6.2.1(a) Intensity and scale

20.3 This criterion seeks to ensure that the effects of relevant activities are compatible with the surrounding area. The criterion applies to a number of activities including activities within 30m of a residential zone, emergency services, tertiary education facilities in the Local Centre zone and others. 3 submitters⁸⁷ seek amendment of the reference to 'future form and character', as the meaning of this phrase is unclear.

20.4 Submitters generally opposed reference to 'character' in the business provisions. For example, Objective 2 in the Town Centre zone seeks to ensure development is in keeping with '*planned future character*'. During mediation all parties agreed to amend this to '*planning and design outcomes identified in the Unitary Plan for the relevant centre*'.

20.5 In keeping with the change to this objective, all present parties at mediation agreed to amend the character reference in the assessment criteria to the following:

The intensity and scale of the land use activity, in particular, the number of people involved and traffic generated by the activity (including vehicle noise and lights), should be compatible with the planning outcomes identified in the Unitary Plan for ~~planned future form and quality character~~ of the surrounding area.

⁸⁷ Eg Bunnings 6096-36

- 20.6 I agree with this outcome. The revised '*planning outcomes identified in the Unitary Plan*' makes it clear that the activity needs to be compatible with specific planning outcomes, not an interpretation of local character which might not be supported by the Unitary Plan provisions.

16.2.1(b) Noise, lighting and hours of operation

- 20.7 Like the intensity and scale criterion discussed above, this criterion seeks to ensure that the effects of relevant activities are compatible with the surrounding area. The criterion applies to two activities - those within 30m of a residential zone and emergency services.
- 20.8 Auckland Council proposed significant changes to the criterion so that it does not duplicate existing noise and lighting provisions in the Auckland-wide rules. This proposed change is consequential to the evidence of Michele Perwick for Topic 004 Chapter G General Provisions, at paragraph 14.13. This change and others proposed during mediation were agreed by all parties present, including myself:

~~Noise, lighting and hours of operation~~ Operational matters

~~i. The activity's hours of operation should minimise effects on the amenity of surrounding residential zoned properties arising from the operation of the activity should be managed.~~

- 20.9 There are two further significant amendments agreed during mediation. One is the amendment from 'surrounding residential properties' to 'surrounding residential zoned properties'. This makes it clear that the effects being assessed are not on residential properties within a business zone. The expected standard of amenity in a business zone is different from a residential zone and matters such as the hours of operation of a business are only considered important if they are having adverse effects on residentially zoned properties. I support this amendment.
- 20.10 The other significant amendment is the change in title from 'Hours of operation' to 'Operational matters'. This uses the latter phrase as a generic reference to operational issues, rather than a specific reference to hours of operation, which is limited in scope. It allows an assessment against all operational matters used by the applicant to manage adverse effects on surrounding residential zoned properties, rather than just the hours of operation. I support this amendment.

Design of parking, access and servicing

20.11 These assessment criteria seek to address the potential effects of parking, access and servicing areas for new activities and development associated with new buildings. As explained in Mr Munro's evidence at paragraph 5.10, submitters invited Council to rationalise its approach to rules and assessment criteria. The assessment criteria in design of parking, access and servicing were amended as part of that approach. Proposed amendments were generally agreed by all present parties at mediation and I support the amendments. Significant amendments include:

- (a) Deleting the reference in (i) to the location of parking. This is addressed in rules (eg 4.6 Buildings fronting the street) and 4.17 (Landscaping, to buffer parking areas from the street). I support this deletion as it is not always appropriate to locate parking behind buildings.
- (b) An amendment to (iv), about pedestrian environments within carparks (iv). In my view the proposed amendments clearly set out reasonable expectations for the treatment of pedestrian routes between the street, adjacent sites and car parking areas.
- (c) Deleting (vi) about ventilation and fumes from parking structures, as this is now contained in the general building assessment criteria.
- (d) An amendment to (viii) about the location of rubbish storage, to make it clear that these areas cannot always be located in a building.

Functionality

20.12 This assessment criterion was added by Council through track changes. It implements B2.2 references to functionality and also Policy 11a in D3.1 General objectives and policies. Assessment matters for restricted discretionary activities generally exclude policies so Policy 11a will not be relevant to these activities. In my view the consequential amendment ensures that functional requirements will be taken into account when considering these restricted discretionary activities.

Water sensitive design

20.13 Water sensitive design is defined in the PAUP. It is an approach to freshwater management that is applied to land use planning and development to protect and enhance natural freshwater systems and

sustainably manage water resources. One of the assessment matters for the design of buildings in commercial zones is I3.6.2(5)(h) Water sensitive design. Development is expected to incorporate water sensitive design principles appropriate to the scale of the proposed development.

20.14 2 submitters seek to delete this section and 2 seek to amend the criterion so it is only required 'where practicable'. Submitters seek these outcomes on the basis that the matter is appropriately dealt with under the stormwater provisions and in many instances they will be impractical to implement.

20.15 Council proposes to keep the assessment matter but delete the detailed text and replace it with the following:

i. On site stormwater management should be integrated into the site design, including landscaped areas.

20.16 I agree with this outcome for the following reasons:

- (a) the detailed text in the notified version sought a range of outcomes that should properly be dealt with in other sections of the plan, such as the stormwater provisions, subdivision provisions and in structure plans and framework plans
- (b) the criteria arguably applied to sites of all sizes. On small sites water sensitive design techniques can be difficult to accommodate and may not be an efficient use of land
- (c) in my view the proposed redraft correctly links the water sensitive design and stormwater requirements in other parts of the PAUP with building and site design in the commercial zones. The requirements are located elsewhere in the PAUP, but the simplified criteria guides how they should be physically accommodated into commercial zone development.

21. CITY CENTRE FRINGE OFFICE PROVISIONS

- 21.1 The PAUP strategy encourages large scale office activities to locate within the City Centre, Metropolitan and Town Centre zones. As explained in Mr Bonis' evidence, in these locations they make efficient and effective use of public transport infrastructure, support other commercial and community activity and enhance long term centre reinvestment. A limited number of business parks around Auckland also supplement this strategy.
- 21.2 The area around the City Centre and Newmarket has very good public transport. Many mixed use zoned areas in these locations have large scale office activities, for example in College Hill and along Carlton Gore Rd between the City Centre and Newmarket. These large scale office activities are an efficient use of land and, in my view, should be enabled.
- 21.3 The notified PAUP provides for activities of this nature using the City Centre Fringe Office overlay. This applies to areas of the Mixed Use and Local Centre zones around the City Centre and Newmarket, as shown in the GIS maps. The Mixed Use and Local Centre zones generally enable offices up to 500m² per site but require a resource consent for larger offices. The City Centre Fringe Office overlay removes this restriction in areas around the City Centre and Newmarket, where intensive development of land is anticipated and public transport services are very good.
- 21.4 There are 29 submissions on the provisions. 22 of the submissions seek to retain the overlay in its entirety or as applicable to specific sites. The remaining submissions are identified and discussed below.

Analysis

- 21.5 In my view the overlay should be retained. It is an efficient use of natural and physical resources in accordance with S7(b) of the Act. The scale and intensity of development generally expected in these areas and the public transport access is such that in these areas I do not support the limitation on office activities that is part of the general zone rules.
- 21.6 Through track changes the Council has amended the location and name of the notified overlay. The Panel has advised that relatively simple overlays of this nature should be located in the general zone provisions. I agree with this approach for the overlay. The provisions have been moved from E4.4

and J4.5 to the zone provisions. The amendments to implement this change are discussed below.

- 21.7 There is an addition to D3.1 Business zones – Introduction, to add a section that outlines the PAUP strategy for location of offices (as explained in Mr Bonis’ evidence) and the approach to the City Centre fringe areas. At mediation some parties reserved their position on this text. In my view they accurately explain the PAUP office strategy and the approach to the City Centre fringe area, and I support the additions to this section.
- 21.8 The notified overlay has an objective, which has been deleted. In my view adding this objective to D3.1 General objectives and policies is unnecessary as it is already implicitly addressed in Objective 3 of that section.
- 21.9 A new Policy 14 has been added to D3.1 General objectives and policies. This generally repeats the original Policy 1 in the overlay but has one significant amendment. The specific reference to ‘*availability of excellent public transport services*’ has been amended to a reference to ‘*recognising their proximity and accessibility to the City Centre zone and Newmarket Metropolitan Centre zone*’. This recognises that not all areas within the spatial extent of the city fringe office provisions have excellent public transport, but their locality in this area of intensive development and proximity to the City Centre means that these areas are very accessible to large numbers of people within and beyond the locality. I support this change.
- 21.10 A new land use control I3.3.3 has also been added to replace the activity table in the overlay. This has no material significance and I support this amendment.
- 21.11 Submissions that sought changes to the provisions included the following:

- (a) Add similar provisions to the THAB zone around Takapuna Metropolitan centre⁸⁸.

The provisions apply to the Mixed Use and Local Centre zones around the City Centre and Newmarket. These are commercial zones, which anticipate office activities greater than the scale of a home occupation. This scale of office activity is not anticipated in

⁸⁸ K Marevich 1596-2

the THAB zone and I do not support the outcome the submitter requests.

- (b) Increase the height of buildings within the spatial area of the city fringe office provisions to 40m⁸⁹.

The city fringe office provisions enable unlimited office activity. They do not regulate height or scale of built form, which are addressed separately in the business provisions and are dependent on other matters such as topography, proximity to residential zones, historic character and viewshafts. I do not agree that the fringe office provisions should attempt to address built form matters.

- (c) Auckland Council⁹⁰ seeks to remove the city fringe office provisions from the THAB zone, as shown in Attachment E, and the Parnell Community Committee seeks to remove it from areas in Parnell⁹¹.

During the PAUP development sites along Great North Rd near Grey Lynn Local Centre were amended from Mixed Use to THAB. The city fringe office provisions applied to the former mixed use zoned area and were not removed after the zoning change. I consider that unlimited office activity is not appropriate for the THAB zone and the city fringe office provisions should be removed from this area, as shown in Attachment E. I note that there are rezoning submissions seeking the return of the Mixed Use zone to this area and if successful, the city fringe office provisions could once again be applied to the sites.

The Parnell Community Committee seeks to remove the provisions from lower west Parnell (west of the North Island main trunk railway) and the mixed use area east of Parnell Rise. This is because the provisions will prioritise office development over residential and other uses in these mixed use environments, and offices have not been substantiated as a sustainable option for Auckland or Parnell.

The Mixed Use zone primarily provides for complementary residential activities and smaller scale commercial activities. Applying the city fringe office provisions to these areas will not

⁸⁹ Wardour Investments Limited 3681-33

⁹⁰ Auckland Council 5716-55

⁹¹ Parnell Community Committee Incorporated 5747-8

prioritise office over residential activities, but it does provide flexibility for a greater intensity of office development. In my view these complementary activities are an ideal mix in an intensive area such as this and I do not support the removal of the city fringe office provisions from these areas.

- (d) Apply the provisions to sites at 97-115 The Strand, Parnell⁹² and also to 1-15 and 17-23 Marewa Rd Greenlane⁹³.

The sites at 97-115 The Strand are zoned Light Industry. Large office activities are a non-complying activity in this zone and I do not consider it appropriate to apply the city fringe office provisions to this zone. The submitter is seeking rezoning to Mixed Use however. If the rezoning is successful I consider that the city fringe office provisions should apply.

The sites at 1-15 and 17-23 Marewa Rd Greenlane are not in proximity to the City Centre and in my view do not possess the necessary attributes that would enable the provisions to be applied. I do not support the submitter's request.

⁹² Dilworth Trust Board 3477-38

⁹³ Kimberley Trust and Kimberley Housing Charitable Trust 3434-6

22. DEFINITIONS

22.1 Submissions to Part 4 – Definitions within the PAUP have been allocated to Hearing Topic 065 Definitions. However, it is considered appropriate to address the definitions that are inherent to the business chapter at this stage. This section of my evidence addresses 2 definitions that are related to business activities but not addressed in the primary evidence of Mr Bonis or Ms Wickham. I note that some definitions have already been discussed elsewhere in my evidence.

22.2 Submitters have sought to amend existing definitions and introduce new definitions for the following activities:

- (a) Animal breeding and boarding
- (b) Business activities

Animal breeding and boarding

22.3 Two submitters⁹⁴ seek to broaden the definition of animal breeding and boarding to recognise short-term boarding such as dog day care centres. The submitters' concern is that term 'boarding' used in the PAUP definition suggests long-term boarding and therefore does not give appropriate consideration to dog day care activities.

22.4 I agree that 'dog day care' activities should be recognised within this definition of animal boarding and breeding. In addition, the definition as notified is in my view overly complex, and could be made more legible for plan users. To this end, I support the following amendments to the definition:

Breeding, ~~or~~ boarding or day care centres for domestic pets or working dogs
~~• keeping, breeding or boarding dogs.~~
Excludes:
~~• keeping of working dogs~~
~~• keeping of domestic pet cats or dogs.~~

Business activities

22.5 In Topic 005 RPS Issues B1.2 Enabling economic well-being, submitters sought to clarify what is meant by the word 'business'⁹⁵. There was

⁹⁴ Corey Martin 2923-2, Smithies Family Trust et al 2707-172

⁹⁵ Eg ACI Operations 852-34

confusion about whether it included industrial activities. During development of the PAUP the approach was that 'business activities' included both 'commercial activities' and 'industrial activities' (both of which are defined). In paragraph 10.15 of Mr Trevor Mackie's evidence for that topic, he recommended that a definition of 'business activities' would be appropriate, to alleviate this confusion. I agree with this approach and propose the following definition:

Business activities
Commercial and industrial activities

23. CONCLUSION

23.1 My planning evidence has addressed a number of matters within the business provisions and the submissions on these provisions. This includes the following:

- (a) the background to the PAUP District Plan business provisions and zones
- (b) residential activity within centres, residential amenity provisions and the effects of development in business zones on adjacent residential areas
- (c) the activity status of various activities within commercial zones
- (d) notification and development control infringement provisions
- (e) the City Centre Fringe Office provisions.

23.2 The following parts of the RMA are particularly relevant to this discussion:

- (a) S5(2)(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- (b) S5(2)(c) avoiding, remedying or mitigating any adverse effects of activities on the environment;
- (c) S7(b) the efficient use and development of natural and physical resources;
- (d) S7(c) the maintenance and enhancement of amenity values;
- (e) S7(f) maintenance and enhancement of the quality of the environment; and
- (f) S7(g) any finite characteristics of natural and physical resources.

23.3 I have considered the PAUP provisions, the submissions and Council's proposed amendments on the basis of these submissions. For the reasons set out in my evidence, I consider the objectives, policies and rules set out in the attachments to be the most appropriate way to achieve the purpose of the Act.

Jeremy Wyatt

A handwritten signature in blue ink, appearing to be 'J. Wyatt', written in a cursive style.

27 July 2015

ATTACHMENT A

Career Summary

November 2004 – July 2007 North Shore City Council Policy Planner

- Scope of work involved utilities, volcanic cones, general policy advice and plan changes

May 2008 – October 2010 North Shore City Council Senior Planner (Policy)

- Scope of work included flooding, stormwater, urban intensification, general policy advice and plan changes

November 2010 – current – Auckland Council Principal Planner, Unitary Plan team

- Scope of work included preparation of PAUP business provisions and contributing to PAUP structure and philosophy

Qualifications

Bachelor of Laws - University of Otago 1993

Bachelor of Commerce - University of Otago 1993

Masters in Planning Practice - University of Auckland 2004

ATTACHMENT B

Allocation of Objectives, Policies and Rules to Council Planning Witnesses

Provision	Provision	Planner responsible
D3 Business zones		
D3.1 General obs and pols	Introduction	Jeremy Wyatt/ Trevor Mackie
	O 1	Matt Bonis
	O 2	Matt Bonis
	O 2a	Ian Munro
	O 3	Matt Bonis
	O 4	Matt Bonis
	P1	Matt Bonis
	P2	Jeremy Wyatt
	P3	Ian Munro
	P4	Jeremy Wyatt
	P5	Ian Munro
	p5a	Ian Munro
	P6	Ian Munro
	P7	Ian Munro
	P8	Ian Munro
	P9	Jeremy Wyatt
	P10	Jeremy Wyatt
	P10a	Jeremy Wyatt
	P10b	Jeremy Wyatt
	P11	Jeremy Wyatt
	p11a	Ian Munro
	P12	Trevor Mackie
	P13	Trevor Mackie
	P14	Jeremy Wyatt
D3.3 Metro Centre zone	Zone description	Matt Bonis
	O 1	Matt Bonis
	O 2A	Matt Bonis
	O 2	Matt Bonis
	O3	Ian Munro
	P1	Matt Bonis
	P1A	Matt Bonis
	P2	Matt Bonis
	P 2A	Ian Munro
	P3	Matt Bonis
	P4	Matt Bonis
	P5	Jeremy Wyatt
	P6	Matt Bonis
	P7	Ian Munro

Provision	Provision	Planner responsible
	P7a	Ian Munro
	P7b	Ian Munro
	P8	Kevin Wong-Toi
	P9	Ian Munro / Matt Bonis
D3.4 Town Centre zone	Zone description	Matt Bonis
	O 1	Matt Bonis
	O 2	Matt Bonis
	O 3	Matt Bonis
	O4	Ian Munro
	P1	Matt Bonis
	P1A	Matt Bonis
	P2	Matt Bonis / Jeremy Wyatt
	P3	Matt Bonis
	P4	Ian Munro
	P4a	Ian Munro
	P4b	Ian Munro
	P5	Ian Munro
	P6	Ian Munro / Matt Bonis
D3.5 Local Centre zone	Zone description	Matt Bonis
	O 1	Matt Bonis
	O 2	Matt Bonis
	O3	Matt Bonis
	P1	Matt Bonis
	P2	Ian Munro
	P3	Jeremy Wyatt
	P4	Matt Bonis
	P5	Matt Bonis
	P6	Ian Munro / Matt Bonis
D3.6 Neighbourhood Centre zone	Zone description	Matt Bonis
	O 1	Matt Bonis
	O 2	Matt Bonis
	P1	Matt Bonis
	P2	Ian Munro
	P3	Jeremy Wyatt
	P4	Matt Bonis
D3.7 Mixed Use zone	Zone description	Matt Bonis
	O 1	Matt Bonis
	O 2	Matt Bonis
	O 3	Matt Bonis
	O 4	Matt Bonis
	P1	Matt Bonis

Provision	Provision	Planner responsible
	P2	Matt Bonis
	P2a	Matt Bonis
	P3	Matt Bonis
	P4	Ian Munro
	P5	Ian Munro
	P6	Kevin Wong-Toi
	P7	Matt Bonis
D3.8 General Business zone	Zone description	Matt Bonis
	O 1	Matt Bonis
	O 2	Matt Bonis
	O 3	Matt Bonis
	P1	Matt Bonis
	P2	Matt Bonis
	P3	Matt Bonis
	P4	Matt Bonis
	P5	Matt Bonis
	P6	Matt Bonis
	P7	Ian Munro
	P8	Kevin Wong-Toi
D3.9 Business Park zone	Zone description	Jeremy Wyatt
	O 1	Jeremy Wyatt
	O 2	Jeremy Wyatt
	O 3	Jeremy Wyatt
	O4	Jeremy Wyatt
	P1A	Jeremy Wyatt
	P1	Jeremy Wyatt
	P2	Jeremy Wyatt
	P3	Jeremy Wyatt
	P4	Jeremy Wyatt
	P5	Jeremy Wyatt
	P6	Jeremy Wyatt
D3.10 Light Industry zone	Zone description	Jarette Wickham
	O 1	Jarette Wickham
	O 2	Jarette Wickham
	O 3	Jarette Wickham
	O 4	Jarette Wickham
	P1	Jarette Wickham
	P1A	Jarette Wickham
	P1B	Jarette Wickham
	P2	Jarette Wickham
	P3	Jarette Wickham
	P4	Jarette Wickham
	P5	Jarette Wickham
	P6	Kevin Wong-Toi

Provision	Provision	Planner responsible
	P7	Jarette Wickham
D3.11 Heavy Industry zone	Zone description	Jarette Wickham
	O 1	Jarette Wickham
	O 2	Jarette Wickham
	O 3	Jarette Wickham
	O 4	Jarette Wickham
	P1	Jarette Wickham
	P2	Jarette Wickham
	P3	Jarette Wickham
	P4	Jarette Wickham
	P5	Jarette Wickham
	P6	Jarette Wickham
	P7	Jarette Wickham
I3.1 Activity Tables - see separate sheet	Accommodation	Planner
I2 Notification	R1	Jarette Wickham
	R2 (D. Controls)	Jeremy Wyatt
I3.3 Land use controls	3.1 Activities within 30m of a resi zone	Jeremy Wyatt
	3.2 retail up to 200m in MU zone	Matt Bonis
	3.2a Food and beverage in Mixed Use zone	Matt Bonis
	3.2b Food and beverage in General Business zone	Matt Bonis
	3.3 Office activity	Matt Bonis
	3.4 Existing lawfully established commercial activities	Jarette Wickham
	3.5 Activities within 100m of the HIZ	Jarette Wickham
I3.4 Development controls - centres etc.	4.1 Development control infringements	Jeremy Wyatt
	4.2 Building height	Trevor Mackie
	4.3 Height in relation to boundary	Trevor Mackie
	4.4 Building setback at upper floors	Ian Munro
	4.5 Maximum tower dimension and tower separation	Ian Munro
	4.6 Buildings fronting the street	Ian Munro
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	4.8 Minimum floor to floor/ceiling height	Ian Munro
	4.9 Glazing	Ian Munro
	4.10 Roller Doors	Ian Munro
	4.11 Residential at ground	Jeremy Wyatt

Provision	Provision	Planner responsible
	floor	
	4.12 Ground floor at street frontage level	Ian Munro
	4.13 Verandahs	Ian Munro
	4.14 Building frontage height	Ian Munro
	4.15 Yards	Ian Munro
	4.16 Building setback in Business Park zone	Ian Munro
	4.17 Landscaping	Ian Munro
	4.18 Maximum impervious area in the General Business and Business Park zone	Jarette Wickham
	4.19 Wind	George Farrant / Jeremy Wyatt
	4.20 Dwellings, visitor accommodation and boarding houses	Jeremy Wyatt
I3.5 Development controls - Industry zones	5.1 Building height	Trevor Mackie
	5.2 Height in relation to boundary	Trevor Mackie
	5.3 Maximum impervious area	Jarette Wickham
	5.4 Yards	Jarette Wickham
	5.5 Storage and screening	Jarette Wickham
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I3.6.2 RDA Assessment	6.2.1a Intensity and scale	Jeremy Wyatt
	6.2.1b Operational matters	Jeremy Wyatt
	6.2.1c Design of parking, access and servicing	Jeremy Wyatt
	6.2.1d Functionality	Jeremy Wyatt
	6.2b Centre vitality	Matt Bonis
	6.2a a and b Retail and food and beverage - local housing, centre vitality	Matt Bonis
	6.3 Activities within 100m of the Heavy Industry zone	Jarette Wickham
	6.4 Accessory offices, offices up to 100m ²	Jarette Wickham
	6.4a Tertiary Education facilities in Local Centre zone	Jeremy Wyatt
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Provision	Provision	Planner responsible
	6.2.5 g Design and layout of dwelling: h) water sensitive design	Jeremy Wyatt
	6.2.5 h) water sensitive design	Jeremy Wyatt
	6.2.6 Conversion of a building	Jeremy Wyatt
	6.2.7 Demolition of buildings	Jeremy Wyatt
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	7.1a Industrial zones	Jarette Wickham
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	10.2 Wind report	Jeremy Wyatt
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Subdivision - Auckland-wide	All	Anthony Traub
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Heavy industry rezoning submissions and evaluation	All	Jarette Wickham, supported by Council witnesses listed in evidence
Key Retail and General Commercial frontage spatial allocation submissions and evaluation	All	Sarah Coady

ATTACHMENT C

Proposed Business Objectives, Policies and Rules

Topics 051-054 Centre Zones, Business park and industries zones, Business activities and Business Controls

Auckland Council's proposed consolidated mark-up

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Editorial:

1. Additions are underlined and deleted text is in ~~striketrough~~ (Black text changes record amendments proposed in primary evidence (either pre or post mediation).
2. **Red text** changes record amendments proposed and agreed in mediation. (Note – in other topics amendments proposed and agreed in mediation have been recorded in green. During mediation however these were recorded using red text so this colour has been used in this topic)
3. **Green text** changes record amendments proposed in rebuttal evidence.
4. **Yellow highlighting** represents proposed changes that are out of scope
5. **Blue text** changes record amendments proposed post hearing (e.g. right of reply)
6. Consequential amendments are highlighted in **grey**. Any additional changes to consequential amendments are highlighted in **pink**.
7. Numbering of this chapter will be reviewed as part of an overall review of the Unitary Plan numbering protocols.

Zone objectives and policies

PART 2 - REGIONAL AND DISTRICT OBJECTIVES AND POLICIES» Chapter D: Zone objectives and policies

3 Business zones

Introduction

- There are 10 business zones in the Unitary Plan:
- City Centre
- Metropolitan Centre
- Town Centre
- Local Centre
- Neighbourhood Centre
- Mixed Use
- General Business
- Business Park
- Light Industry
- Heavy Industry.

Zones

These zones reinforce the role of centres as focal points for business and community investment and recognise the need to provide suitable locations for specific industries.

The centre zones provide for activities that ~~support~~ contribute to the vitality and amenity of a public realm of well connected streets, a high-quality pedestrian environment, and efficient and accessible transport networks, including public transport. They allow for different levels of development intensity dependent on the function and location of the centre. The City Centre, Metropolitan Centre and Town Centre zones are the primary location for growth and intensification of commercial activities, and they provide for a wide variety of community and social needs. Local and Neighbourhood Centres are smaller in scale and provide a narrower range of community and shopping needs. The highest intensity of activity is permitted in the City Centre zone, recognising the role of the centre as the focus of national and international business, tourism, educational, cultural and civic activities.

The Mixed Use zone is located close to centres and along the rapid and frequent service network. It provides a transition, in terms of use and scale, with adjacent residential areas.

The centres zones and Mixed Use zone are expected to accommodate an increase in the density and diversity of housing, provided that it does not preclude opportunities for business development. Residential development will be managed to avoid or mitigate the potential for reverse sensitivity effects. A high standard of amenity is required in the Mixed Use zone, given its mix of uses, including residential.

The General Business, Light Industry and Heavy Industry zones provide locations for development that may not be appropriate in centres or ~~have~~ has particular characteristics that require separation from pedestrian intensive and sensitive uses. A good standard of amenity is expected in the General Business zone, recognising that some activities that establish in the zone may attract reasonable numbers of people and are presently likely to be accessed by car. The Light Industry and Heavy Industry zones are expected to have a lesser standard of amenity consistent with their principal focus on productive activity.

The Business Park zone provides for clustering of office-type ~~business~~ commercial activities in a park or campus like environment, where such uses will not impact on the viability of the city centre, metropolitan or town centres.

Height

There is a range of possible building heights within the centres zones and Mixed Use zone depending on the context. Different parts of these zones have different attributes. In some cases these attributes necessitate an increase or decrease in the standard zone height. The different attributes include:

- the size and depth of a centre
- the status of the centre in the centres hierarchy
- existing or planned uses surrounding a centre and the interface between the centre, these uses and surrounding residential uses
- historic character
- landscape features
- ~~height controls previously developed through a precinct or master planning exercise.~~

The city centre, metropolitan centres and town centres, and areas surrounding these centres, have been identified as the priority areas for commercial and residential growth. In and around some of these areas it is appropriate to enable greater heights from the standard zone height, to enable growth to occur.

In addition, the height in and around some centres is lower than the standard zone height due to the local context, including historic character or landscape features.

Offices

Large scale office activities are encouraged to locate within the City Centre, Metropolitan and Town Centre zones where they make efficient and effective use of public transport infrastructure, support other commercial and community activity and enhance long term centre reinvestment. The area around the city centre and Newmarket has very good public transport and large office activities are considered appropriate in Mixed Use and Local Centre zones close to the City Centre zone and Newmarket Metropolitan Centre zone, as shown on the planning maps.

Historically, there has been relatively little regulation as to where office activities could locate and, as a result, the City currently has a relatively dispersed pattern of office development. This pattern of development means that it is difficult to cater efficiently for commuter trips with public transport. From a land-use and transport integration perspective, commuter trips associated with office activities are relatively readily able to be served by public transport as trips are to the same destination every day and are often made at the same time every day, usually in peak times when services are most frequent. Controlling the dispersal of large scale office activities in

locations away from centres and the city fringe, will help create the conditions that will support a modal shift away from private vehicles in favour of public transport for the journey to work trip.

-

3.1 General objectives and policies for the centres and mixed use zones and the General Business and Business Park zone

Objectives

~~1. Development strengthens Auckland's network of centres as attractive environments with a mix of uses that to promote commercial activity and provide employment, housing and goods and services at a variety of scales.~~

1. A strong network of centres that are aesthetically attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.

2. Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.

~~2a. Development positively contributes towards planned future form, quality and sense of place.~~

Development positively contributes towards planned future form and quality, creating a sense of place.

3. Business activity is distributed in locations and is of a scale and form that:

- a. provides for the community's social and economic needs
- b. improves community access to goods, services, community facilities and opportunities for social interaction
- c. manages adverse effects on the environment, including effects on strategic significant infrastructure and residential amenity.

4. A network of ~~commercial~~ centres that provides:

- a. a framework and context to the functioning of the urban area and its transport network, recognising:
 - i. the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas
 - ii. local centres and neighbourhood centres ~~in their role to~~ provide for a range of convenience activities to support and serve ~~as focal points for~~ their local communities;
- b. a clear framework within which public and private investment can be prioritised and made
- c. a basis for regeneration and intensification initiatives.

Policies

1. Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their ~~location~~ role in the hierarchy of centres.
2. Accommodate an increase in the density, diversity and quality of housing in the centres and Mixed Use zones while managing any reverse sensitivity effects including the higher levels of ambient noise and reduced privacy ~~it may be subject to~~ that may result from non-residential activities.

~~2a. Require development to be of a quality and design that responds positively to the planned future form and quality of the surrounding area.~~

3. Require development to be of a quality and design that positively contributes to:

~~aa. planning and design outcomes identified in the Unitary Plan for the relevant zone~~

a. ~~the public realm streets and other public open spaces, and maximises~~ pedestrian amenity, movement, safety and convenience for people of all ages and abilities.

~~b. the vitality and interest of streets and public open spaces.~~

~~4. Encourage universal access for all development, particularly medium to large scale development. Require a percentage of residential development, and encourage all other development, to provide equal physical access and use for people of all ages and abilities.~~

5. Require the design of buildings to contribute positively to the visual quality, pedestrian vitality, safety and interest of streets and public open spaces.

~~5a Require large scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.~~

6. Require ~~Encourage~~ buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.

7. Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse impact on pedestrian amenity and the streetscape.

8. Encourage the selection of materials, finishes and landscaping with consideration for long term weathering, maintenance and durability.

~~9. Require development close to residential and some special purpose School, Maori purpose, Retirement Villages and Green Infrastructure Corridor zones to mitigate adverse visual effects, acoustic privacy, and minimise overlooking and shadow effects to residential neighbours. Require development adjacent to residential zones and the Special Purpose School and Maori Purpose zones to maintain the reasonable amenity of those areas, having specific regard to dominance, overlooking and shadowing.~~

10. Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.

~~10a Enable residential development above ground floor in centres while managing any reverse sensitivity effects on non-residential activities~~

~~10b Discourage dwellings at ground floor in centres zones.~~

11. Require development to avoid, remedy or mitigate adverse wind, and glare and shading effects on public open spaces, including and streets, and shading effects on public open space zoned land.

~~11a. Recognise functional requirements.~~ Recognise the functional requirements of activities and development.

12. In identified locations within the centres and Mixed Use zones, enable greater building height than the standard zone height, having regard to whether the greater height:

a. is an efficient use of land

- b. supports public transport, community infrastructure and contributes to centre vitality and vibrancy
 - c. considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential ~~zones-activity~~
 - d. is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.
13. In identified locations within the centres and Mixed Use zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on ~~identified~~ historic character, ~~identified~~ landscape features, ~~or amenity~~, ~~or the prevailing character and context~~.
14. Provide opportunities for substantial office activities in the Mixed Use zone and the Local Centre zone in areas surrounding the city centre, recognising their proximity and accessibility to the City Centre zone and Newmarket Metropolitan Centre zone.

3.2 City Centre zone

This section has been removed as it has been addressed in Topic 050 City Centre

3.3 Metropolitan Centre zone

Zone description

This zone applies to centres located in different sub-regional catchments of Auckland. These centres are second only to the city centre in overall scale and intensity and act as ~~hubs~~ focal points for community interaction and commercial growth and development and contain hubs serving high frequency transport. ~~within their catchments.~~

The zone provides for a wide range of activities including commercial, leisure, high-density residential, tourist, cultural, community and civic services. Zone provisions, in conjunction with rules in the other business zones, reinforce metropolitan centres as locations for all scales of commercial activity.

These centres are identified for growth and intensification. Expansion of these centres may be appropriate depending on strategic and local environmental effects considerations.

Precincts and overlays that modify the underlying zone or have additional provisions apply to some of the metropolitan centres. Generally, however, to support an intense level of development, the zone allows for high-rise buildings.

Some street frontages within the zone are subject to ~~a~~ Key Retail Frontage or General Commercial Frontage ~~provisions. overlay.~~ Key retail streets are ~~the a focus-focal point~~ of pedestrian activity within the centre. General commercial streets play a supporting role. Development fronting these streets is expected to reinforce this function. ~~Rules for the overlay are incorporated in the zone rules.~~ New vehicle crossings are generally to be avoided on site frontages subject to the Key Retail frontage provisions and this is addressed in the Transport provisions.

Buildings within the zone require resource consent to ensure that they are designed to a high standard, which enhance the quality of the centre's streets and public open spaces.

Objectives

1. A network of metropolitan centres are reinforced and developed, that are second only to the city centre in diversity, scale, form and function, and which are a sub-regional focus for commercial, ~~residential,~~ community and civic activities, and which provide for residential intensification.
- 2A .The scale and intensity of development in Metropolitan Centres is increased.
2. Metropolitan centres are an attractive place to live, work and visit with vibrant and vital commercial, entertainment and retail areas.
1. ~~Key R~~ Key Retail Frontage streets are ~~at~~ the focusfocal point ~~off~~ for pedestrian activity, with ~~identified g~~ General Commercial Frontage streets supporting this role.

Policies

1. Enable significant growth and intensification ~~change~~ in metropolitan centres ~~where the outcome can be shown to contribute to the function, role and amenity, and vitality of the centre.~~ ~~and is an efficient use of a centre's infrastructure.~~

~~1A. Manage development in Metropolitan Centres so that it contributes to the function, amenity and vitality of the centre.~~

2. Provide for the greatest concentration, ~~quality~~ and scale of buildings within metropolitan centres, second only to the city centre.

~~2A. Require development to achieve a high standard of design.~~

3. Promote and manage the development of the metropolitan centres to provide facilities and services necessary to support their surrounding sub-regional catchment.
4. ~~Enable~~ Encourage a wide range, and a high concentration, of high-intensity activities within metropolitan centres emphasising a wide range of commercial, leisure, tourist, cultural, ~~and~~ community activities and civic services.
5. ~~Enable residential development above street level.~~
6. Promote the comprehensive development and redevelopment of sites and / or activities within metropolitan centres.

~~7. Recognise key retail streets as the focal point of pedestrian activity and public interaction, with identified general commercial streets supporting this role.~~

~~7a Require those parts of buildings with frontages subject to the Key Retail Frontage to maximise street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.~~

~~7b Require those parts of buildings with frontages subject to the General Commercial Frontage to achieve street activation, building frontage, pedestrian amenity and safety and visual quality.~~

~~7.a Require those parts of buildings with frontages subject to the Key Retail Frontage to:~~

- ~~i. build to the street frontage for the entire length of the site~~
 - ~~ii. maximise glazing and avoid blank walls~~
 - ~~iii. provide greater ground floor heights to maximise building adaptability to a range of uses~~
 - ~~iv. provide weather protection to pedestrians~~
 - ~~v. provide easily accessible pedestrian entrances.~~
 - ~~vi. erect frontages of sufficient height to frame the street~~
- ~~avoid new vehicle crossings.~~

~~7b. Encourage those parts of buildings with frontages subject to the General Commercial Frontage to:~~

- ~~i. build to the street frontage for the predominant length of the site~~
- ~~ii. provide significant amounts of glazing and avoid blank walls~~

- ~~iii. provide greater ground floor heights to maximise building adaptability to a range of uses~~
- ~~iv. provide easily accessible pedestrian entrances.~~

Recognise the importance of particular streets identified on the Key Retail and General Commercial Frontage overlay as primary places for public interaction:

- ~~b. by requiring buildings with frontages to these streets to:
 - ~~i. provide greater ground floor heights to maximise building adaptability to a range of uses~~
 - ~~ii. avoid blank walls~~
 - ~~iii. provide easily accessible pedestrian entrances.~~~~
- ~~b. and in addition, require building frontages subject to the Key Retail Frontage overlay to:
 - ~~i. maximise glazing~~
 - ~~ii. erect frontages of sufficient height to frame the street~~
 - ~~iii. provide weather protection to pedestrians~~
 - ~~iv. avoid new vehicle crossings.~~~~

8. Support the development of a range of public transport modes, including public transport, pedestrian and cycle networks and the ability to change transport modes.
9. Encourage the location of supermarkets and department stores within metropolitan centres by recognising:
 - a. the positive contribution these activities make to centre viability and function, ~~and~~
 - b. the functional requirements of these activities
 - c. where preferred built form outcomes are not achieved, the development needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets. ~~should positively contribute to the streetscape and character of its surroundings.~~
 - ~~b. designs that positively contribute to the streetscape and character of their surroundings, having regard to the functional requirements of these activities.~~

3.4 Town Centre zone

Zone description

This zone applies to suburban centres throughout Auckland, the satellite centres of Warkworth and Pukekohe, and the rural towns of Helensville and Wellsford. The centres are typically located on main arterial roads, which provide good public transport access.

The zone provides for a wide range of activities including commercial, leisure, residential, tourist, cultural, community and civic services, providing a focus for commercial activities and growth.

Most centres are identified for growth and intensification. Expansion of these centres may be appropriate depending on strategic and local environmental considerations.

There is a range of possible building heights depending on the context. Provisions typically enable buildings of between four and eight storeys, although there may be special circumstances where other building heights are appropriate. ~~The increased~~ height opportunities within the centres will facilitate increased intensification, including office and residential activities living opportunities at upper floors.

Some street frontages within the zone are subject to a Key Retail Frontage or General Commercial Frontage overlay provisions. Key retail streets are ~~the focal a focus point~~ of pedestrian activity within the centre. General commercial streets play a supporting role. Development fronting these streets is expected to reinforce this function. ~~Rules for the overlay are incorporated in the zone rules.~~

Buildings within the zone require resource consent in order to ensure that they are designed to a high standard that enhance the quality of the centre's streets and public open spaces.

Objectives

1. A network of ~~t~~Town ~~e~~Centres that are the focus of commercial, ~~residential~~, community and civic activities for the surrounding area, and which provide for residential intensification.
2. The scale and intensity of development in ~~t~~Town ~~e~~Centres is increased while ensuring development is in keeping with the centre's planning and design outcomes identified in the Unitary Plan for the relevant centre ~~future form and quality~~ character.
3. Town centres are an attractive place to live, work and visit with vibrant and vital commercial, entertainment and retail areas.

~~Key retail streets are the focal point of pedestrian activity, with identified general commercial streets supporting this role.~~

2. Key Retail Frontage streets are a focus for pedestrian activity, with General Commercial Frontage streets supporting this role.

Policies

1. Enable significant growth and intensification ~~change~~ in town centres, ~~except for those centres where it that would compromise the planning outcomes identified in the Unitary Plan for the relevant centre. where the outcome can be shown to contribute to the function, role and amenity, and vitality of the centre. and is an efficient use of a centre's infrastructure.~~

1A. Manage development in Town Centres so that it contributes to the function, amenity and vitality of the centre.

2. Provide a distribution of town centres, including the provision of new town centres, of different scales and locations, that:
 - a. service the surrounding community's needs for a range of moderate intensity uses, such as commercial, leisure, tourist, cultural, community and civic activities
 - b. ~~enable residential development above street level~~
 - c. support a range of public transport modes including, public transport, pedestrian and cycle networks and the ability to change transport modes.
3. Enable the intensification of commercial, residential and community activities in town centres, by:
 - a. substantial scale, concentration and density of buildings
 - b. the comprehensive development and redevelopment of sites.

~~4. Require development to achieve a high standard of design.~~

~~5. Recognise key retail streets as the focal point of pedestrian activity, with identified general commercial streets supporting this role.~~

~~4a Require those parts of buildings with frontages subject to the Key Retail Frontage to maximise street activation, building continuity along the frontage, pedestrian amenity and safety and visual quality.~~

~~4b Require those parts of buildings with frontages subject to the General Commercial Frontage to achieve street activation, building frontage, pedestrian amenity and safety and visual quality.~~

~~5.a Require those parts of buildings with frontages subject to the Key Retail Frontage to:~~

~~build to the street frontage for the entire length of the site~~

~~maximise glazing and avoid blank walls~~

~~provide greater ground floor heights to maximise building adaptability to a range of uses~~

~~provide weather protection to pedestrians~~

~~provide easily accessible pedestrian entrances.~~

~~erect frontages of sufficient height to frame the street~~

~~5b. Encourage those parts of buildings with frontages subject to the General Commercial Frontage to:~~

~~build to the street frontage for the predominant length of the site~~

~~provide significant amounts of glazing and avoid blank walls~~

~~provide greater ground floor heights to maximise building adaptability to a range of uses~~

~~provide easily accessible pedestrian entrances.~~

Recognise the importance of streets identified in the Key Retail and General Commercial Frontage overlay as primary places for public interaction:

~~a. by requiring buildings with frontages to these streets to:~~

~~i. provide greater ground floor heights to maximise building adaptability to a range of uses
avoid blank walls~~

~~ii. provide easily accessible pedestrian entrances.~~

~~b. and in addition, require building frontages subject to the Key Retail Frontage overlay to:~~

~~i. maximise glazing~~

~~ii. erect frontages of sufficient height to frame the street~~

~~iii. provide weather protection to pedestrians.~~

6. Encourage the location of supermarkets and department stores within town centres by recognising:

a. the positive contribution these activities make to centre viability and function, ~~and~~

b. the functional requirements of these activities

c. where preferred built form outcomes are not achieved, the development needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets should positively contribute to the streetscape and character of its surroundings.

~~b. designs that positively contribute to the streetscape and character of their surroundings, having regard to the functional requirements of these activities.~~

3.5 Local Centre zone

Zone description

This zone applies to a large number of small centres throughout Auckland. The centres are generally located in areas of good public transport.

The zone primarily provides for the local convenience needs of surrounding residential areas, including local retail, commercial services, offices, food and beverage, and appropriately scaled ~~smaller-scale~~ supermarkets. The zone discourages single large-scale commercial activity that would prevent a mix of activities within the local centre. The expansion of local centres may be appropriate if it provides greater social and economic well-being benefits for the community. Provisions ~~typically enable~~ allow for buildings up to four storeys high, enabling residential use at upper floors.

New development within the zone requires resource consent so that it is designed to a high standard which enhances the quality of the centre's streets and public open spaces.

Objectives

1. A network of local centres that enable commercial activity which primarily services local convenience needs and provides residential living opportunities.
2. The scale and intensity of development within local centres respects the ~~future-planned character of the surrounding environment~~ planning outcomes identified in the Unitary Plan for the surrounding environment.
3. Local centres are an attractive place to live, work and visit.

Policies

1. Enable activities for the local convenience needs of the surrounding residential area, including ~~local~~ retail, commercial services, office, food and beverage and small scale supermarkets.
2. ~~Require development to achieve a high standard of design.~~
3. ~~Enable residential activity above street level.~~
4. ~~Discourage large-scale commercial activity that would adversely affect the:~~
 - a. ~~retention and establishment of a mix of activities within the local centre~~
 - b. ~~function, role and vitality or amenity of the City Centre, Metropolitan and Town Centre zones beyond those effects ordinarily associated with trade effects on trade competitors.~~
 - c. ~~safe and efficient operation of the transport network.~~
4. Enable large scale commercial activity where this:
 - a. supports:
 - i. a diversity of activities within the local centre
 - ii. the centre's on-going ability to provide for the local convenience needs of its surrounding community.

b. does not adversely affect:

~~i. the safe and efficient operation of the transport network; and~~

~~the function, role and amenity of the City Centre, Metropolitan and Town Centre zones beyond those effects ordinarily associated with trade effects on trade competitors.~~

~~c. manages adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.~~

5. Provide for the outward expansion of local centres to better provide for community social and economic well-being, where expansion is suitable for growth in terms of strategic and local environmental effects.

6. Recognise:

a. the positive contribution supermarkets make to centre viability and function

b. the functional requirements of these activities

c. where preferred built form outcomes are not achieved, the supermarket needs to achieve a quality built environment by positively contributing to public open space, including the activation of streets.

~~Recognise the positive contribution small scale supermarkets make to local centre viability and function and the functional requirements of these activities, so that where preferred built form outcomes are not achieved the development positively contributes to the streetscape and character of its surroundings.~~

3.6 Neighbourhood Centre zone

Zone description

This zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with daily frequent retail and commercial service needs.

Provisions typically enable B buildings of up to three storeys high and residential use at upper floors is permitted. Development is expected to be in keeping with the surrounding residential environment.

New development within the zone requires resource consent in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces.

Objectives

1. Commercial activities within residential areas, limited to a range and scale that meets the ~~local~~ convenience needs of residents as well as passers-by, are provided in neighbourhood centres.
2. Neighbourhood centres are developed to a scale and intensity that respects the ~~future-planned-character-of-the-surrounding-environment~~ planning outcomes identified in the Unitary Plan for the surrounding environment.

Policies

1. Provide for ~~limited~~ small scale commercial activities to meet either local or passers-by convenience needs, including local retail, business services, food and beverage activities.
- ~~2. Require development to achieve a high standard of design.~~
- ~~3. Enable residential activity above street level.~~
4. Discourage large-scale commercial activity that: ~~would adversely affect the:~~
 - a. would adversely affect the retention and establishment of a mix of activities within the neighbourhood centre
 - b. would adversely affect the function, role and vitality or amenity of the City Centre, Metropolitan and Town Centre zones, beyond those effects ordinarily associated with trade effects on trade competitors ~~for retail or office activities~~
 - c. does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity. ~~safe and efficient operation of the transport network.~~

3.7 Mixed Use zone

Zone description

This zone is typically located around centres and along sections of the rapid and frequent service network. It acts as a transition area, in terms of scale and activity, between residential areas and the City Centre, Metropolitan and Town Centre zones. It also applies to areas where there is a need for a compatible mix of residential and employment activities.

The zone provides for residential activity as well as predominantly smaller scale commercial activity that does not cumulatively affect the viability function, role and amenity of centres. The zone does not specifically require a mix of uses on individual sites or within areas, ~~but buildings should be adaptable so that the uses within them can change over time. Cumulative retail development should not occur in a way that results in an unplanned centre.~~

There is a range of possible building heights depending on the context. ~~The standard zone height is~~ Provisions typically enable heights up to four storeys. Greater height may be enabled in areas close to the city centre, metropolitan centres and larger town centres.

~~Some street frontages within the zone are subject to a Key Retail Frontage or General Commercial Frontage overlay. Key retail streets are the focal point of pedestrian activity within the centre. General commercial streets play a supporting role. Development fronting these streets is expected to reinforce this function. Rules for the overlay are incorporated in the zone rules.~~

New development within the zone requires resource consent in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces.

Objectives

1. Moderate to high intensity residential and employment opportunities, in ~~a limited number of~~ areas in close proximity to, or which can support the City Centre, Metropolitan Centre, and Town Centre zones and the rapid and frequent services network.
2. Activities within the zone do not ~~detract from~~ diminish the vitality and viability function, role and amenity of the City Centre, Metropolitan, ~~and~~ Town and Local Centres. ~~zones~~
3. A mix of compatible residential and non-residential activities is encouraged.
4. Mixed Use zoned areas are ~~attractive~~ high amenity places.

~~Key retail streets are the focal point of pedestrian activity, with identified general commercial streets supporting this role.~~

Policies

1. Locate the Mixed Use zone in ~~a limited number of~~ suitable locations within a close walk of the City Centre, Metropolitan and Town Centre zones and rapid and frequent services network.
2. Limit larger retail and office activities and provide for a range of commercial activities:

a. that will not diminish the ~~function, role and amenity~~ ~~vitality and viability~~ of the City Centre, Metropolitan, and Town and Local Centre ~~s zones~~, beyond those effects ordinarily associated with trade effects on trade competitors.

a. ~~that are compatible with the role and function of any nearby Local Centre zones.~~

2A Limit the agglomeration of retail activities except where they are well connected to the City Centre, or a Metropolitan, Town or Local Centre.

3. Enable the development of intensive residential activities.

~~4. Require development to achieve a high standard of design.~~

4. Require those parts of buildings with frontages subject to the General Commercial Frontage to achieve street activation, building frontage, pedestrian amenity and safety and visual quality.

~~5. Encourage those parts of buildings with frontages subject to the General Commercial Frontage to:~~

~~i. build to the street frontage for the predominant length of the site~~

~~ii. provide significant amounts of glazing and avoid blank walls~~

~~iii. provide greater ground floor heights to maximise building adaptability to a range of uses~~

~~iv. provide easily accessible pedestrian entrances.~~

~~Recognise the importance of particular streets identified on the Key Retail and General Commercial Frontage overlay as primary places for public interaction:~~

~~b. by requiring buildings with frontages to these streets to:~~

~~i. provide greater ground floor heights to maximise building adaptability to a range of uses~~

~~ii. avoid blank walls~~

~~iii. provide easily accessible pedestrian entrances.~~

~~c. and in addition, require building frontages subject to the Key Retail Frontage overlay to:~~

~~i. maximise glazing~~

~~ii. erect frontages of sufficient height to frame the street~~

~~iii. provide weather protection to pedestrians.~~

~~6. Development should not adversely affect the safe and efficient operation of the transport network.~~

Manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.

7. Promote and manage development to a standard of amenity that:

a. recognises the moderate scale, intensity and diversity of business, social and cultural activities, as well as increases in residential densities provided in the zone and

b. avoids significant adverse effects on residents.

3.8 General Business zone

Zone description

This zone provides for business activities that may ~~not~~ be less appropriate for, or are unable to locate in, centres. This includes activities ranging from light industrial to limited office, large format retail and trade suppliers. Large format retail is preferred in centres but it is recognised that this is not always possible, or practical. These activities are appropriate in the General Business zone only when this does not adversely affect the vitality and viability function, role and amenity of the City Centre, Metropolitan and Town Centre zones. Although the application of the zone within Auckland is limited, it is an important part of the Unitary Plan's strategy to provide for growth in commercial activity and manage the effects of large format retail.

~~The establishment of small~~ Small retail activities ~~are not appropriate~~ in the zone should be limited as the presence of these activities, in combination with large format retail, ~~will~~ can effectively create an unplanned centre. Residential activity is also not envisaged due to the potential presence of light industrial activities and the need to preserve land for appropriate commercial activities ~~out-of-centre commercial opportunities~~.

The zone is located primarily in areas close to the City Centre, Metropolitan and Town Centre zones or along within identified growth corridors, where there is good transport access and exposure to customers. ~~The design of development within this zone is expected to contribute to an active street edge.~~

New development within the zone requires resource consent in order to ensure that it is designed to a good standard.

Objectives

1. Business activities are provided for that may ~~not~~ be less appropriate for, or are not able to locate in centres, while ensuring activities within the zone do not diminish the function, role and amenity of these centres.
2. ~~Additional employment opportunities exist in a limited number of~~ The zone is located primarily in areas ~~which are located along identified growth corridors or~~ close to the City Centre, Metropolitan and Town Centre zones, or in other areas where appropriate. ~~while ensuring activities within the zone do not detract from diminish the function, role and amenity vitality and viability of these centres-~~
3. A mix of compatible business activities exist, where the adverse effects on amenity values and the environmental qualities at the interface with other zones are managed.

Policies

1. Locate the zone adjacent or close to the City Centre, Metropolitan and Town Centre zones and along within identified growth corridors and in other areas where appropriate.
2. Enable a range of business activities, including light industry, large format retail, trade suppliers, light industry and small service activities that are either:
 - a. difficult to accommodate within centres due to their scale and functional requirements
 - b. more appropriately located outside of the City Centre, Metropolitan Centre or Town Centre zone.

3. Avoid commercial activity of a scale and type locating within the zone that will ~~detract from~~ diminish the function, role and amenity vitality and viability of the City Centre, Metropolitan and Town Centre zones beyond those effects ordinarily associated with trade effects on trade competitors.
4. Avoid small-scale retail activities locating within the zone except for commercial services and food and beverage activities.
5. Enable light industrial activities to locate within the zone but discourage activities which have objectionable odour, dust or noise emissions.
6. Manage compatibility issues of activities within and between developments through site layout and design measures.
7. ~~Require development to achieve a good standard of design, given the location of the zone close to centres and along growth corridors.~~
8. Manage ~~development so that it does not~~ adverse effects on ~~ly affect~~ the safe and efficient operation of the transport network.

3.9 Business Park zone

Zone description

A business park is a location where office-type business activities can group together in a park or campus like environment. This zone enables moderate to intensive office activity and some ancillary services such as gymnasiums, child care and food and beverage outlets. These high amenity and comprehensively planned business areas are located adjacent to the rapid and frequent services network.

The zone is designed to recognise existing business parks. It has a limited future application, as the primary location for commercial activities is expected to be within new office activities are expected to locate within and reinforce the roles of the the city centre, metropolitan centres and town centres in order to reinforce the roles of those centres. Where new business parks are proposed, limits are expected to be put in place on the amount of office that can establish within these parks.

Objectives

- ~~1. Existing business parks continue and limited opportunities exist for new business parks for office-based employment where they:~~
1. Existing business parks are efficiently and effectively developed.
2. † Limited opportunities exist for new business parks for office-based employment where they:
 - a. are comprehensively planned
 - b. avoid adverse effects on the function and amenity of the City Centre, Metropolitan and Town Centre zones and neighbouring zones
 - c. are easily accessible to the rapid and frequent service network.
3. The establishment of retail activities is limited, except where these are accessory and support intensive employment activities undertaken within the zone.
4. Development is of high amenity value and is well connected to the surrounding street network.

Policies

1A. Business Parks have a precinct overlay that sets out the anticipated level of development for that land.

- 1a Enable the efficient and effective development of existing areas zoned Business Park having regard to the development potential anticipated in precinct provisions applying to each zoned area.

1. Apply the Business Park zone to new ~~and existing~~ areas, and amend the provisions applying to existing areas, by means of a plan change and an associated precinct planning process, ~~to~~ which sets out the anticipated level of development for the land.
2. Require the location of a proposed new business park to:
 - a. be within practical walking distance of the rapid and frequent service network
 - b. not adversely affect the function, role and amenity ~~vitality and viability~~ of the City Centre, Metropolitan and Town Centre zones.
3. Avoid expansion of existing and proposed business parks into residential areas.
4. Require a plan change for ~~existing and~~ new business parks and any amendment to the provisions of existing business parks, to:
 - a. limit the permitted amount of office space so as not to adversely affect the function, role and amenity ~~vitality and viability~~ of the City Centre, Metropolitan and Town Centre zones
 - b. limit retail to those services such as food and beverage and convenience goods which meet the immediate day to day needs of workers and visitors to the zone such as food, and beverages,
 - c. limit residential activity except for visitor accommodation
 - d. demonstrate that the business park will not adversely affect the safe and efficient operation of the transport network
 - e. demonstrate that a comprehensively planned development and a high standard of visual, landscaped and pedestrian amenity will be achieved
 - f. control the scale of built development so that it remains compatible with a landscaped high quality business space
 - g. limit development where environmental or servicing constraints exist, unless these can be adequately mitigated
 - h. maximise the number and quality of connections through the site where these provide logical links to the local street network, with a priority on pedestrian and cycle routes and avoiding fenced and gated environments.
5. Require that where development of a business park is staged, the different stages should be managed to enhance amenity values and the environment and maintain or reduce the impact on the transport network.
6. Manage the effects of activities within the zone so that the scale of development and level of environmental effects does not degrade the amenity of neighbouring zones.

3.10 Light Industry zone

Zone description

~~This zone provides for light industrial activities that do not generate fewer emissions of objectionable odour, dust or noise that are objectionable beyond the site boundary emissions. This includes light manufacturing, production, logistics, storage, transport and distribution activities. Air quality emissions amenity standards range from moderate to high quality to reflect the mix of industrial activities carried out in the zone.~~

~~There are existing commercial activities located within the zone and their ongoing operation is enabled.~~

~~There are existing established heavy industry activities located within the Light Industry zone. The land use component of these activities are provided for in the zone.~~

~~Due to the industrial nature of the activities, sensitive activities such as residential, office or retail activities that are not related to the predominant use on-site are not appropriate. An exception is made for trade suppliers, motor vehicle sales, drive through restaurants, service stations, marine retail and garden centres, which may locate in the zone subject to location and traffic considerations.~~

This zone ~~anticipates provides for~~ light industrial activities that do not generate objectionable odour, dust or noise ~~emissions~~. This includes ~~light~~ manufacturing, production, logistics, storage, transport and distribution activities. ~~However, t~~The zone also contains existing established heavy industry activities and their ongoing operation is recognised and provided for. The anticipated level of amenity is lower than the centres and mixed-use zones. Due to the industrial nature of the activities, sensitive activities ~~such as residential, office or retail activities that are not related to the predominant use on-site~~ are generally not appropriate provided for. An exception is made for ~~t~~Trade suppliers, service stations, drive through restaurants, dairies and small food and beverage activities are provided for. Motor vehicle sales, marine retail and garden centres are also provided for in appropriate locations., which may locate in the zone subject to location and traffic considerations.

~~There are existing lawfully established commercial activities located within the zone and their ongoing operation is recognised and provided for.~~

~~The air quality amenity of the zone is managed by the Auckland-wide Air Quality provisions in C5.1 and H4.1. [Auckland-wide air quality provisions].~~

Objectives

1. ~~Light i~~ Industrial activities locate and function productively within the zone.
2. The establishment of activities that may diminish the efficiency and functionality of the zone for industrial activities is avoided.
3. Adverse effects on ~~the natural environment and general~~ amenity values and the natural environment, both within the zone and on adjacent areas, are managed.
4. Development avoids, remedies or and mitigates adverse effects on the amenity of adjacent public open spaces and residential zones.

Policies

1. Enable a range of light industrial activities to locate in the zone.

1A Enable existing lawfully established commercial activities within the zone to continue to operate.

1B Enable existing heavy industries within the zone to continue to operate.

2. Avoid ~~activities that create~~ reverse sensitivity effects from activities that may and constrain the the establishment and operation of light industrial activities.

~~3. Limit retail activities in the zone to:~~

~~a. convenience retail that serves the local worker population~~

~~b. trade suppliers, service stations, motor vehicle sales and garden centres.~~

4. Avoid activities that do not support the primary function of the zone by limiting:

a. office activities, except where they are accessory to the primary activity on-site or up to 100m² GFA

b. residential activities other than for persons whose duties require them to live on-site.

c. retail activities in the zone except:

i. small scale accessory retail and convenience retail that predominantly serves the local worker population

ii. trade suppliers, service stations, drive through ~~restaurants~~, motor vehicle sales, marine retail and garden centres.

5. Require development that ~~adjoins~~ adjacent to public open space ~~zones, or residential zones and special purpose zones to~~ manage ~~avoid or mitigate~~ maintain the adverse amenity effects on those zones values of those places. Particular consideration will be given to potential visual effects, dominance, loss of privacy and shading.

6. Manage development so that it does not adversely ~~e~~ffect the safe and efficient operation of the transport network, particularly for freight.

~~5. Control building location, height and bulk so that it does not adversely affect amenity in adjoining streets, Public Open Space and Residential zones and Special purpose zones. Particular consideration will be given to potential visual effects, dominance, loss of privacy and shading.~~

3.11 Heavy Industry zone

Zone description

This zone provides for industrial activities that may produce objectionable odour, dust and noise emissions. Air quality emissions standards that are different to the rest of Auckland will often apply. A reduced level of air quality amenity applies in the Heavy Industry zone. ~~Air quality emissions standards that are different to the rest of Auckland will often apply.~~ A key attribute of the zone is that it contains sites large enough to accommodate large-scale low intensity industrial activities.

Sensitive activities are not appropriate in the zone and buildings are expected to have a mainly functional standard of amenity. The zone is typically located close to key freight routes.

The air quality amenity of the zone is managed by the Auckland-wide Air Quality provisions in C5.1 and H4.1.

Objectives

1. The efficiency of heavy industry is maximised without being unreasonably constrained by other activities.
2. Heavy Industry zoned land, and activities that are required to locate there because of the nature of their operation, are protected from the encroachment of:
 - a. sensitive activities such as residential, community, education or medical facilities
 - b. commercial activities that are more suited to other business zones.
3. The supply of large sites within the zone is not reduced by inappropriate fragmentation of those sites by subdivision.
4. Adverse effects on ~~the natural environment and general~~ amenity values and the natural environment, both within the zone and on adjacent areas, are managed.

Policies

1. Enable heavy industrial activities to operate with a level of certainty that their operations will not be unreasonably constrained by other activities.
2. Prevent activities which do not support the primary function of the zone, such as:
 - a. residential activities other than for persons whose duties require them to live on-site
 - b. retail activities greater than 450m²
 - c. ~~office activities other than accessory office activities~~
 - d. ~~retail activities other than convenience type retail to serve local worker population~~
 - e. ~~the establishment of commercial activities that do not have a functional requirement to be located within the Heavy Industrial zone~~
 - f. ~~community, educational or medical facilities sensitive to the effects of industrial activities.~~
3. Avoid activities which do not support the primary function of the zone, such as:

a. Retail activities up to 450m² other than small scale accessory retail and convenience-type retail that predominantly serves the local worker population.

b. office activities other than accessory office activities

c. the establishment of commercial activities that do not have a functional requirement to be located within the Heavy Industrial zone

d. activities sensitive to the effects of heavy industrial activities ~~such as community, and healthcare and recreational facilities.~~

4. Manage Avoid subdivision so that it preserves the integrity of the zone for industrial use while allowing the creation of suitable sites for established permitted activities that results in the creation of small sites.
5. Require development that ~~adjoins~~ adjacent to public open space zones, ~~or~~ residential zones and ~~Special purpose zones~~ to manage ~~avoid or mitigate~~ maintain the adverse amenity effects on those zones ~~values of those places.~~
6. Manage development so that it does not adversely affect the safe and efficient operation of the transport network, particularly for freight.
- ~~7. Control building location, height and bulk so that it does not adversely affect minimises adverse amenity effects on adjoining streets, Public Open Space and Residential zones and Special purpose zones. Particular consideration will be given to potential visual effects, dominance, loss of privacy and shading.~~

Zone rules and assessment criteria

PART 3 - REGIONAL AND DISTRICT RULES» Chapter I: Zone rules»

3 Business zones

The rules in this section implement the objectives and policies of Chapter D3 Business zones.

The following rules do not apply to the City Centre zone.

1. Activity tables

1.1 Activity table – Centres and Mixed Use zones and the General Business and Business Park zones

The following table specifies the activity status of activities in the Metropolitan, Town, Local and Neighbourhood centre zones, Mixed Use zone, the General Business and Business Park zones.

~~Centres and Mixed Use zones and the General Business and Business Park zones~~

Activity	Metro Centre zone	Town Centre zone	Local Centre zone	Neighbourhood Centre zone	Mixed Use zone	General Business zone	Business Park zone
<u>Activities not provided for</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>
Accommodation							
Dwellings	P	P	P	P	P	NC	NC
Conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation or boarding houses	RD	RD	RD	RD	RD	NC	NC
Retirement villages	<u>D P</u>	<u>D P</u>	D	D	<u>D P</u>	NC	NC
Supported residential care	P	P	P	P	P	NC	NC
Visitor accommodation and boarding houses	P	P	P	P	P	NC	RD
Commerce							
Commercial services	P	P	P	P	P	P	P
Commercial sexual services	P	P	P	P	P	D	NC
<u>Conference facilities</u>	<u>P</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>
<u>Department stores</u>	<u>P</u>	<u>P</u>	<u>RD</u>	<u>NC</u>	<u>D</u>	<u>RD</u>	<u>NC</u>

Activity	Metro Centre zone	Town Centre zone	Local Centre zone	Neighbourhood Centre zone	Mixed Use zone	General Business zone	Business Park zone
Drive-through restaurant facilities	RD <u>P</u> RD	RD <u>P</u> RD	RD <u>P</u> RD	D	P	P	NG <u>D</u> NC
Entertainment Facilities	P	P	D	D	P	P	NC
<u>Cinemas</u>	<u>P</u>	<u>P</u>	<u>D</u>	<u>D</u>	<u>NC</u>	<u>NC</u>	<u>NC</u>
Food and beverage	P	P	P	P	P	P	P
Funeral directors' premises	P	P	P	D	P	D	NC
Garden centres	P	P	D	NC	D	RD <u>P</u>	D
Marine retail	P	P	D	NC	D	RD <u>P</u>	D
Motor vehicle sales	P	P	D	NC	D	RD <u>P</u>	D
Offices up to 500m ² GFA per site	P	P	P	P	P	P	P
Offices greater than 500m ² GFA per site	P	P	NC <u>RD</u>	NC	D	D	P
Retail up to 200m ² GFA per site <u>tenancy</u>	P	P	P	P	P	D <u>NC</u>	D
Retail <u>exceeding 200m² per tenancy and up to 450m² GFA per site tenancy</u>	P	P	P	P	D	D	D
Retail greater than 450m ² GFA per site <u>tenancy</u>	P	P	RD	NC	D	RD <u>P</u>	D
Service stations	RD	RD	RD	D	RD	RD	NG <u>D</u>
Storage and lock-up facilities	D	D	NC	NC	D	P	D
<u>Supermarkets up to 450m² GFA per tenancy</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>D</u>	<u>P</u>
<u>Supermarkets exceeding 450m² and up to 2000m² GFA per tenancy</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>NC</u>	<u>D RD</u>	<u>D RD</u>	<u>NC</u>
<u>Supermarkets exceeding 2000m² per tenancy and up to 4000m² GFA per site tenancy</u>	P	P	RD	NC	D	D <u>RD</u>	NC
Supermarkets greater than 4000m ² GFA per site <u>tenancy</u>	P	P	RD	NC	D	NC <u>RD</u>	NC
Trade suppliers	P	P	D	NC	D	RD <u>P</u>	D
Community							

Artworks	P	P	P	P	P	P	P
Care centres	P	P	P	P	P	D	P
Community facilities	P	P	P	D	P	P <u>D</u>	D
Education facilities	P	P	P	D	P	P <u>D</u>	D
Emergency services	<u>RD</u>	<u>RD</u>	<u>RD</u>	<u>NC</u> <u>D</u>	<u>RD</u>	<u>RD</u>	<u>RD</u>
Healthcare facilities	P	P	P	P	P	D	DP
Hospitals	D	D	NC	NC	D	D	NC
<u>Justice facilities</u>	<u>P</u>	<u>P</u>	<u>D</u>	<u>NC</u>	<u>D</u>	<u>D</u>	<u>D</u>
<u>Recreation facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>D</u>	<u>P</u>	<u>P</u>	DP
<u>Tertiary education facilities</u>	<u>P</u>	<u>P</u>	<u>RD</u>	<u>D</u>	<u>P</u>	<u>D</u>	<u>D</u>
Industry							
Artisan industries	P	P	P	P	P	P	P
Industrial activities	NC	NC	NC	NC	NC	P	NC
Industrial laboratories	P	P	P	NC	P	P	P
Light manufacturing and servicing	P	P	P	NC	P	P	P
Repair and maintenance services	P	P	P	P	P	P	P
Waste management facilities	NC	NC	NC	NC	NC	NC	NC
Warehousing and storage	P	P	P	NC	P	P	P
Mana Whenua							
Marae complex	P	P	P	D	P	P	D
Development							
New buildings	RD	RD	RD	RD	RD	RD	RD
Demolition of buildings	RD <u>C</u>	P	P	P	P	P	P
Alterations to building facades that are less than: - 40 <u>25</u> per cent of its total surface area, or - 45m ² <u>25m²</u> whichever is the lesser	P	P	P	P	P	P	P
<u>Roller doors on the building frontage that are additions to existing buildings and are at least 75% transparent</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Activity	Metro Centre zone	Town Centre zone	Local Centre zone	Neighbourhood Centre zone	Mixed Use zone	General Business zone	Business Park zone
Additions to buildings that are less than: - 40 <u>25</u> per cent of the existing GFA of the building, or - 250m ² whichever is the lesser	P	P	P	P	P	P	P
Internal alterations to buildings	P	P	P	P	P	P	P
Additions and alterations to buildings not otherwise provided for	RD	RD	RD	RD	RD	RD	RD

1.2 Industrial zones

The rules in this section implement the objectives and policies of D3.10 and D3.11.

2- The activity table below specifies the activity status of activities in the industrial zones.

Activity	Heavy Industry	Light Industry
<u>Activities not provided for</u>	<u>NC</u>	<u>NC</u>
Accommodation		
Workers accommodation - one per site	P	P
Dwellings	Pr	NC
<u>Retirement villages</u>	Pr	<u>NC</u>
Commerce		
Commercial services	NC	D
Dairies up to 100m ² GFA	P	P
Drive-through <u>restaurant facilities</u>	NC	<u>RD_P</u>
Entertainment facilities	NC	D
<u>Existing lawfully established commercial activities as at the date the Unitary Plan becomes operative</u>	<u>NA</u>	<u>P</u>
Food and beverage up to 100m ² GFA	P	P
Garden centres	NC	<u>RDP</u>
<u>Large format retail</u>	<u>Pr</u>	<u>NC</u>
Motor vehicle sales	NC	<u>RDP</u>
<u>Marine retail</u>	<u>NC</u>	<u>RDP</u>
<u>Offices up to 100m² GFA per site</u>	<u>NC</u>	<u>RD</u>
Offices that are accessory to an industrial activity <u>the primary activity</u> on the site and: a. the office GFA does not exceed 30 per cent of all buildings on the site or b. the office GFA does not exceed 100m ²	P	P
Offices that are accessory to an industrial activity <u>the primary activity</u> on the site and the office GFA exceeds 30 per cent of all buildings on the site	RD	RD
Offices not otherwise provided for	NC	NC
Retail accessory to an industrial activity on the site, where the goods sold are manufactured on site and the retail GFA does not exceed 10 per cent of all buildings on the site	P	P

Activity	Heavy Industry	Light Industry
Retail, up to 450m ² , not otherwise provided for	NC	NC
<u>Retail, greater than 450m², not otherwise provided for</u>	Pr	NC
Service stations	P	P
Show homes	NC	P
Storage and lock-up facilities	NC	P
Trade suppliers	NC	RDP
<u>Wholesaler</u>	NC	P
Community		
Care centres	NC	D
Community facilities	NC	D
Education facilities that are accessory to an industrial activity on the site	P	P
Education facilities not otherwise provided for	D NC	D
Emergency services	D RD	P
Hospitals	NC	D
<u>Recreation facilities</u>	D NC	D
<u>Tertiary education facilities that are accessory to an industrial activity on the site</u>	P	P
<u>Tertiary education facilities not otherwise provided for</u>	NC	D
Industry		
Industrial activities	P	P
Rural		
Animal breeding or boarding	NC	P
Horticulture	NC	P
Development		
Construction of buildings	P	P
Additions and alterations to buildings	P	P
Demolition of buildings	P	P

2. Notification

1. The council will publicly notify resource consent applications for the following activities:
 - a. ~~office, retail and dwellings in the Light Industry zone~~ offices in the Heavy Industry zone specified as non-complying in the zone activity table
 - b. dwellings and retirement villages in the General Business zone and the Light Industry zone specified as non-complying in the zone activity table.
2. Buildings that infringe the building height and height in relation to boundary development controls below are subject to the normal tests for notification under the relevant sections of the RMA.

3. Land use controls

3.1 Activities within 30m of a residential zone

1. The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the zone activity table:
 - a. taverns
 - b. drive-through restaurant facilities
 - c. outdoor eating areas accessory to restaurants
 - d. entertainment facilities
 - e. child care centres
 - f. animal breeding and boarding.

This control only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

3.2 Retail up to 200m² GFA per tenancy in the Mixed Use zone

1. Retail (excluding food and beverage, dairies and service stations) up to 200m² GFA per tenancy in the Mixed Use zone is a restricted discretionary activity where it is not located within a 400m 200m walk from the City Centre, Metropolitan Centre, Town Centre or Local Centre zones (as shown on the planning maps).

3.2a Food and beverage in the Mixed Use zone

1. Food and beverage activities that:
 - a. are not located within a 200m walk from the City Centre, Metropolitan Centre, Town Centre or Local Centre zones (as shown on the planning maps)
 - b. form part of an integrated development, with more than 5 retail activities or a maximum total GFA of 1000m²;
are a restricted discretionary activity.
2. In 1 above, integrated development means a development that shares the same carparking or access.

3.2b Food and beverage in the General Business zone

1. Food and beverage activities that form part of an integrated development, with more than 5 food and beverage activities, are a restricted discretionary activity.
2. In 1 above, integrated development means a development that shares the same carparking or access.

3.3 Office activities close to the City Centre zone and Newmarket Metropolitan Centre zone in the Mixed Use and Local Centre zone

1. Office activities in selected areas of the Mixed Use and Local Centre zones that are proximate to the City Centre zone and Newmarket Metropolitan Centre zone, as shown on the planning maps as xx, are a permitted activity.

3.4 Light Industry Zone - Existing lawfully established commercial activities as at the date the Unitary Plan becomes operative in the Light Industry zone

1. In the Light Industry Zone existing lawfully established commercial activities as at the date the Unitary Plan becomes operative are permitted provided that:
 - a. The GFA is not increased
 - b. Tenancies or activities may change within the range of commercial activities

3.5 Activities within 100m of a Heavy Industry Zone in the Light Industry zone

2. 1. The following activities are restricted discretionary within 100m of the Heavy Industry Zone:
 - a. Motor vehicle sales
 - b. Garden centres
 - c. Marine retail

4. Development Controls - Centres, Mixed Use, General Business and Business Park zones

The following development controls apply to the centres and mixed use zones and the General Business and Business Park zones.

4.1 Development control infringements

- 1 Buildings that infringe three or more of the following development controls are a discretionary activity:
- height
 - height in relation to boundary
 - building setback at upper floors
 - maximum tower dimension and tower separation
 - buildings fronting the street
 - residential at ground floor
 - yards
 - outlook.

4.2 Building height

Purpose:

- manage the effects of building height
 - allow reasonable sunlight and daylight access to ~~streets~~, public open space ~~excluding streets~~, the ~~subject site~~ and nearby sites
 - ~~avoid~~ manage visual dominance effects
 - allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street
 - enable greater height in areas identified for intensification
 - provide for variations to the standard zone height through the Additional Zone Height Control provisions overlay, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones.
- 1 Buildings must not exceed the height in metres and storeys specified for the relevant zone in ~~the table~~ Table 1 below, unless otherwise specified in the Additional Zone Height Control layer on the planning maps overlay.

Table 1

<u>Zone</u>	<u>Total building height</u>	<u>Occupiable building height</u>	<u>Additional hHeight for roof form</u>
<u>Metropolitan centre</u>	<u>72.5m</u>	<u>72.5m</u>	<u>-</u>
<u>Town Centre</u>	<u>As shown on the Additional Zone Height Control layer on the planning maps</u>		
<u>Local centre</u>	<u>18m</u>	<u>16m</u>	<u>2m</u>
<u>Neighbourhood centre</u>	<u>13m</u>	<u>11m</u>	<u>2m</u>

Mixed use	18m	16m	2m
General Business	16.5m	16.5m	2m
Business Park	20.5m	20.5m	2m

- 2 Sites subject to the Additional Zone Height Control are identified in the planning maps.
- 3 If the site is subject to the Additional Zone Height Control provisions, buildings must not exceed the height in metres, as shown in Table 2 below and for the site on the planning maps.
- 4 Where a Key Retail Frontage or General Commercial Frontage rule applies to sites with an occupiable building height of 25m or less, as shown in Table 1A:
 - a. an additional 0.5m of occupiable building height will apply
 - b. height for roof form is reduced from 2m to 1.5m.

Table 1A: Total building height shown on Additional Zone Height Control layer on the planning maps

<u>Occupiable building height</u>	<u>Additional height for roof form</u>	<u>Total building height shown on Additional Zone Height Control layer on the planning maps</u>
11m	2m	13m (currently 12.5m)
16m	2m	18m (currently 16.5m)
19	2m	21m (currently 20.5m)
25m	2m	27m (currently 24.5m)
Same as on the planning maps	NA	Exceeding 27m

- 5 Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.
 - 6 All heights in the Town Centre zone are shown on the Additional Zone Height Control overlay.
 - 7 If the site is subject to the Additional Zone Height Control overlay, buildings must not exceed the height in:
 - a. metres, as shown for the site on the planning maps, and
 - b. storeys, calculated so that the first 4.5m of height shown on the planning maps is one storey, and every 4m after that is an additional storey.
4. Note - Other Overlays and precincts may specify a different height controls.

<u>Zone</u>	<u>Building height in metres</u>	<u>Building height in storeys</u>
Metropolitan centre	72.5m	18 storeys
Local centre	16.5m	4 storeys
Neighbourhood centre	12.5m	3 storeys
Mixed use	16.5m	4 storeys
General Business	16.5m	4 storeys
Business Park	20.5m	5 storeys

4.3 Height in relation to boundary

Purpose:

- manage the effects of building height
- allow reasonable sunlight and daylight access to ~~streets~~, public open space ~~excluding streets, the subject site and nearby sites and neighbouring zones~~
- ~~avoid~~ manage visual dominance effects on neighbouring zones where lower height limits apply.

1. Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table 2 and Figure 1 or 1A below.
2. In the Metropolitan Centre zone the recession plane extends for only 30m into sites within the zone (refer to Figure 1).
3. Where the boundary forms part of an entrance strip, access site or pedestrian access way, the control applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian access way is greater than 2.5 metres in width, the control will be measured from a parallel line 2.5 metres out from the site boundary.
4. Figure 1B will be used to define what is a north, south, east or west boundary, where this is referred to in Table 2. The recession plane angle is calculated by orientating both site plan and Figure 1B to true north. Figure 1B is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure 1B touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table 2.

Table 2

<u>Zoning of subject site</u>	<u>Zoning of adjacent site</u>	<u>Angle of recession plane (identified as x in Figure 1 or 1A)</u>	<u>Height above ground level which the recession plane will be measured from (identified as y in Figure 1 or 1A)</u>
<u>Centres, Mixed Use, General Business or Business Park</u>	<u>Single House or Mixed Housing Suburban</u>	<u>45°</u>	<u>2.5m</u>
<u>Centres, Mixed Use, General Business or Business Park</u>	<u>Mixed Housing Urban Special Purpose zones: - <u>Maori Purpose</u> - <u>School</u></u>	<u>45°</u>	<u>3m</u>
<u>Centres, Mixed Use, General Business or Business Park</u>	<u>Terrace Housing and Apartment Building</u>	<u>60°</u>	<u>8m</u>
<u>Metropolitan Centre or Town Centre</u>	<u>Mixed Use or General Business</u>	<u>60°</u>	<u>8m</u>
<u>Metropolitan Centre - buildings located on the northern boundary of the adjacent site (Refer to Figure 1)</u>	<u>Public Open Space</u>	<u>45°</u>	<u>8.5m</u>
<u>Metropolitan Centre - buildings located on the southern, eastern or western boundary of the adjacent site</u>	<u>Public Open Space</u>	<u>45°</u>	<u>16.5m</u>
<u>Town Centre or Mixed Use</u>	<u>Public Open Space</u>	<u>45°</u>	<u>8.5m</u>
<u>Town Centre or Mixed Use - buildings located on the southern</u>	<u>Public Open Space</u>	<u>45°</u>	<u>16.5</u>

<u>boundary of the adjacent site</u>			
<u>Local Centre, Neighbourhood Centre or Business Park</u>	<u>Public Open Space</u>	<u>45°</u>	<u>4.5m</u>
<u>Local Centre, Neighbourhood Centre or Business Park - buildings located on the southern boundary of the adjacent site</u>	<u>Public Open Space</u>	<u>45°</u>	<u>8.5m</u>
<u>General Business</u>	<u>Public Open Space</u>	<u>45°</u>	<u>4.5m</u>

Figure 1 Height in relation to boundary - illustration of Rule 4.3

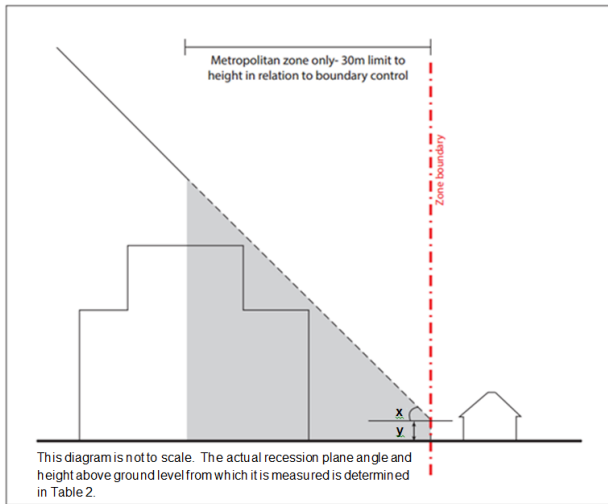


Figure 1A Height in relation to boundary opposite a road - illustration of Rule 4.3

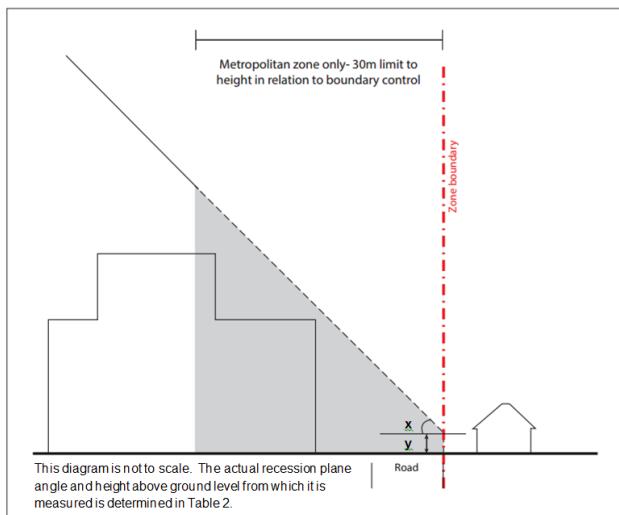


Figure 1B Recession plane indicator for sites adjacent to a Public Open Space zone - illustration of how to apply Rule 4.3

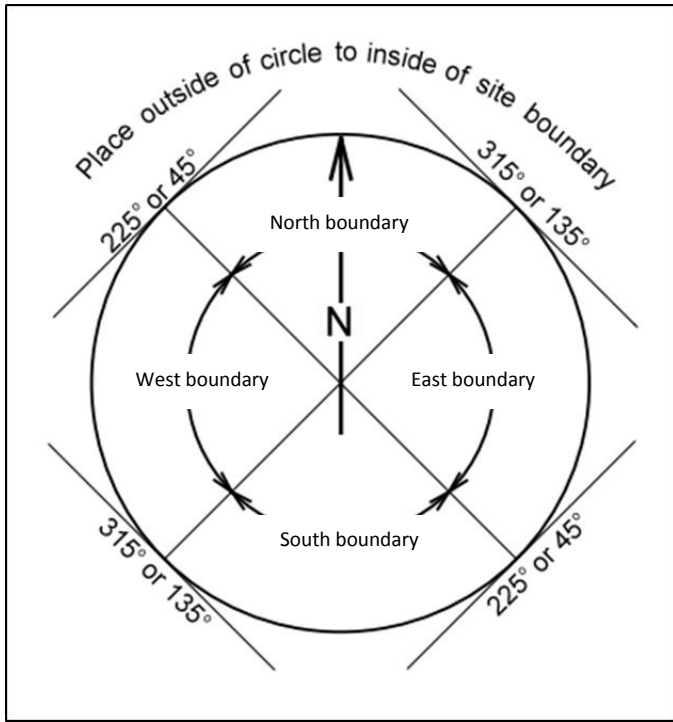


Table 2

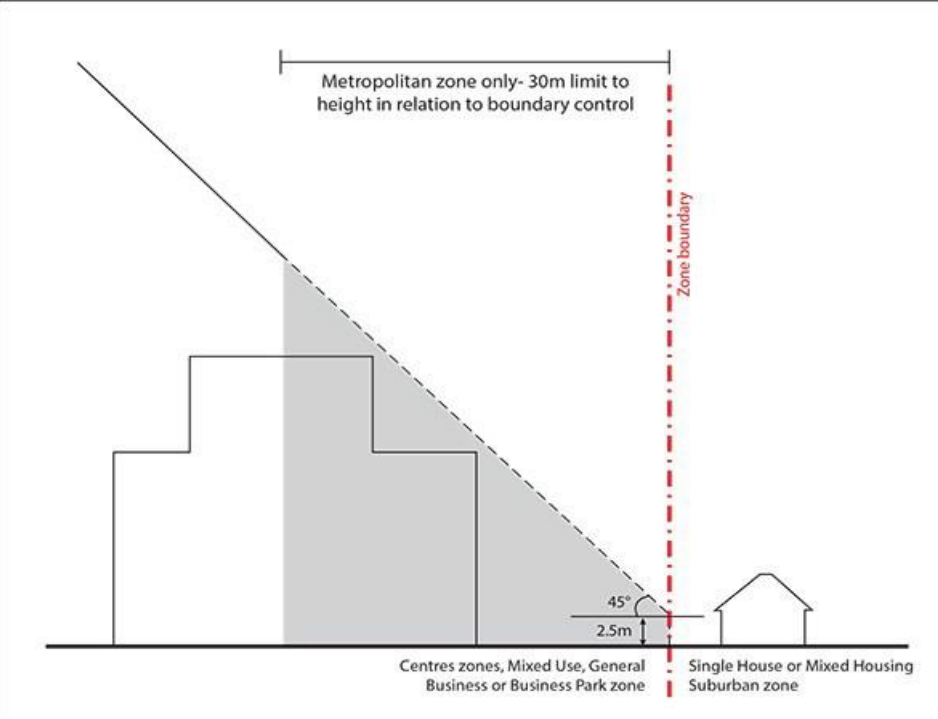
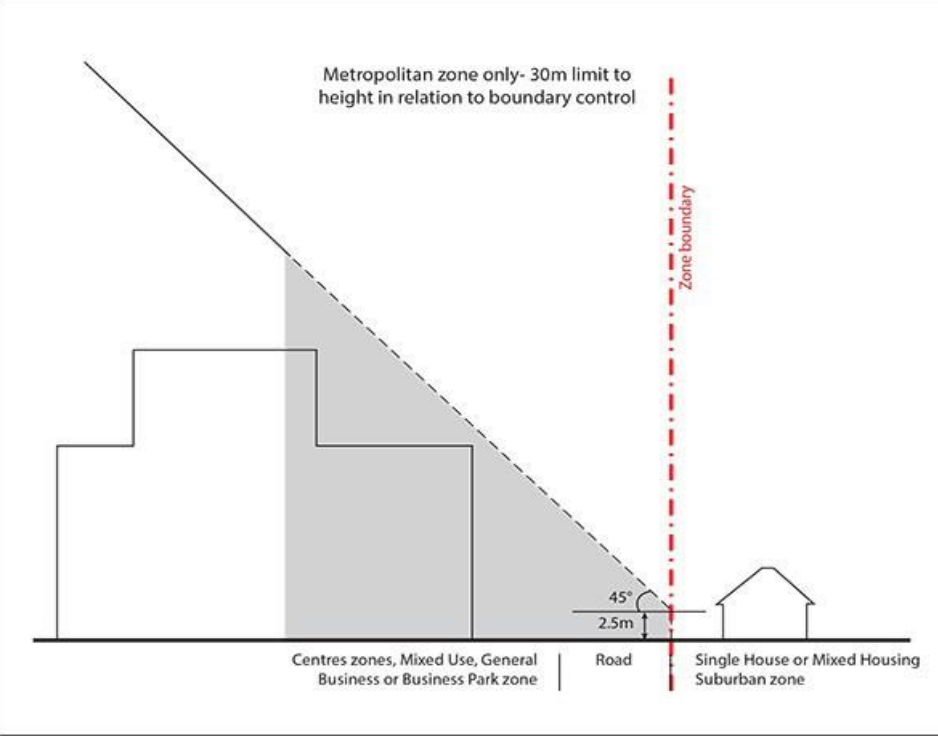
Height in relation to boundary	Figures 1 - 8
<p>Centres, Mixed Use, General Business or Business Park zone interface with the Single House or the Mixed Housing Suburban zones</p> <p>Buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the Single House or the Mixed Housing Suburban zone boundary.</p> <p>In the Metropolitan Centre zone the recession plane extends for only 30m into the zone.</p>	 <p>Metropolitan zone only- 30m limit to height in relation to boundary control</p> <p>Zone boundary</p> <p>45°</p> <p>2.5m</p> <p>Centres zones, Mixed Use, General Business or Business Park zone</p> <p>Single House or Mixed Housing Suburban zone</p>
	 <p>Metropolitan zone only- 30m limit to height in relation to boundary control</p> <p>Zone boundary</p> <p>45°</p> <p>2.5m</p> <p>Centres zones, Mixed Use, General Business or Business Park zone</p> <p>Road</p> <p>Single House or Mixed Housing Suburban zone</p>

Figure 1a

Figure 1b

Height in relation to boundary

Figures 1 – 8

Centres, Mixed Use, General Business or Business Park zone interface with the Mixed Housing Urban zone and the special purpose zones listed below

Buildings must not project beyond a 45-degree recession plane measured from a point 3m vertically above ground level along the Mixed Housing Urban zone boundary or the boundary of the special purpose zones listed below.

In the Metropolitan Centre zone the recession plane extends for only 30m into the zone.

This rule applies to the interface with the following special purpose zones:

- a. Maori Purpose zone
- b. Retirement Village zone
- c. School zone

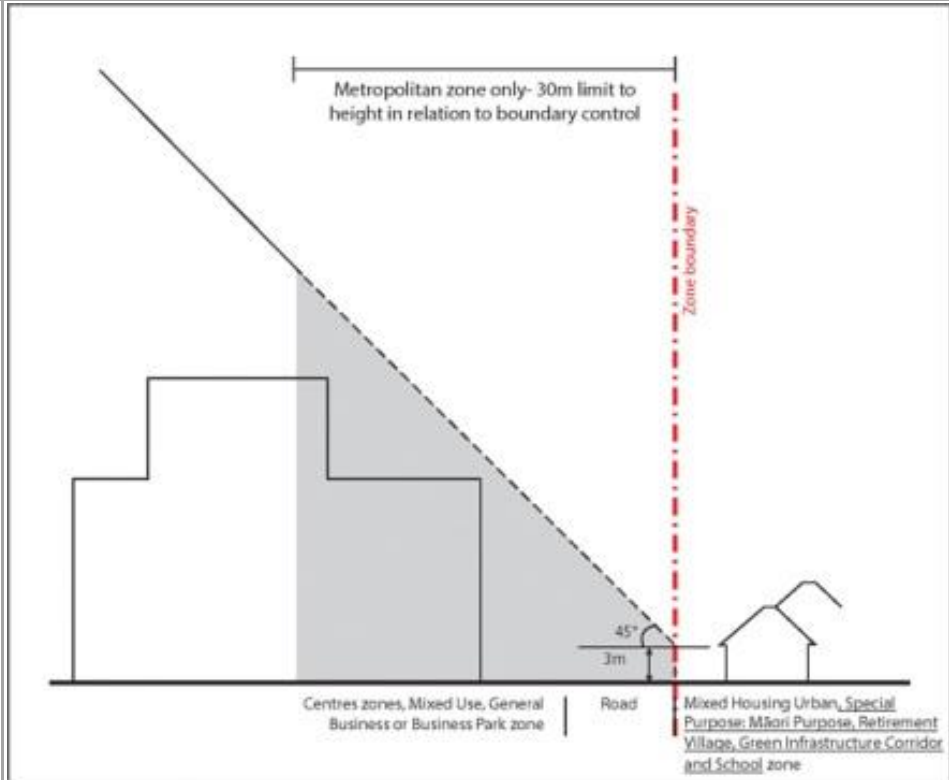


Figure 2a

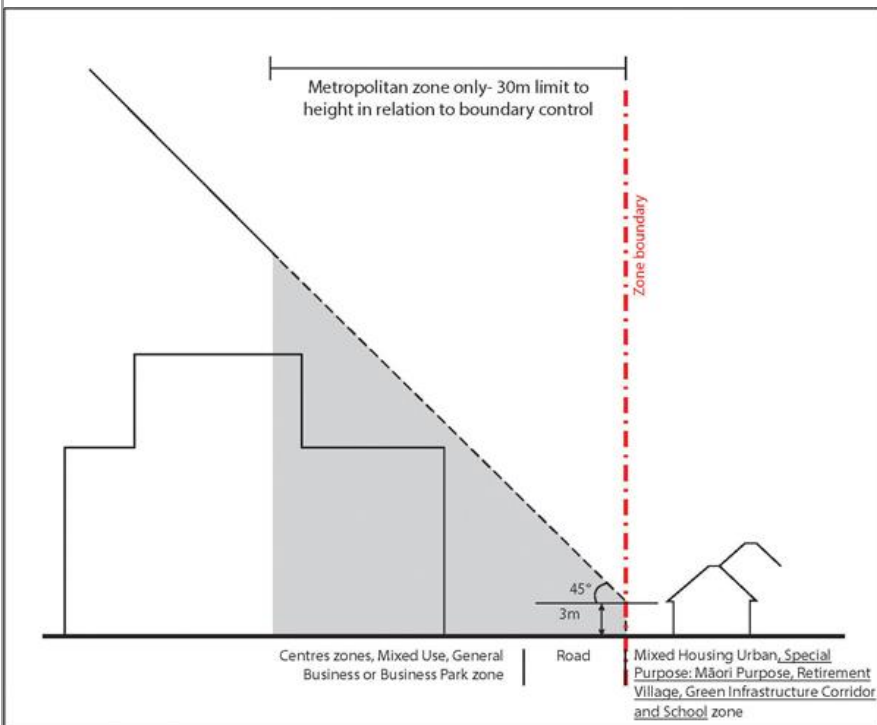


Figure 2b

Height in relation to boundary

Figures 1 – 8

Centres, Mixed Use, General Business or Business Park zone interface with the Terrace Housing and Apartment Building zone

Buildings must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the Terrace Housing and Apartment Buildings zone boundary.

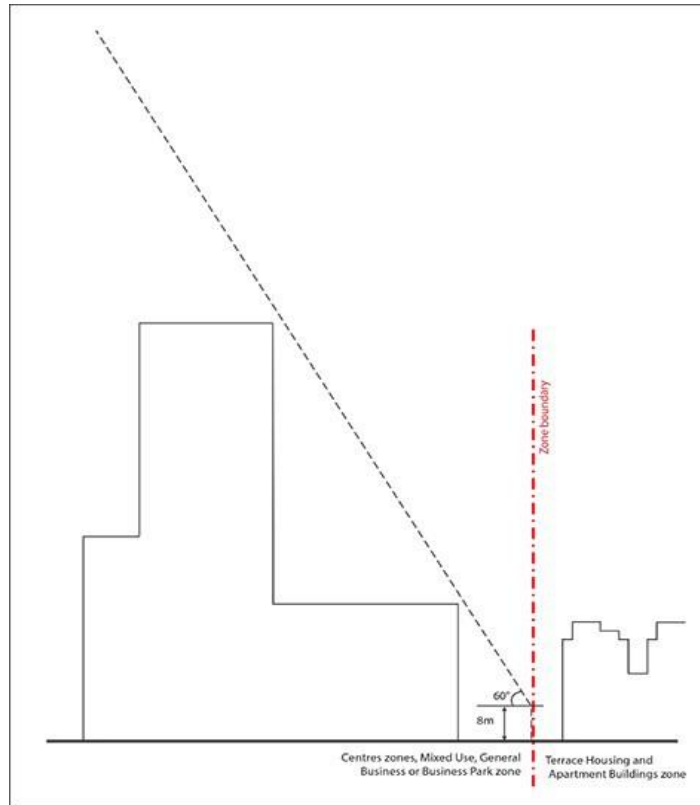


Figure 3a

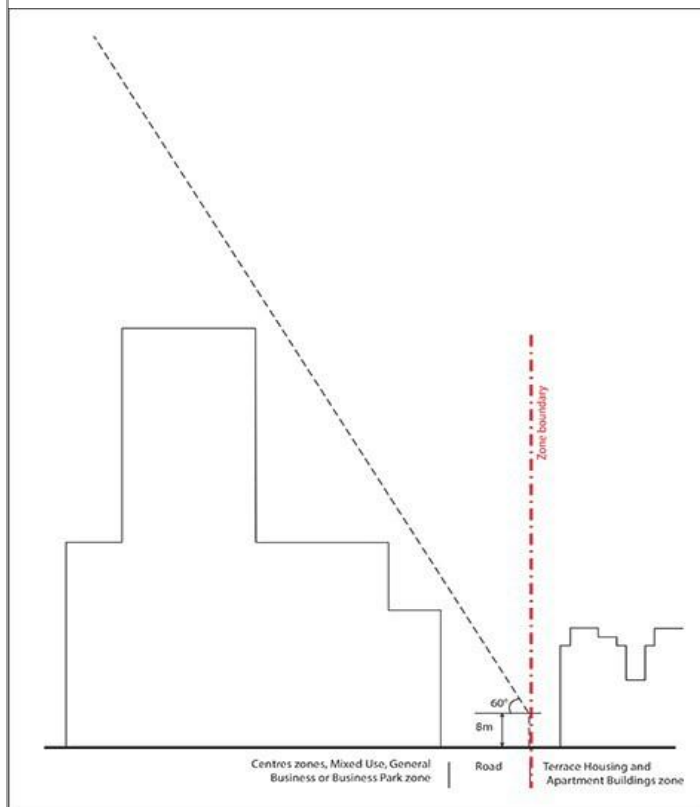


Figure 3b

Height in relation to boundary

Figures 1 – 8

Metropolitan Centre zone or Town Centre zone interface with Mixed Use or General Business zones

In the Metropolitan or Town Centre zone, buildings must not project beyond a 60-degree recession plane measured from a point 8m vertically above ground level along the Mixed Use or General Business zone boundary.

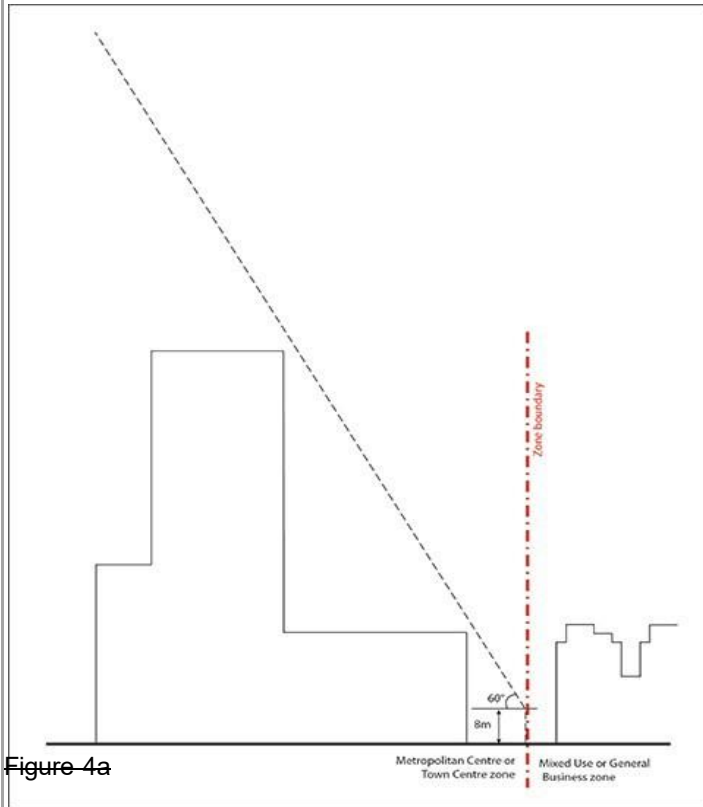


Figure 4a

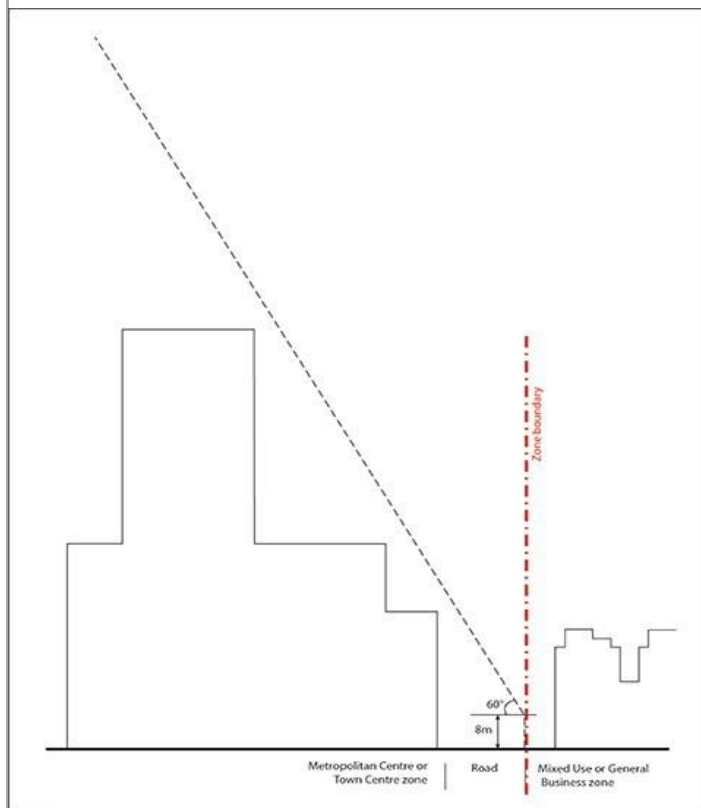


Figure 4b

Height in relation to boundary

Metropolitan Centre zone interface with Public Open Space zones

In the Metropolitan Centre zone buildings located on the:

- northern boundary of the public open space zone must not project beyond a 45-degree recession plane measured from a point 8.5m vertically above ground level along the public open space zone boundary, or
- eastern, western or southern boundary of the public open space zone must not project beyond a 45-degree recession plane measured from a point 16.5m vertically above ground level along the public open space zone.

Figures 1 – 8

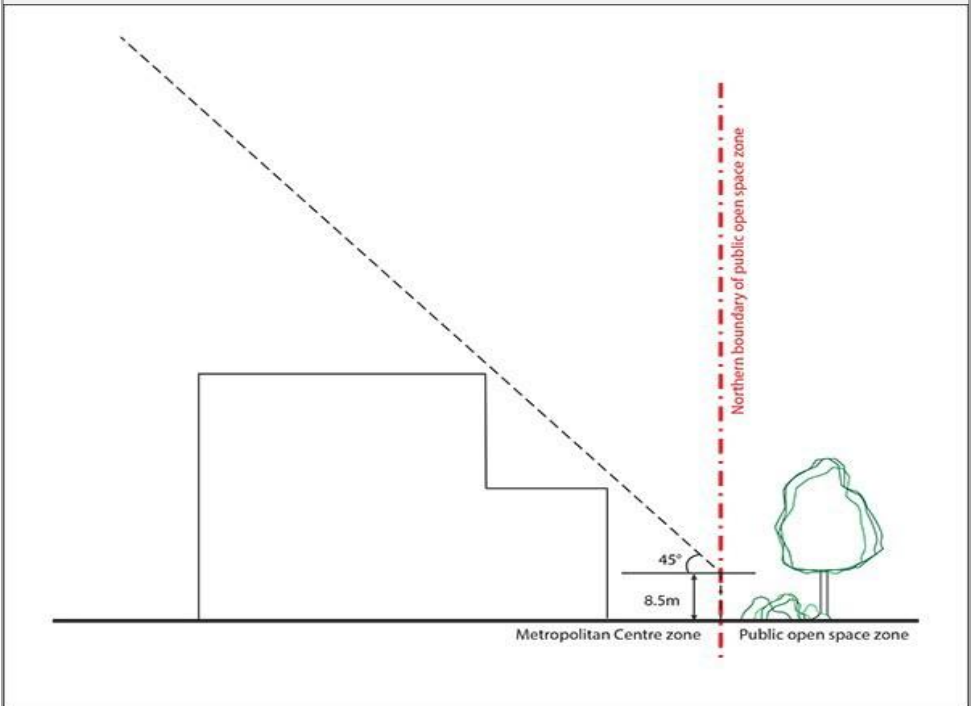


Figure 5a

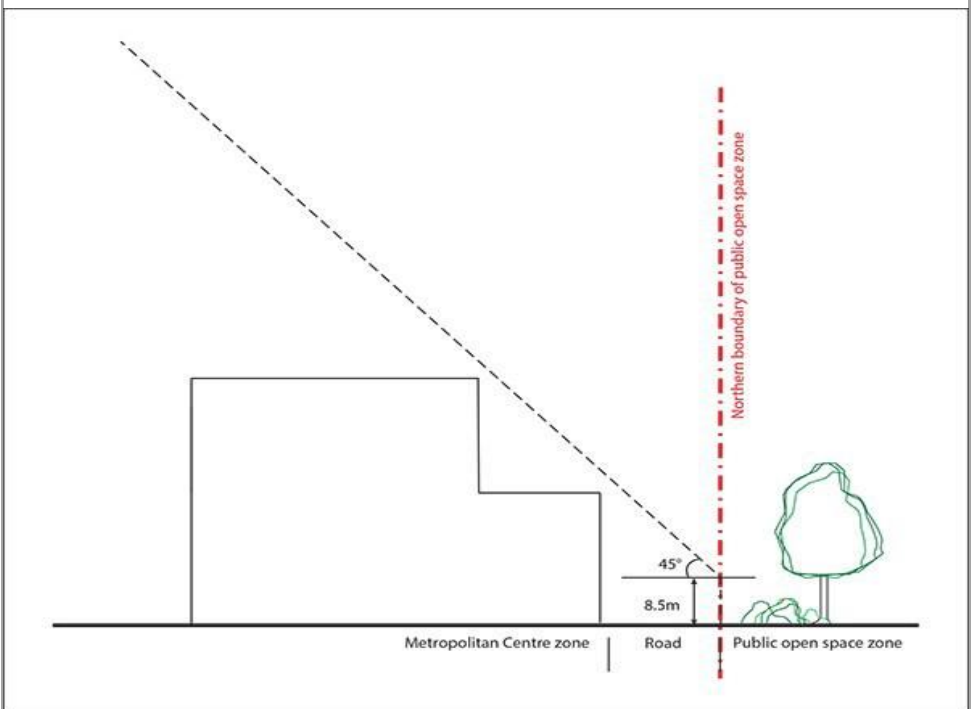


Figure 5b

Height in relation to boundary

Figures 1 - 8

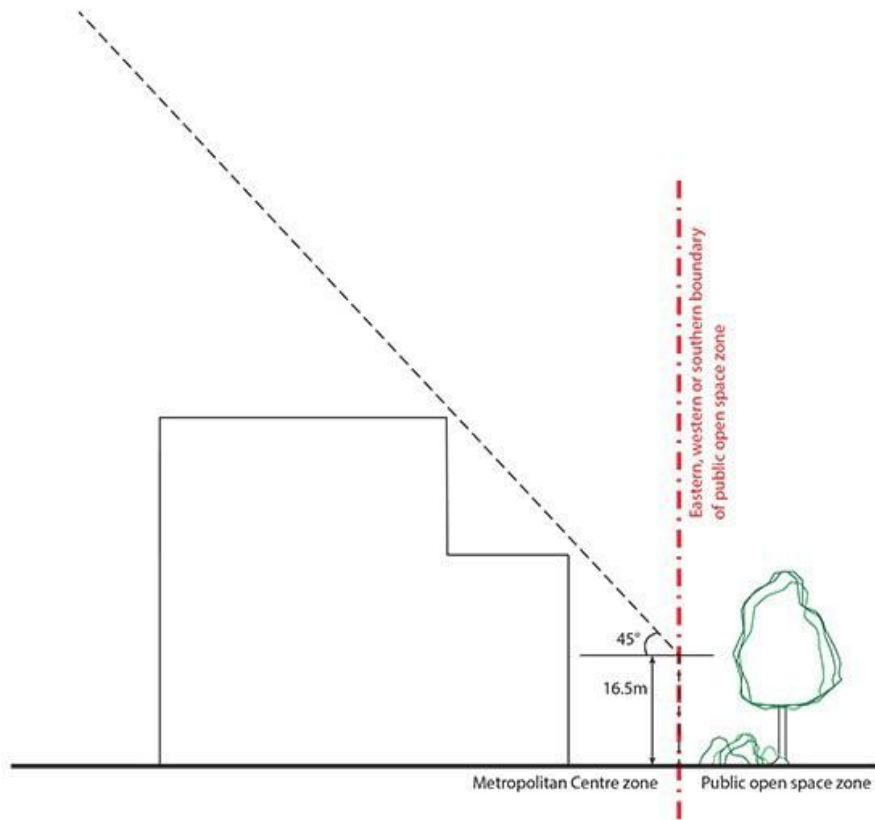


Figure 5c

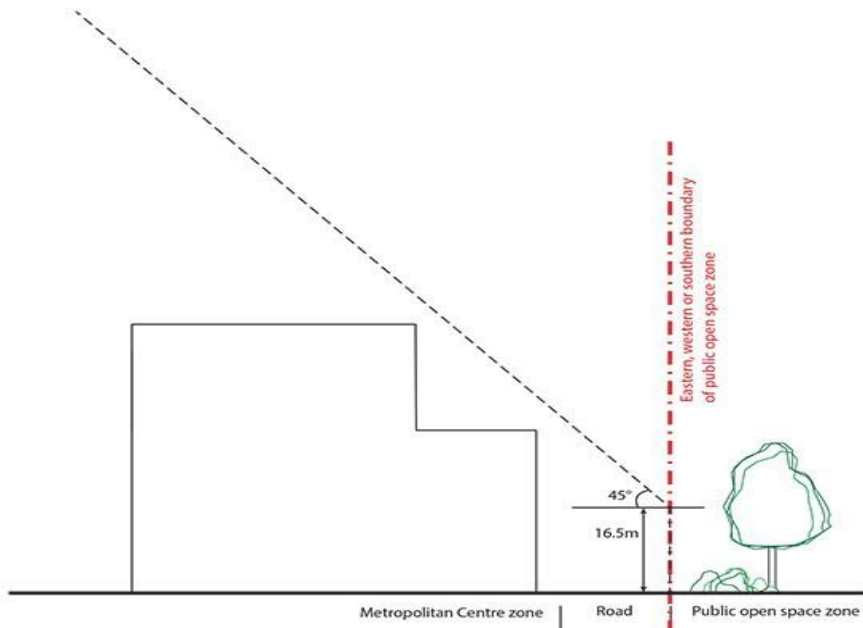


Figure 5d

Height in relation to boundary

Figures 1 – 8

Town Centre or Mixed Use zone interface with Public Open Space zones

In the Town Centre or Mixed Use zone buildings must not project beyond a 45 degree recession plane measured from a point 8.5m vertically above ground level along the public open space zone boundary.

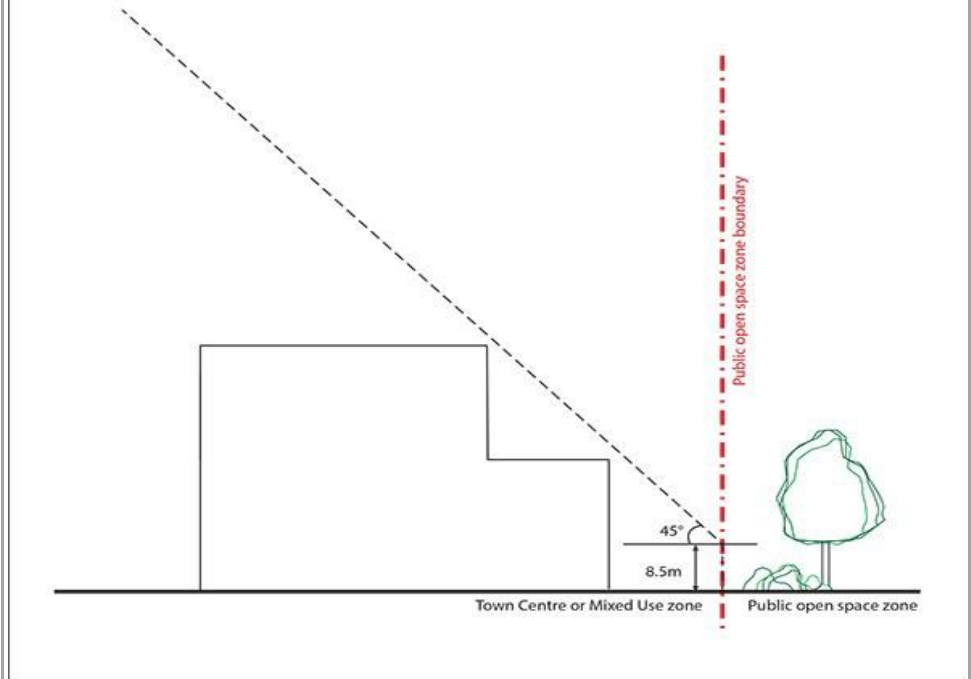


Figure 6a

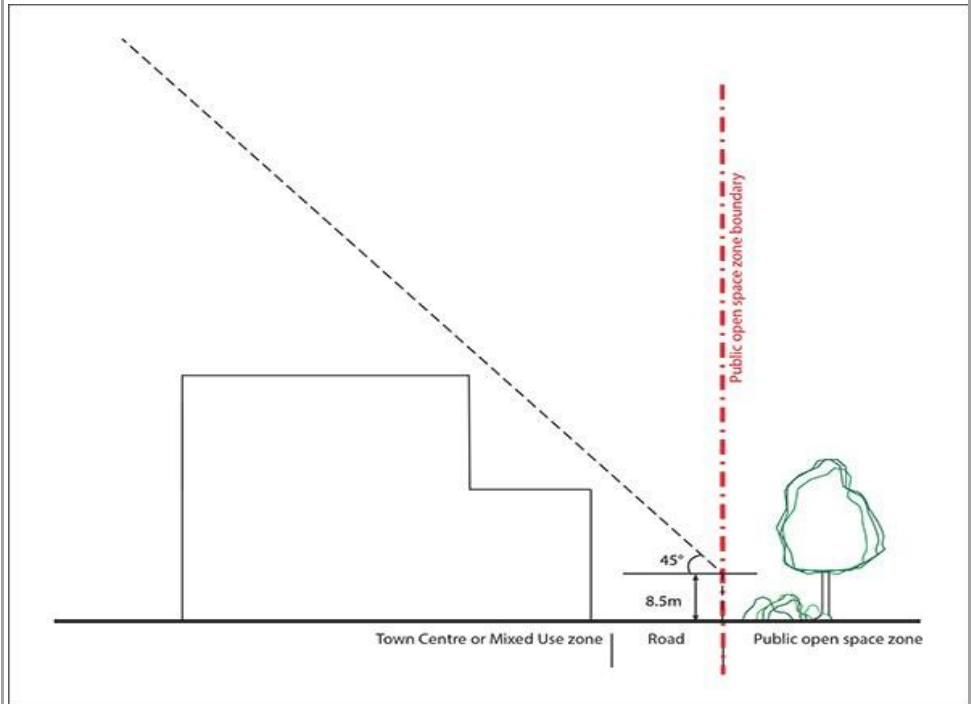


Figure 6b

Height in relation to boundary

Figures 1–8

Local Centre or General Business zone interface with Public Open Space zones

In the Local Centre or General Business zone, buildings must not project beyond a 45-degree recession plane measured from a point 4.5m vertically above ground level along the public open space zone boundary.

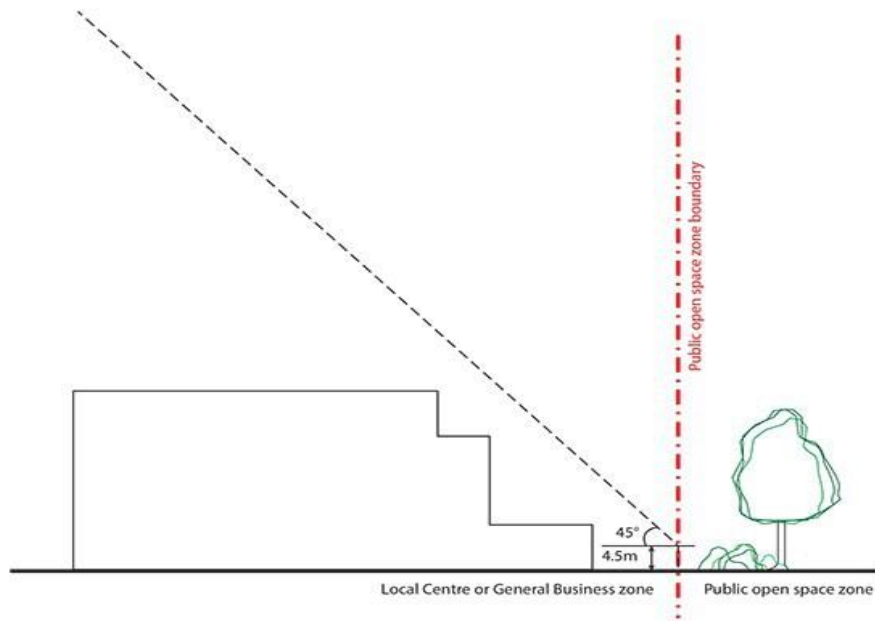


Figure 7a

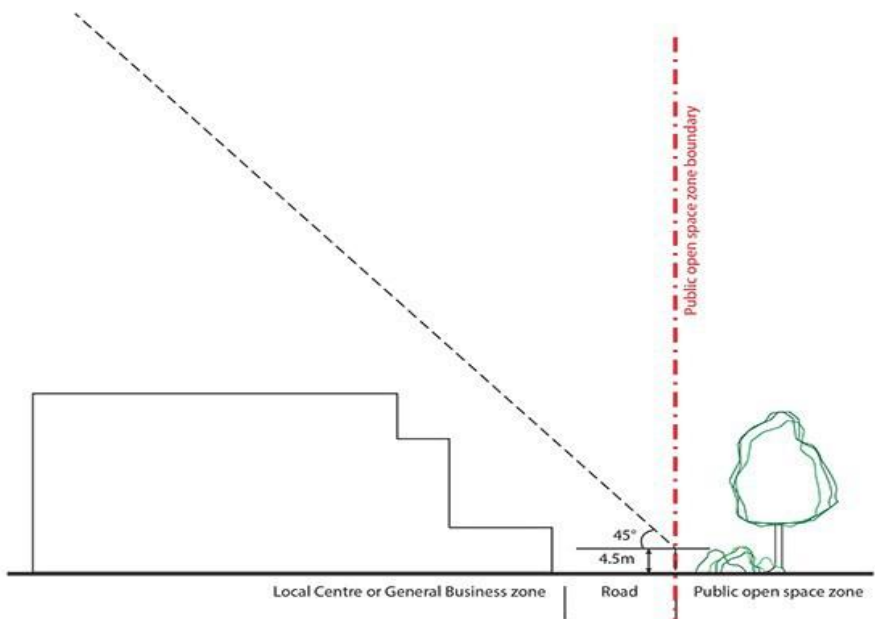


Figure 7b

Height in relation to boundary

Figures 1–8

Neighbourhood Centre or Business Park zone interface with Public Open Space zones

In the Neighbourhood Centre or Business Park zone, buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along the public open space zone boundary.

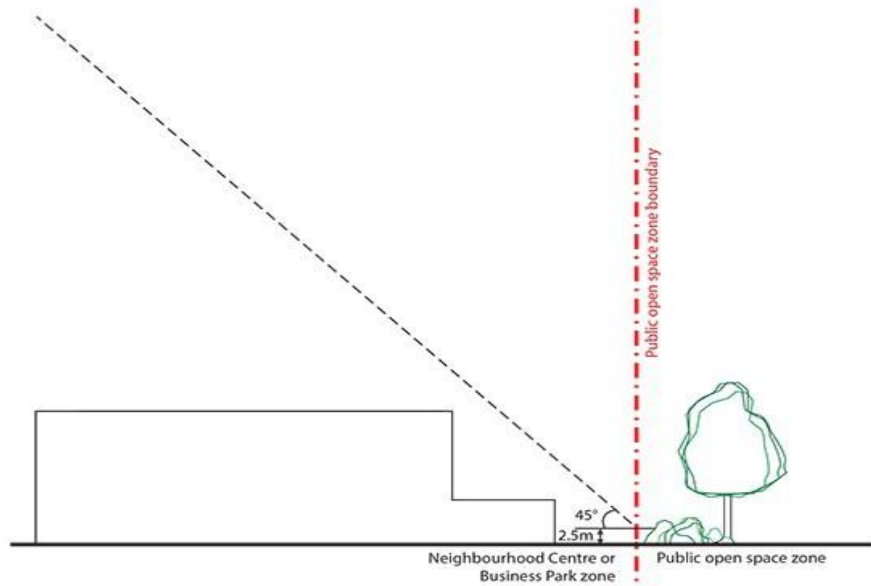


Figure 8a

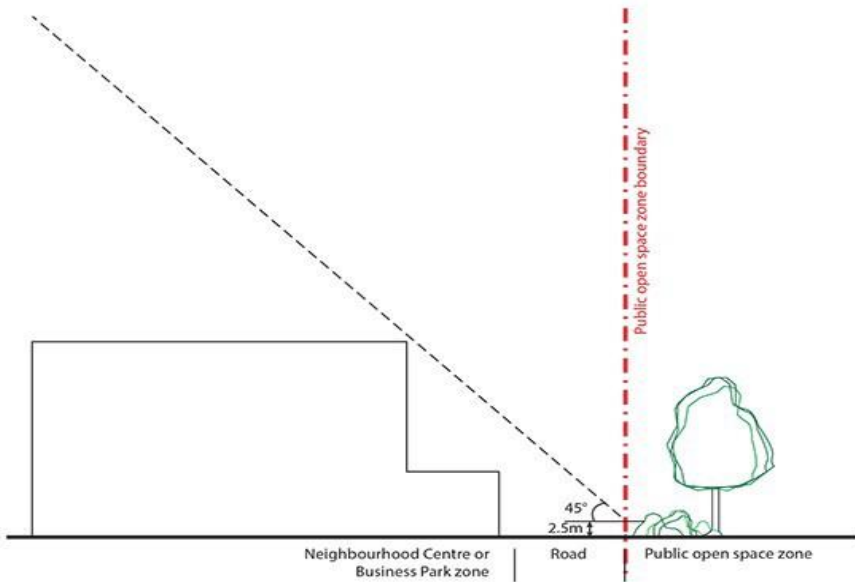


Figure 8b

4.4 Building setback at upper floors

Purpose:

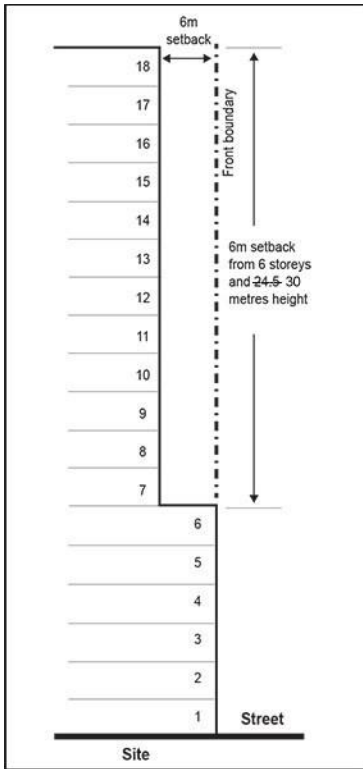
- ~~• ensure that buildings form a consistent edge to the street~~
 - provide adequate daylight access to streets ~~optimise sunlight access to streets and public open spaces~~
 - ~~avoid~~ manage visual dominance effects on streets ~~and public open spaces~~
 - manage visual dominance, ~~sunlight access~~ residential amenity and privacy effects on residential zones (excluding the Terraced Housing and Apartment Buildings zone) opposite Metropolitan Centre, Town Centre and Mixed Use zones
 - mitigate adverse wind effects.
1. A new building must be set back from the site frontage from the point where it exceeds the height listed in metres ~~and storeys~~ specified for the relevant zone in the table below.

~~2. The frontage of a new building must not be set back from the road boundary below the height listed in metres and storeys specified for the relevant zone in the table below.~~

Table 3

Zone	Building height	Storeys	Minimum setback
Metropolitan Centre	24.5m <u>30m</u> 32.5m	6	6m
Town Centre	16.5m 27m	4	6m
Town Centre when <u>opposite a residential zone</u>	18m		<u>6m</u>
Mixed Use	16.5m <u>27m</u>	4	6m
<u>Mixed Use when opposite a residential zone</u>	18m		<u>6m</u>

Figure 9: Eg - Metropolitan Centre zone building setback at upper floors – illustration of Rule 4.4



DELETE AND REPLACE WITH THE FOLLOWING:

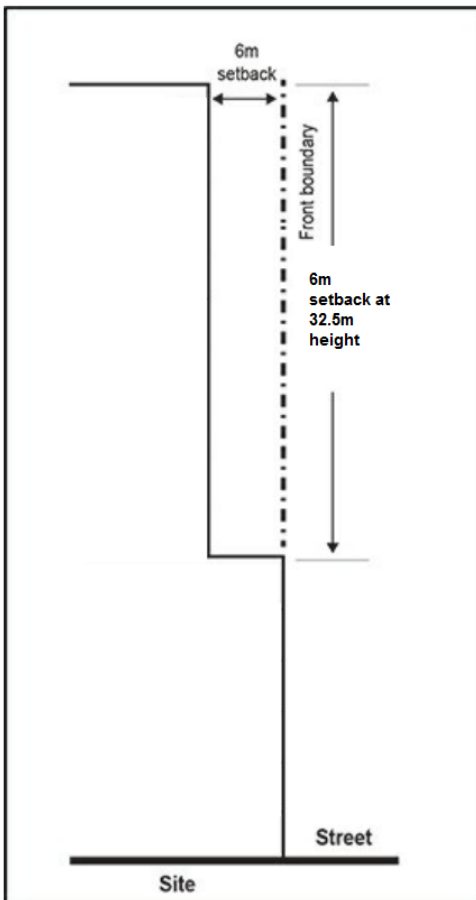


Figure 10: Town Centre zone building set back at upper floors

Delete diagram

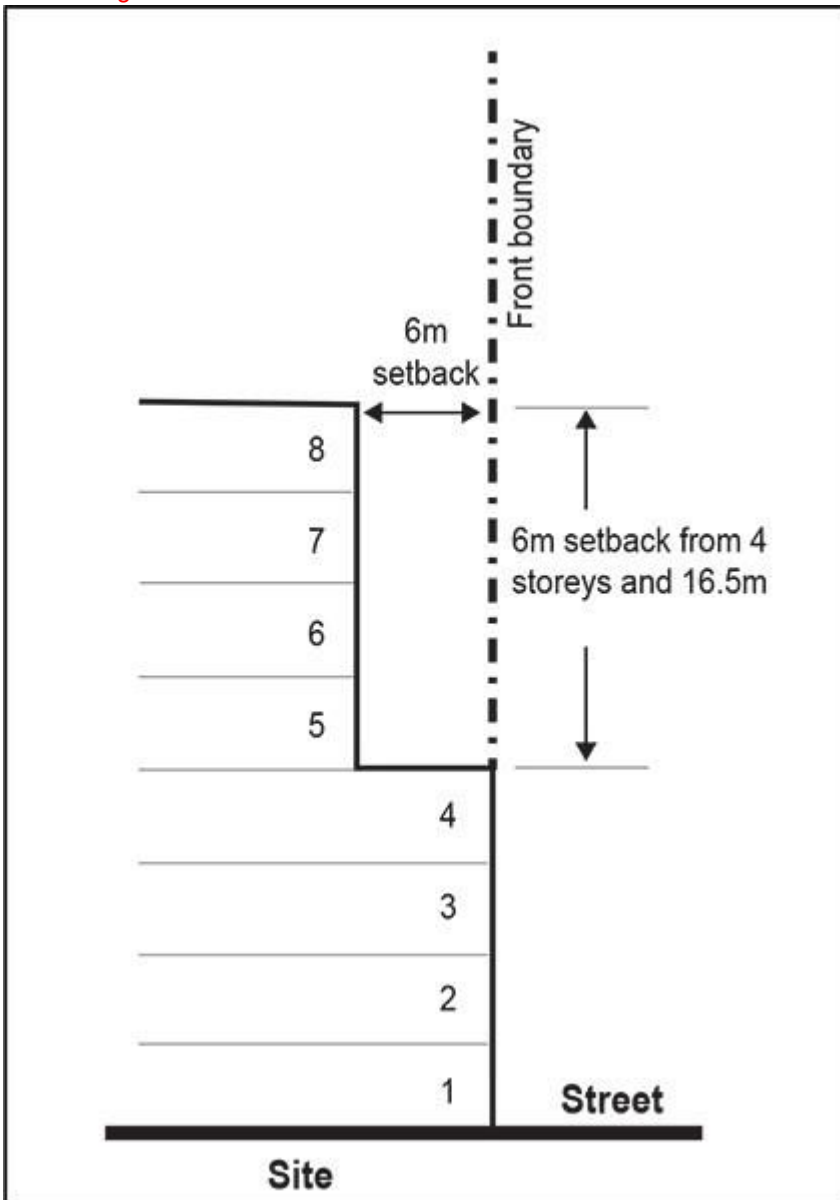
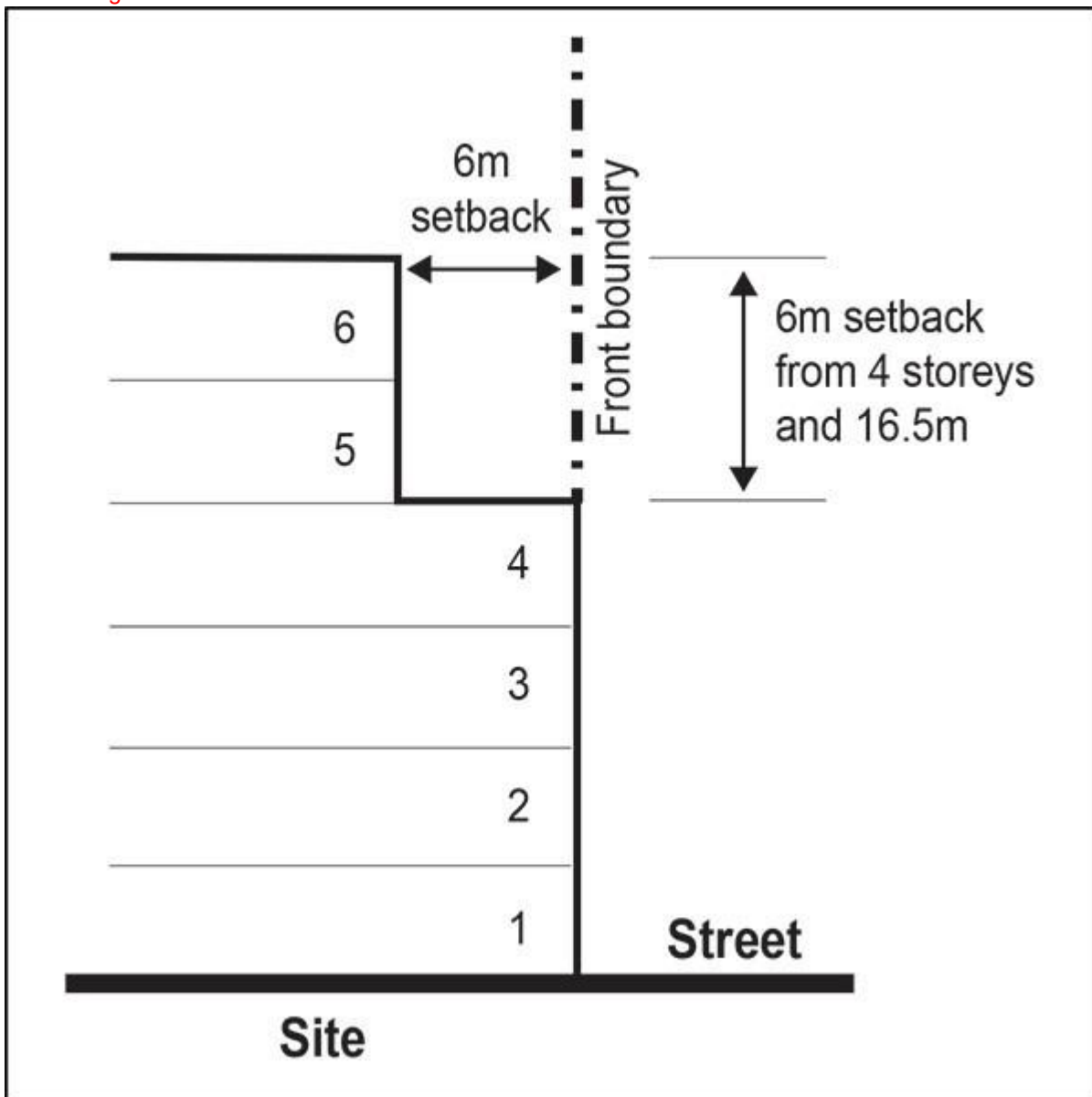


Figure 11: Mixed Use zone building setback at upper floors

Delete diagram



4.5 Maximum tower dimension and tower separation

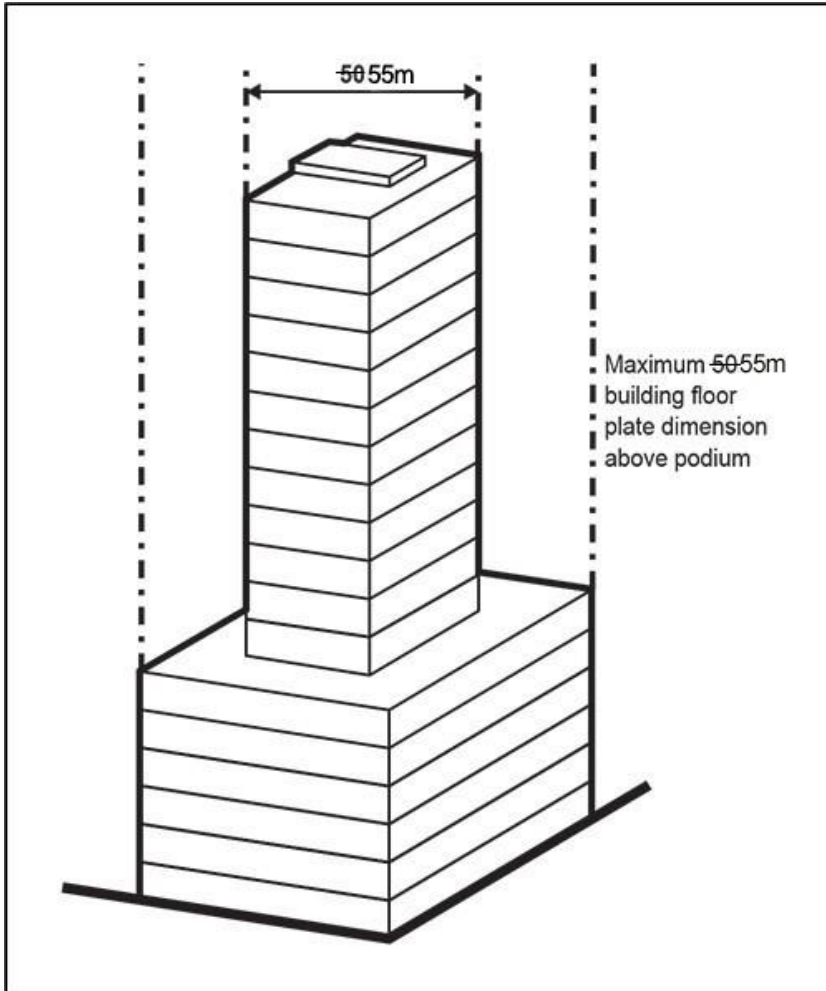
Purpose: ensure that high-rise buildings -

- are not overly bulky in appearance and avoid manage significant visual dominance effects
- allow reasonable adequate sunlight and daylight access to streets, public open space, ~~the subject site~~ and nearby sites
- provide adequate sunlight and outlook around and between buildings
- mitigate adverse wind effects.

- 1 The following controls apply to buildings within the Metropolitan Centre, Town Centre and Mixed Use zones
- 2 The maximum plan dimension of that part of the building above 27m in Town Centre and Mixed Use zones and 32.5m in the Metropolitan Centre zone ~~the required set back in clause Rule 4.4 above~~ must not exceed ~~50m~~ 55m.

- 3 The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building.
- 4 The part of a building above 27m in Town Centre and Mixed Use zones and 32.5m in Metropolitan Centre zones either 24.5m or six storeys must be located at least 6m from any side or rear boundary of the site.

Figure 12: Maximum tower dimension at setback for the Metropolitan Centre zone
DIAGRAM TO BE DELETED



~~Figure 13: Maximum tower dimension at setback for Town Centre and Mixed Use zone~~
~~DIAGRAM TO BE DELETED~~

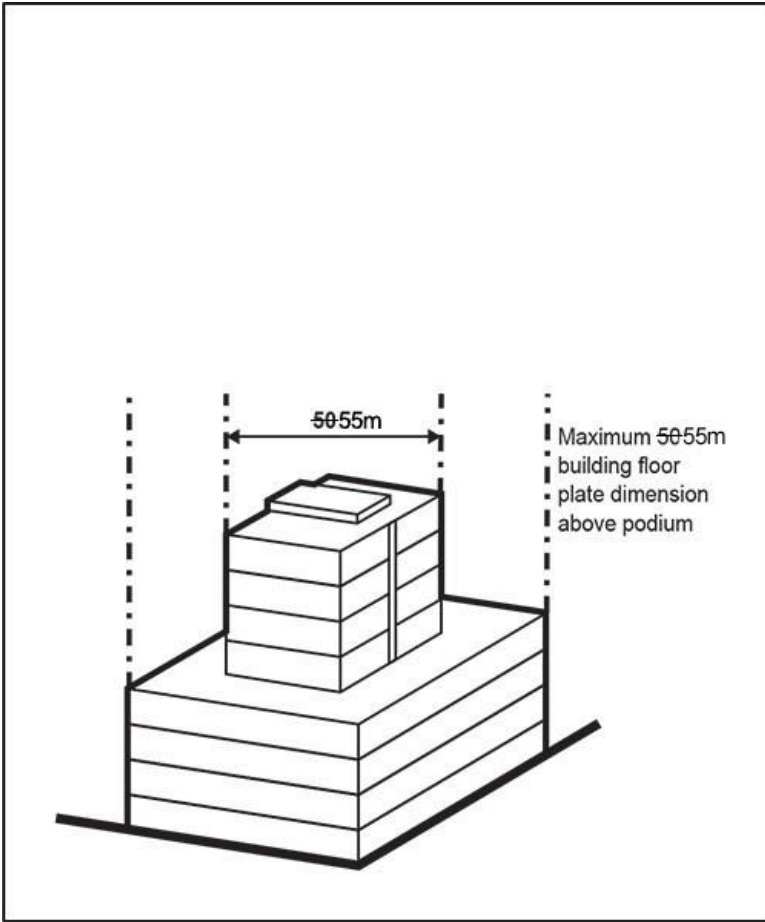


Figure 14: Maximum tower dimension plan view – illustration of Rule 4.5

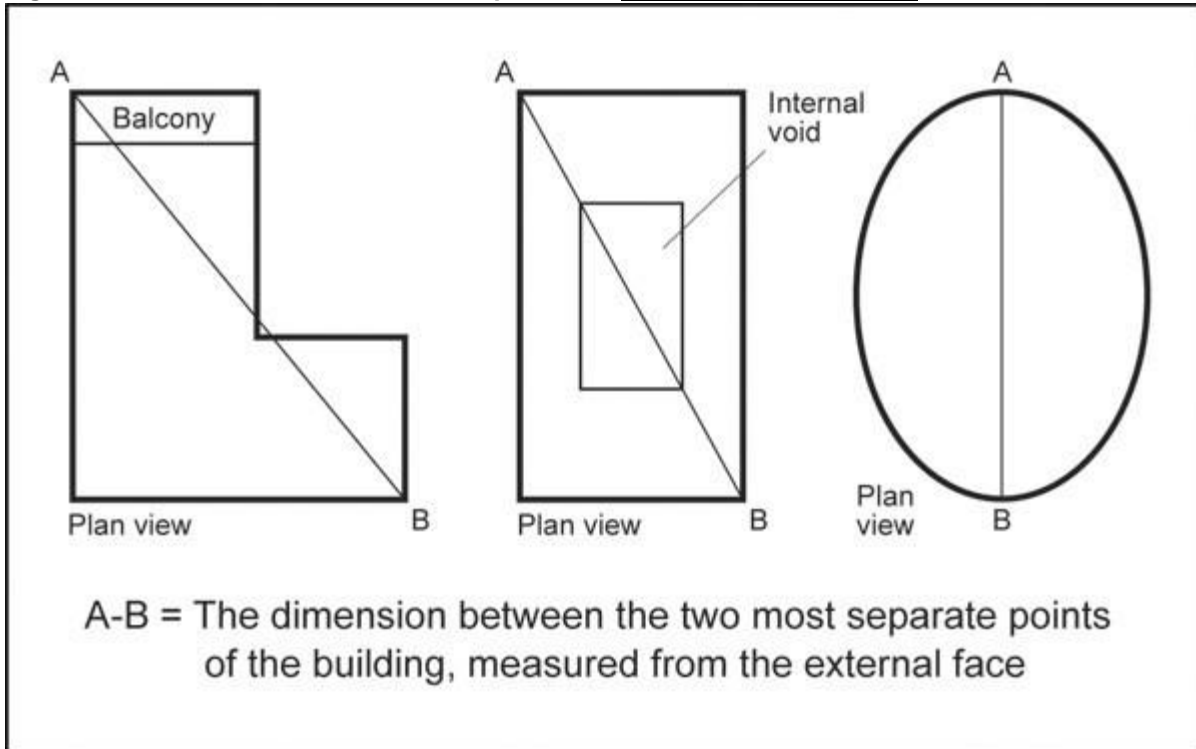
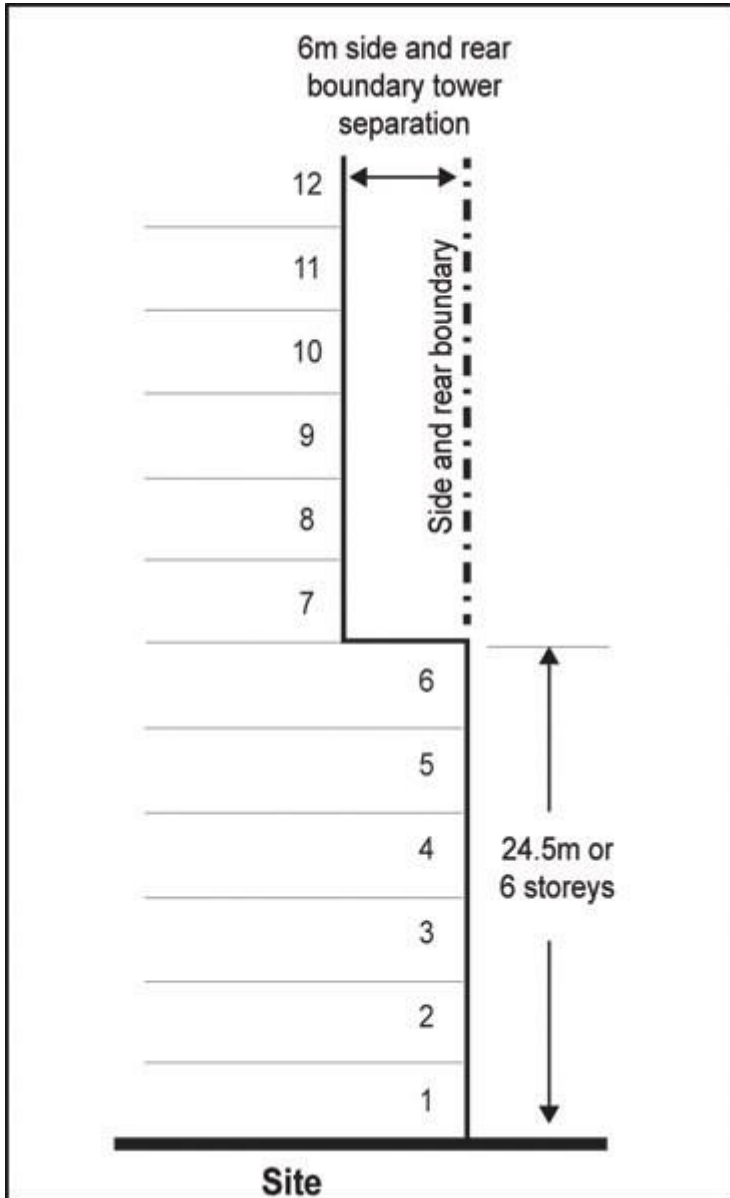


Figure 15: Minimum tower separation

Deleted



4.6 Buildings fronting the street

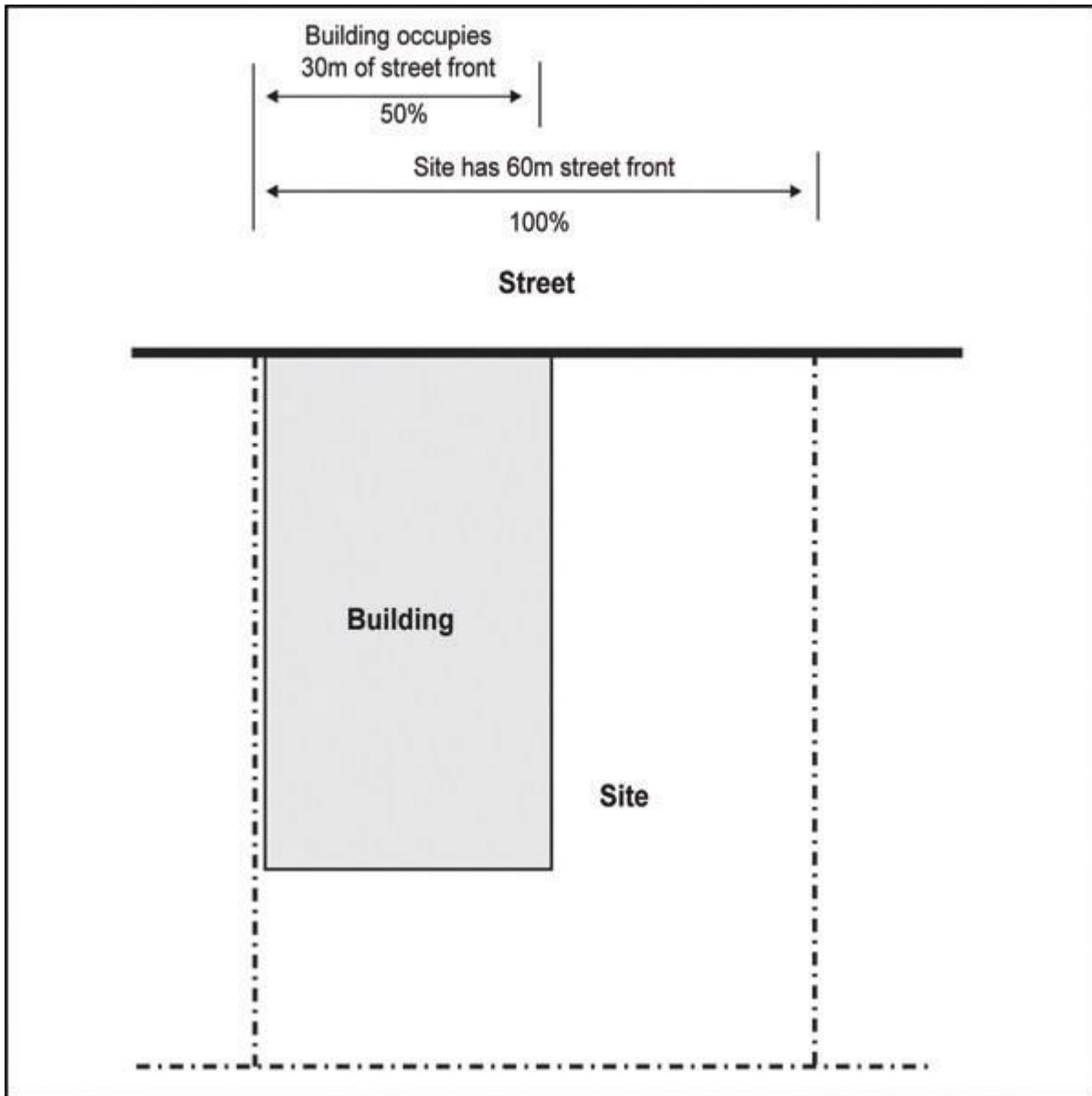
Purpose: ensure buildings define the street edge and contribute to -

- providing an attractive streetscape by positively contributing to street definition and enclosure
 - enhancing pedestrian amenity
 - making buildings accessible by providing convenient and direct access between the street and building for people of all ages and abilities.
1. A new building must adjoin the entire length of the site frontage if the site frontage is subject to the Key Retail Frontage layer in the planning maps, following overlay and zones:
 - a. ~~Key Retail Frontage overlay~~
 - b. ~~Local Centre zone~~
 - c. ~~Neighbourhood Centre zone.~~
 2. Vehicle access es areas are excluded from the requirements of clauses ~~1(b) and 1(c)~~ above, where enabled by the Transport rules. -

3. A new building must adjoin at least 70 per cent of the site frontage if the site frontage is subject to the General Commercial Frontage layer in the planning maps overlay.
4. ~~A new building must adjoin at least 50 per cent of the site frontage in the following areas:~~
 - a. ~~Mixed Use zone~~
 - b. ~~General Business zone~~
 - c. ~~All areas of Metropolitan and Town Centre zones (except for service lanes) that are not subject to a Key Retail or General Commercial Frontage layer in the planning maps overlay.~~

Figure 16: 50 per cent building frontage

DELETE DIAGRAM

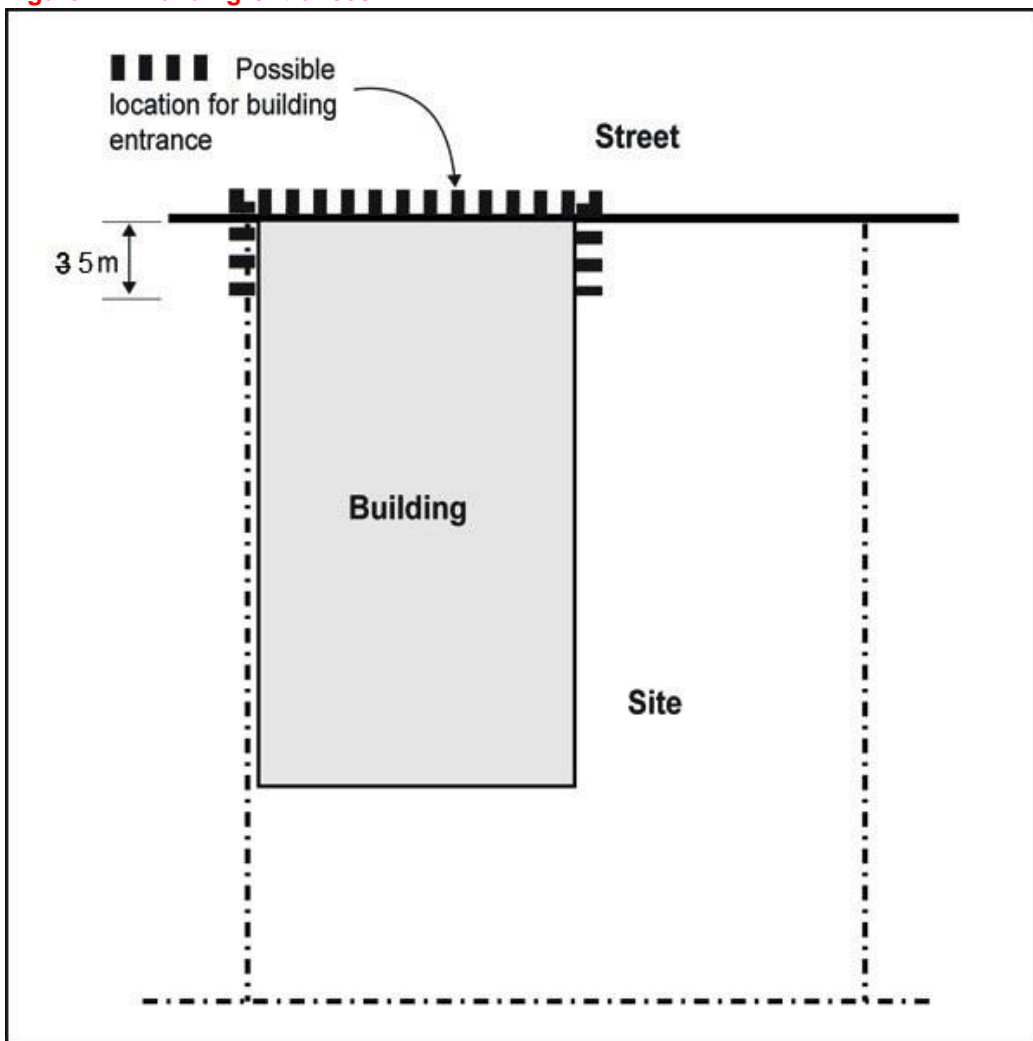


4.7 Building entrances

Purpose: ensure that pedestrian entrances—

- are easily visible from the street
 - are located sufficiently close to the street to reinforce pedestrian movement along the street
 - provide convenient and direct access between the street and building for people of all ages and abilities
5. At least part of the main pedestrian entrance to a building must be on or within 3m 5m of the site frontage. This control does not apply in the Business Park or General Business zone.

Figure 17: Building entrances



4.8 Minimum floor to floor/ceiling height

Purpose: buildings -

- are adaptable to a wide variety of uses over time
 - provide adequate ~~sunlight and~~ daylight access to buildings.
1. The ground floor of a new building subject to a Key Retail Frontage or General Commercial Frontage layer in the planning maps overlay must have a minimum finished floor to floor height of 4.5m for a minimum depth of ~~40m~~ 6m.
 - ~~2. The ground floor of a new building must have a minimum finished floor to floor height of 4m for a minimum depth of 6m where it adjoins streets or public open spaces in the following zones:~~
 - ~~a. Local Centre~~
 - ~~b. Neighbourhood Centre~~
 - ~~c. Mixed Use~~
 - ~~d. General Business~~
 - ~~e. Business Park~~
 - ~~f. those parts of Metropolitan and Town Centre zones that are not subject to the Key Retail Frontage and General Commercial Frontage layer in the planning maps overlay.~~
 - ~~3. The finished floor to floor height of new buildings above ground floor must be at least 3.6m where these floors will accommodate non-residential activities.~~
 - ~~4. The finished floor to finished ceiling height of new buildings above ground floor must be at least 2.55m where these floors will accommodate dwellings.~~

4.9 Glazing

Purpose: avoid blank walls at the ground floor to -

- ~~create~~ contribute to an attractive streetscape environment and enhance the amenity of streets and public open space
 - provide a high degree of visibility between the street / public open space and the building interior and positively contribute to pedestrian amenity
 - enable passive surveillance of the street from the ground floor of buildings.
1. The ground floor of a building subject to ~~a the~~ Key Retail Frontage layer in the planning maps overlay must have clear glazing for at least 75 per cent of its width and 75 per cent of its height.
 2. The ground floor of a new building must have clear glazing for:
 - a. at least 50 per cent of its width and 50 per cent of its height where the elevation of the building it fronts a street (excluding service lanes) or other public open space
 - ~~b. at least 30 per cent of its width and 75-50 per cent of its height where it fronts a public open space (except streets) which is on the side or rear boundary~~
 - c. this rule applies in the following areas:
 - i. General Commercial Frontage layer in the planning maps overlay
 - ii. Local Centre zone
 - iii. Neighbourhood Centre zone
 - ~~iv. Mixed Use zone (except where the ground floor activity adjacent to the street or public open space is residential).~~

- v. ~~Business Park zone~~
- vi. ~~General Business zone~~
- vii. Those areas in the Metropolitan Centre and Town Centre zones not subject to a Key Retail Frontage layer in the planning maps overlay.

2. 3. In clause 1 and 2 above the ground floor height of a building is measured vertically for 3m above the façade's ground level. either to:
- a. ~~the underside of the verandah, if one is provided, or~~
 - b. ~~the top of the minimum finished floor to floor ground floor height, if no verandah is provided.~~

~~Where a publicly accessible through-site link is provided through a site or block as part of a development, the ground floor of those buildings with facades facing the through-site link must have clear glazing for at least 30 per cent of the length of the ground floor building facade that faces the through-site link and 75 per cent of its height.~~

3. The ground floor frontage of buildings used for commercial sexual services and strip clubs must screen the areas where the services take place, if they ~~that~~ are directly visible from the street.

4.10 ~~Roller Doors~~

~~Purpose: integrate security devices (e.g. grills/roller doors) into the design of the building to—~~

- ~~• create an attractive streetscape environment and enhance the amenity of streets and public open space~~
- ~~• provide a high degree of visibility between the street / public open space and the building interior and contribute to pedestrian amenity and safety~~

~~1. Roller doors on street facing ground floor facades must be:~~

- a. ~~located inside the building façade~~
- b. ~~at least 75 per cent transparent.~~

4.11 Residential at ground floor

Purpose:

- protect the ground floor of buildings within centres for commercial use
 - avoid locating activities that require privacy on the ground floor of buildings.
1. Dwellings in the Metropolitan Centre, Town Centre, Local Centre and Neighbourhood Centre zone must not locate on the ground floor of a building where the dwelling has frontage to adjoining public open spaces ~~and including streets~~.

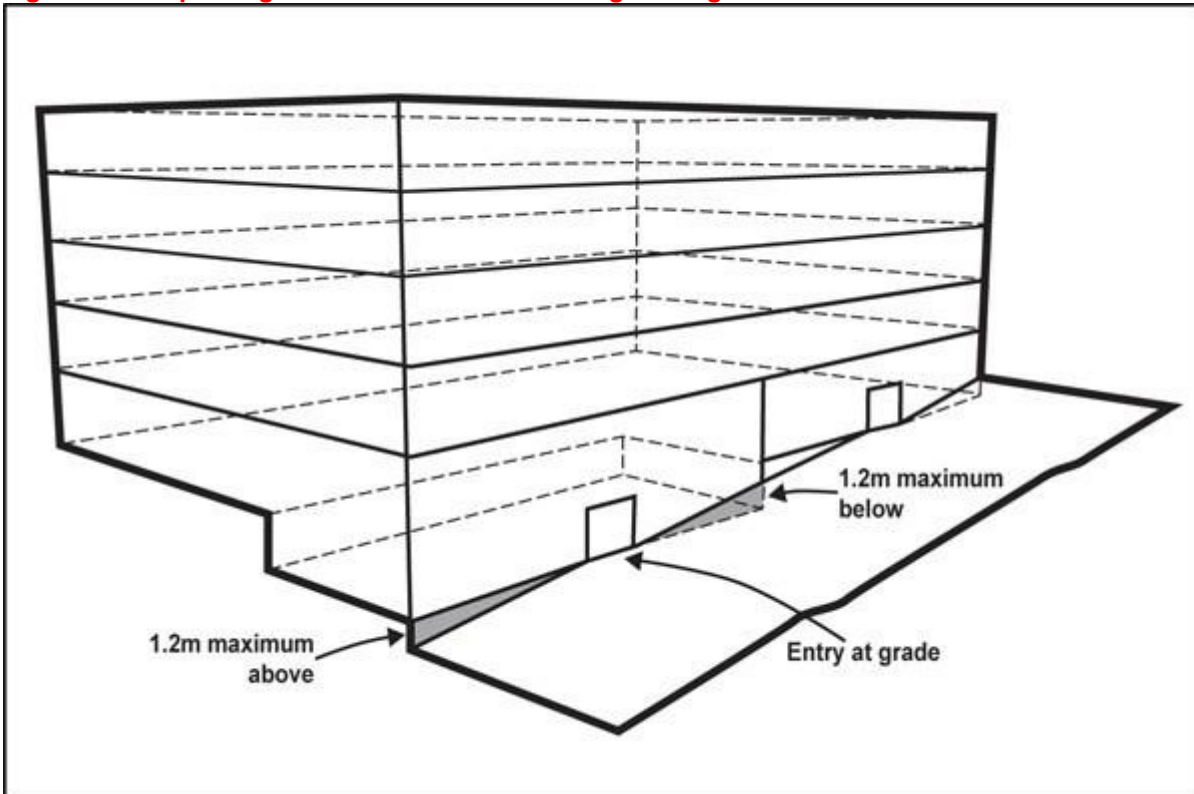
4.12 ~~Ground floor at street frontage level~~

~~Purpose:~~

- ~~• avoid blank walls at ground floor~~
 - ~~• make buildings accessible by providing convenient and direct access between the street and building for people of all ages and abilities.~~
- ~~1. Entrances to the ground floor of a building must be at grade with the adjoining street. Where a building entrance is not immediately adjacent to the street frontage a level access via a pedestrian walkway should be provided.~~
- ~~2. The ground floor of a new building subject to the Key Retail or General Commercial Frontage layer in the planning maps overlay must be at the same level of the adjoining street for a minimum depth of 6m. Except where the adjoining street slopes along the site frontage, the ground floor must be no more than 1.2m above or below the level of the site frontage.~~
- ~~3. The level of the site frontage must be measured at every point along that boundary.~~

4. ~~This rule does not apply to buildings in the Mixed Use zone where the ground floor activity adjacent to the street is residential.~~

Figure 18: Required ground floor level of building frontages



4.13 Verandahs

Purpose:

- provide pedestrians with weather protection, safety and amenity on the frontages of sites subject to the Key Retail Frontage layer on the planning maps. overlay.
- 1 The ground floor of a building subject to the Key Retail Frontage layer on the planning maps overlay must provide a verandah along the full extent of the frontage. The verandah must:
 - a. be related to its neighbours to provide continuous pedestrian cover of the footpath, excluding vehicle access
 - b. have a minimum height of 3m and a maximum height of 4.5m above the footpath measured to the underside of the verandah
 - c. be set back at least 600mm from the kerb.
 - 2 Lighting outside daylight hours must be provided under a verandah to a minimum of 20 lux (light illumination) on the footpath, where the lux level is measured at ground level on a horizontal plane at 2m from the building adjoining the footpath. Lighting of the footpath must have a uniformity ratio of 0.5.
 - 3 Lighting levels required under verandahs may be met by one or more of the following methods, providing it also complies with the Auckland-wide lighting rules:
 - a. providing lighting beneath a verandah
 - b. providing lighting within the shop/office that spills out through windows to the outside footpath
 - c. the use of advertising signage of light colour which will spill light out onto the footpath
 - d. providing downwardly directed lighting on the exterior of the building

- e. ~~providing a glazed canopy and~~ utilising ambient street lighting.

4.14 Building frontage height

Purpose: ensure buildings -

- provide an attractive streetscape by positively contributing to street definition and enclosure
 - enhance pedestrian amenity
1. A new building subject to the Key Retail Frontage ~~layer on the planning maps, overlay~~ where the building is less than two storeys in height, must have a minimum height of 8.5m or two storeys 7m for a minimum return of 5m ~~depth of 10m~~ from the site frontage.

4.15 Yards

Purpose:

- provide a landscaped buffer ~~and screening~~ between commercial buildings and activities and neighbouring adjoining residential zones and some special purpose zones ~~activities and public open space~~, to mitigate adverse visual and nuisance effects
- ensure the Business Park zone achieves a spacious landscaped character
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

Table 4

Yard	Centres, Mixed Use and General Business zones	Business Park
Rear	3m where the rear boundary adjoins a residential zone, and public open space- <u>zones spaces or the special purpose zones listed in Rule 2</u>	5m where the rear boundary adjoins a residential zone, - or public open space- <u>zones spaces or the special purpose zones listed in Rule 2</u>
Side	3m where a side boundary adjoins a Residential zone <u>or the special purpose zones listed in Rule 2</u>	5m where a side boundary adjoins a Residential zone <u>or the special purpose zones listed in Rule 2</u>
Riparian yard	10m from the edge of all permanent and intermittent streams	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m	
Coastal protection yard	25m, or as otherwise specified in appendix 6.7	

Note: A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential or special purpose zone listed in Rule 2.

- 1 Side and rear yards must be planted with a mixture of trees, shrubs ~~and/or~~ ground cover plants (including grass) within and along the full extent of the yard ~~to provide a densely planted visual buffer for a depth of at least 3m. Landscape planting must cover the full area of the specified yard and be capable of achieving a dense visual screen to a height of 5m within five years of planting.~~
- 2 This rule applies to the following special purpose zones:
 - a. Maori Purpose zone
 - b. ~~Retirement Village zone~~
 - c. ~~School zone.~~

~~4.16 Building setback in Business Park zone~~

~~Purpose: enable buildings in the Business Park zone to be setback from the site frontage and achieve a spacious landscaped character in the zone.~~

- ~~1 In the Business Park zone, buildings may be set back up to a maximum of 7.5m from the site frontage.~~
- ~~2 Parking must not be located between buildings and the site frontage within a setback from the site frontage.~~
- ~~3 A setback must be fully planted with trees, shrubs and ground cover plants along the frontage of sites not occupied by buildings or access points.~~

4.17 Landscaping

Purpose: ensure -

- the Business Park zone achieves a spacious landscaped character **and the amount of stormwater runoff generated by development in the zone is managed**
 - ~~landscaping provides there is~~ a buffer ~~and screening~~ between car parking, loading, or service areas commercial activities and the street in the Mixed Use and General Business zone and some sites in the Metropolitan and Town Centre zones
 - landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.
1. In the Business Park zone, **landscaped areas which in total comprise** at least 20 per cent of a site must be **provided landscaped**. The maximum impervious area in the zone is 80%.
 2. A landscape buffer of 3m 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. Landscaping must be provided along the frontage of sites not occupied by buildings or access point as allowed by clause 4.6 above, for a depth of 3m, This rule excludes access points but otherwise applies to-for sites in:
 - a. the General Business zone
 - b. the Mixed Use zone
 - ba the Business Park zone
 - bb. the Local Centre zone
 - bc. the Neighbourhood Centre zone
 - c. all areas of Metropolitan and Town Centre zones that are not subject to a Key Retail Frontage or General Commercial Frontage layer on the planning maps overlay.
 3. The required landscaping **in clause 2 above** must comprise **a mix of** trees, shrubs **and/or** ground cover plants **(including grass)**.

4.18 Maximum impervious area in the riparian yard ~~in the General Business and Business Park zone~~

Purpose:

- ~~• manage the amount of stormwater runoff generated by a development in the General Business and Business Park zone~~
 - **support the functioning of riparian yards and in-stream health.**
- ~~1 Maximum impervious area in the General Business and Business Park zone: 80 per cent.~~
 - 2 Maximum impervious area within a riparian yard in the centres, mixed use, Business Park and General Business zone: 10 per cent.

4.19 Wind

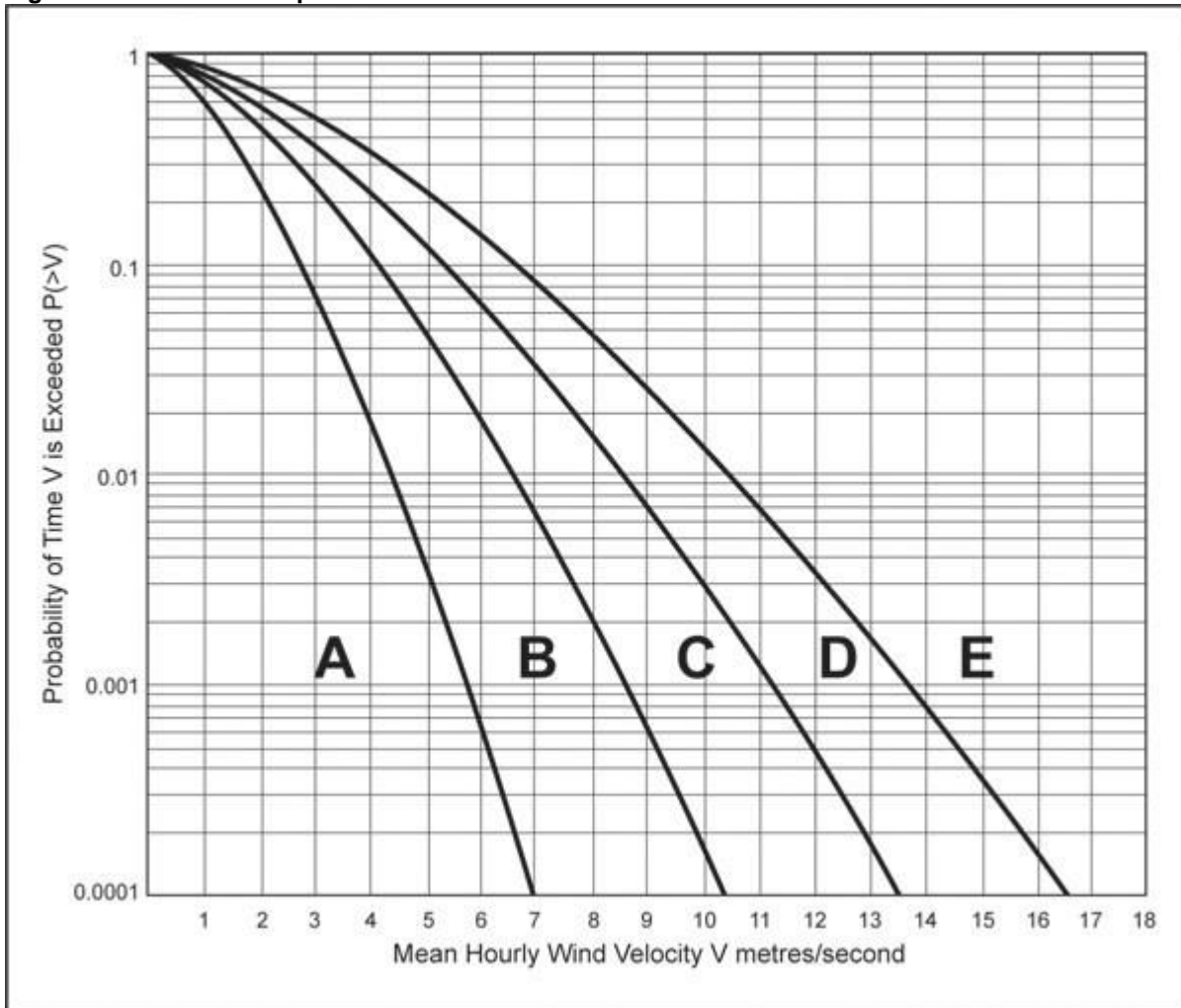
Purpose: mitigate the adverse wind effects generated by tall buildings.

- 1 A new building exceeding 25m in height must not cause:
 - a. the mean wind speed around it to exceed the category for the intended use of the area as set out in Table 5 and Figure 19 below
 - b. the average annual maximum peak 3-second gust to exceed the dangerous level of 25m/second
 - c. an existing wind speed which exceeds the controls of 1a or 1b above to increase.
- 2 A report and certification from a suitably qualified and experienced person, showing that the building complies with 1. above, will demonstrate compliance with this rule.
- 3 If the information in 2. above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this rule.

Table 5

Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in Categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in Categories A - C above.
Category E	Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city

Figure 19: Mean wind speed



Derivation of wind environment control graph

The curves on the graph delineating the boundaries between the acceptable categories (A-D) and unacceptable (E) categories of wind performance are described by the Weibull expression:

$$P(>V) = e^{-(v/c)^K}$$

where C is a selected value on the horizontal axis, and P is the corresponding value of the vertical axis: and where:

P(>V) = Probability of a wind speed V being exceeded;

e = The Naplerian base 2.7182818285

v = the velocity selected;

K = the constant 1.5; and

c = a variable dependent ~~dependant~~ on the boundary being defined:

A/B, c = 1.548

B/C, c = 2.322

C/D, c = 3.017

D/E, c = 3.715

4.20 Dwellings, retirement villages, visitor accommodation and boarding houses

Purpose: ensure a good standard of amenity within and between dwellings and visitor accommodation dwellings.

1. Dwellings must comply with the controls specified for the relevant zones below:
 - a. in the Metropolitan Centre zone refer to City Centre zone rules:
 - i. outlook space
 - ii. minimum dwelling size
 - iii. minimum dimension of principal living rooms and principal bedrooms
 - iv. daylight to dwellings
 - v. dwelling mix
 - ~~vi. outdoor living space~~
 - vii. universal access for residential buildings.
 - b. In the Town Centre, Local Centre, Neighbourhood Centre and Mixed Use zones, refer to the Terraced Housing and Apartment Building zone rules:
 - i. outlook space for buildings up to 24m. For buildings over 24m in height, dwellings must comply with the City Centre zone outlook space rule.
 - ii. outdoor living space
 - iii. daylight to dwellings
 - iv. minimum dwelling size
 - v. minimum dimension of principal living rooms and principal bedrooms
 - vi. servicing and waste
 - vii. storage
 - viii. separation between buildings on the same site
 - ix. dwelling mix
 - x. universal access.
2. Visitor accommodation, retirement villages and boarding houses in the Metropolitan Centre zone must comply with the outlook control in the City Centre zone.
3. Visitor accommodation, retirement villages and boarding houses in the Town Centre, Local Centre, Neighbourhood Centre and Mixed Use zones must comply with outlook space in the Terraced Housing and Apartment Building zone.

5. Development Controls - Industrial zones

The following development controls apply to the Heavy Industry and Light Industry zones.

5.1 Building height

Purpose:

- manage the effects of building height including visual dominance.

- allow reasonable sunlight and daylight access to ~~streets,~~ public open spaces excluding streets, the subject site and nearby sites

~~• avoid visual dominance effects.~~

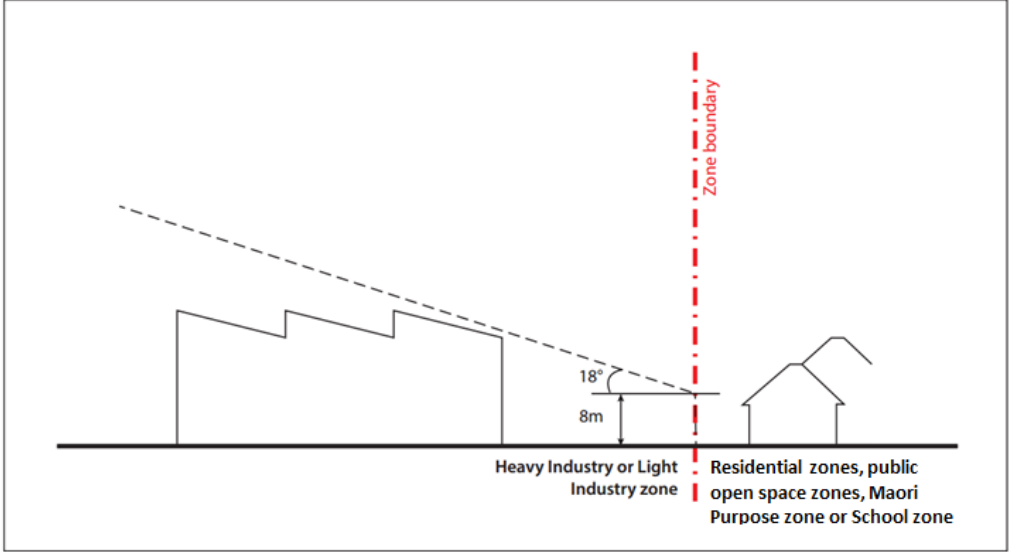
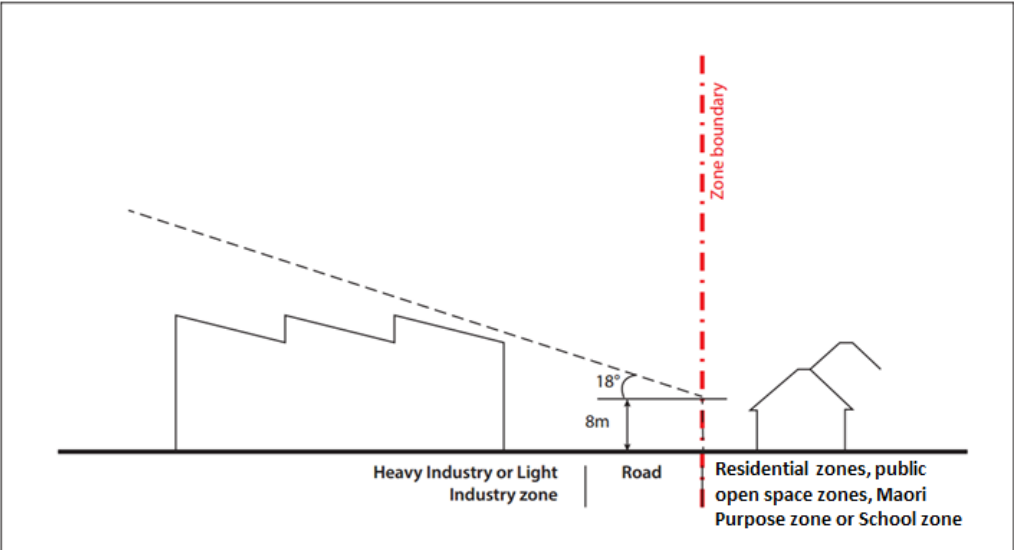
1. Buildings must not exceed 20m in height.

5.2 Height in relation to boundary

Purpose:

- manage the effects of building height
- allow reasonable sunlight and daylight access to ~~streets, residential zones,~~ public open space excluding streets, and neighbouring zones some special purpose zones the subject site and nearby sites
- ~~avoid~~ manage visual dominance effects on neighbouring zones where lower height limits apply.

Table 6

Height in relation to boundary	Figure 20
<p>Buildings must not project beyond a 18 degree recession plane measured from a point 8m vertically above ground level along the residential <u>zones</u>, or public open space <u>zones</u> or the boundary of the special purpose zones listed below.</p> <p>This rule applies to the following special purpose zones:</p> <ul style="list-style-type: none"> - Maori Purpose zone - Retirement Village zone - Green Infrastructure Corridor zone - <u>School zone</u> 	<div style="text-align: center;">  <p>Figure 20a</p> </div> <div style="text-align: center;">  <p>Figure 20b</p> </div>

5.3 Maximum impervious area within the riparian yard

Purpose:

- manage the amount of stormwater runoff generated by a development
- support the functioning of riparian yards and in-stream health.

1. ~~Maximum impervious area: 80 per cent.~~
2. Maximum impervious area within a riparian yard: 10 per cent

5.4 Yards

Purpose:

- provide a buffer and screening between industrial activities and neighbouring residential activities **zones** and public open space **zones**, to mitigate adverse visual and nuisance effects
- ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

Table 7

Yard	Heavy Industry and Light Industry
Front	3m Yards are not required for internal roads or service lanes
Rear	5m where the rear boundary adjoins a residential zone or <u>a public open space zone or a special purpose zone listed in A1. below</u>
Side	5m where the side boundary adjoins a residential, zone or public open space <u>or a special purpose zone listed in A1. below</u>
Riparian <u>yard</u>	10m from the edge of permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in appendix 6.7

Note: A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone, public open space zone or special purpose zone listed in Rule A1.

A1 Table 7 applies to the following special purpose zones: Māori Purpose zone, Retirement Village zone, Green Infrastructure Corridor zone, School zone.

1. Front yards (excluding access points) must be planted with **a mixture of** trees, shrubs **and/or** ground cover plants **(including grass)** within and along the full extent of the yard. ~~Planting must include specimen trees capable of achieving a height of 5m within five years of planting and spaced at a minimum of one every 5m along the full length of the yard.~~
2. Side and rear yards must be planted with **a mixture of** trees, shrubs **and/or** ground cover plants **(including grass)** within and along the full extent of the yard to provide a densely planted visual buffer for a depth of at least 3m **and must be appropriately maintained thereafter**. ~~Landscape planting must cover the full area of the specified yard and be capable of achieving a dense visual screen to a height of 5m within five years of planting.~~

5.5 Storage and screening

Purpose: require rubbish and/or storage areas to be screened from neighbouring residential and rural zones and **special purpose school zone, special purpose – Maori purpose zone** public open spaces.

1. Any outdoor storage or rubbish collection areas that directly face and are visible from a residential, rural, **special purpose school zone, special purpose – Maori purpose zone** or public open space zone adjoining a boundary with, or on the opposite side of the road from, an industrial zone, must be screened from those areas by **landscaping**, a solid wall or fence at least 1.8m

high.

6a Assessment - Controlled activities

6a.1 Matters of control

The council will reserve its control to the matters below for the activities listed as controlled in the activity table.

1. Demolition of buildings
 - a. pedestrian amenity and safety
 - b. re-use of building materials
 - c. site condition post demolition
 - d. traffic generation.

6a.2 Assessment criteria

The council will consider the relevant assessment criteria below for the controlled activities listed above.

1. Demolition of buildings
 - a. Pedestrian amenity and safety
 - i. Sites containing buildings that will be demolished should not have significant adverse effects on the quality and amenity of the public realm and the safety and efficiency of the surrounding transport network. In particular:
 - a high-quality and safe temporary hard or landscaped edge should be provided along the site boundaries so that a defined boundary to streets and public open spaces is maintained. This should include the provision and maintenance of continuous pedestrian cover within areas subject to the Key Retail Frontage layer on the planning maps
 - an edge treatment should be maintained that is designed to reduce its vulnerability to graffiti and vandalism.
 - b. Re-use of building materials
 - i. Demolished materials should be re-used and recycled as much as possible.
 - c. Site condition post demolition
 - i. If the site is not developed following demolition, the site should be landscaped to provide a good standard of visual amenity and the site should not be used for temporary or permanent parking.
 - d. Traffic generation
 - i. Consideration should be given to the proposed hours of operation, the frequency and timing of truck movements to and from the site and the location of vehicle access, so that effects of building demolition on the transport network are minimised.

6. Assessment - Restricted discretionary activities

6.1 Matters of discretion

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the activity table.

1. ~~Drive through restaurants, facilities,~~ Drive through restaurants, activities within 30m of a residential zone, supermarkets greater than 4 2000m² in the Local Centre zone, emergency services, service stations
 - a. intensity and scale
 - b. ~~noise, lighting and~~ hours of operation Operational matters

- c. design of parking, access and servicing
 - d. functionality.
2. Retail greater than 450m² in the General Business and Local Centre zone, offices greater than 500m² in the Local Centre zone, supermarkets greater than 450m² in the General Business zone and supermarkets greater than 450m² and up to 2000m² in the Mixed Use zone, Department stores in the General Business and Local Centre zones
- a. intensity and scale
 - b. centre vitality
 - c. design of parking, access and servicing
 - d. functionality.
- ~~2a. Retail up to 200m² GFA per tenancy in the Mixed Use zone not within a 400m walk from the City Centre, Metropolitan Centre, Town Centre or Local Centre zones~~
Retail that infringes land use control 3.2 (retail up to 200m² GFA per tenancy in the Mixed Use zone), food and beverage that infringes land use control 3.2a (food and beverage activities in the Mixed Use zone) and food and beverage that infringes land use control 3.2b (food and beverage activities in the General Business zone)
- a. local housing
 - b. centre vitality
 - c. cumulative effects.
3. ~~Activities in the Light Industry zone located within 100m of a the Heavy Industry zone Garden-centres, motor vehicle sales, marine retail and trade suppliers in the Light Industry zone and General Business zones~~
- ~~a. —intensity and scale~~
 - ~~b. reverse sensitivity and displacement of industrial activities~~
 - ~~c. —design of parking, access and servicing.~~
4. Offices that are accessory to an industrial activity in the site and the GFA exceeds 30 per cent of all buildings on the site in the Heavy Industry and Light Industry zones, offices up to 100m² GFA in the Light Industry zone
- a. centre vitality
 - b. reverse sensitivity ~~and the displacement of industrial activities~~
 - c. the displacement of industrial activities.
 - ~~d. —public transport~~
- 4a. Tertiary education facilities in the Local Centre zone
- a. intensity and scale.
- 4b. Emergency services in the Heavy Industry zone
- a. Reverse sensitivity
- 4c. Visitor accommodation and boarding houses in the Business Park zone**
- a. Intensity and scale**
 - b. Nature of activity**
5. New buildings and alterations and additions to buildings not otherwise provided for
- a. building design and external appearance
 - ~~b. —design and scale of buildings adjoining historic heritage places safety~~
 - ~~c. —design of public open space movement networks where required by a structure plan or proposed by an applicant~~
 - d. design of landscaping
 - ~~e. —topography, earthworks and natural features~~

~~f. e.~~ design of parking, access and servicing

~~g. f.~~ design and layout of dwellings, retirement villages, visitor accommodation and boarding houses

~~h. g.~~ water sensitive design

~~f. —~~ standard of design.

6. Conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses

a. design and layout of dwellings, retirement villages, visitor accommodation and boarding houses.

~~7. —~~ Demolition of buildings

~~a. —~~ pedestrian amenity and safety

~~b. —~~ re-use of building materials

~~c. —~~ site condition post demolition

~~d. —~~ traffic generation.

6.2 Assessment criteria

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above.

1. ~~Drive through restaurants, facilities,~~ Drive through restaurants, activities within 30m of a residential zone, supermarkets greater than 42000m² in the Local Centre zone, emergency services, service stations.
 - a. Intensity and scale
 - i. The intensity and scale of the land use activity, in particular, the number of people involved and traffic generated by the activity (including vehicle noise and lights), should be compatible with the planning outcomes **identified in the Unitary Plan for planned future form and quality character** of the surrounding area.
 - b. Noise, lighting and ~~h~~ Hours of operation **Operational matters**
 - i. The activity's hours of operation should minimise effects on the amenity of surrounding residential zoned properties arising from the operation of the activity should be managed.

Noise and lighting from the activity should not adversely affect the amenity of surrounding residential properties. In determining this, consideration will be given to the location of any potentially noisy activities e.g. outdoor play areas associated with a care centre, and any proposed measures to mitigate noise including:

 - ~~locating noisy activities away from neighbouring residential boundaries~~
 - ~~screening or other design features~~
 - ~~the proposed hours of operation.~~
 - c. Design of parking, access and servicing
 - i. ~~Parking should be located in order of preference, underground, to the rear of the building or separated from the street frontage by uses that activate the street. For industrial zones there is no preference for underground parking. Parking should not be located between the building and the site frontage. This does not apply in the General Business zone.~~
 - ii. ~~Surface parking should be softened with landscaping, including tree planting. As a guide, one tree should be planted every sixth parking bay.~~
 - iii. ~~Where vehicle ramps are~~ Vehicle ramps should not be visible from the street, should be avoided, however, where necessary they should be minimal in length and integrated into the design of the building.
 - iv. A safe and convenient pedestrian environment with a good standard of amenity should be created within the site which:
 - Provides direct and well defined routes
 - Links car parking areas to building access points
 - Incorporates pedestrian linkages to adjacent sites, streets and public open spaces, (where appropriate).

~~Separate vehicle and pedestrian access should be provided within parking areas, and between parking areas, buildings and the street. Shared pedestrian and vehicle access may be appropriate where a lane or street is proposed within a development site. The shared access should prioritise pedestrian movement.~~
 - v. Pedestrian access between parking areas, building entrances/lobbies and the street

should provide ~~universal access~~ equal physical access for people of all ages and physical abilities and provide a high level of pedestrian safety.

~~vi. Ventilation and fumes from parking structures or other uses activities should not be vented into the adjacent pedestrian environment at ground level.~~

vii. In greenfield locations and large redevelopment sites, service lanes should be provided within urban blocks to allow access to the rear of buildings and to minimise gaps in the streetscape. Development in industrial zones is not required to provide service lanes.

viii. For commercial activities, suitable provision should be made for on-site rubbish storage and sorting of recyclable materials that:

- is a sufficient size to accommodate the rubbish generated by the proposed activity
- is accessible for rubbish collection. Kerbside collection is generally not appropriate
- ~~for new buildings,~~ is preferably located within the building ~~for alterations or additions to existing buildings~~ where it is not possible to locate the storage area within the building, it is located in an area not visible from the street or public open spaces.
- manages the adverse effects on adjoining residentially zoned properties

ix. Where appropriate, a waste management plan should be provided either at the time of lodgement or by way of a consent condition and:

- include details of the vehicles to be used for rubbish collection to ensure any rubbish truck can satisfactorily enter and exit the site; and
- provide clear management policies to cater for different waste management requirements of the commercial tenancy and residential apartments.

~~x. The development must be able to be adequately served by wastewater and transport infrastructure.~~

d. Functionality

i. The features of the proposal that are necessary to meet the functional requirements of the activity should be considered.

2. Retail greater than 450m² in the ~~General Business and Local Centre zone~~, office activity greater than 500m² in the Local Centre zone, supermarkets greater than 450m² in the General Business zone and supermarkets greater than 450m² and up to 2000m² in the Mixed Use zone and supermarkets greater than 2000m² in the Local Centre zone. Department stores in the General Business and Local Centre zones

a. Intensity and scale

i. Refer to the assessment criteria in 1(a) above.

b. Centre vitality

i. Retail and office activities should:

- not have an substantial adverse effect upon the function, role and amenity amenity values, vitality and functions of the city centre, metropolitan centres or town centres (and in the case of activities in the Mixed Use Zone such effects on local centres), beyond those effects ordinarily associated with trade effects on trade competitors, having regard to:

- the activity's proposed size, composition and characteristics
 - the centre's on-going ability to provide for the future needs of communities
 - for office activities, support the efficient and effective operation of public transport
 - enable the convenient access of communities to commercial and community services.
 - ~~provide a net positive benefit in terms of the community's convenient access to commercial activities and community services, including having regard to whether:~~
 - ~~— an in-centre location would result in adverse environmental effects on the form, function or on-going capacity of that centre~~
 - ~~— an out-of-centre location is likely to undermine the viability of in-centre community facilities.~~
- c. Design of parking, access and servicing
- i. Refer to the assessment criteria in 1(c) above.
- d. Functionality
- i. Refer to the assessment criteria in 1(d) above.

~~2b. Retail up to 200m² GFA per tenancy in the Mixed Use zone not within a 400m walk from the City Centre, Metropolitan Centre, Town Centre or Local Centre zones~~

2a Retail that infringes land use control 3.2 (retail up to 200m² GFA per tenancy in the Mixed Use zone), food and beverage that infringes land use control 3.2a (food and beverage activities in the Mixed Use zone) and food and beverage that infringes land use control 3.2b (food and beverage activities in the General Business zone)

- a. Local housing
- i. Whether the proposal results in the intensification of the site, and provides for or supports local high density housing.
- b. Centre vitality
- i. Retail activities should:
- not adversely effect the role, function and amenity of the city centre, metropolitan centres or town centres (and in the case of activities in the Mixed Use Zone such effects on local centres), beyond those effects ordinarily associated with trade effects on trade competitors, having regard to:
 - the activity's proposed size, composition and characteristics, either alone or in association with other nearby commercial activities
 - the centre's on-going ability to provide for the future needs of communities.
- e. Note: Cumulative cumulative effects on centre vitality as a result of accumulation of retail activities in the area which the proposed development is located are only likely to arise required to be assessed when within a 100m radius of the development, there is or will be as a result of the development, a
- combined retail total of 1,000m² GFA (excluding floorspace associated with service stations or dairies): or

- the combined number of retail tenancies exceeds five.

3. ~~Garden centres, motor vehicle sales, marine retail and trade suppliers in the Light- Activities in the Light Industry zone located within 100m of the Heavy Industry zone and General Business zones~~

~~a. Intensity and scale~~

- ~~i. Refer to the assessment criteria in 1(a) above.~~

~~b. Reverse sensitivity and displacement of industrial activities~~

- ~~i. Reverse sensitivity effects of the proposed activity nNon-industrial activities in the industrial zones should not reduce the ability of industrial activities to establish and operate within the zones.~~
- ~~ii. the extent to which the activity may result in restrictions on heavy industrial activities located within the heavy industry zone~~
- ~~iii. ways in which the proposed activities sensitivity to the effects of established industrial activities and processes can be avoided remedied and mitigated.~~
- ~~iv. Accessory offices in the industrial zones should not discourage or displace permitted activities. The scale and design of accessory offices should not be likely to attract further similar or supporting activities.~~
- ~~v. Consideration will be given to whether the accessory offices will increase the efficiency of the industrial activity by integrating supporting administration, services or clerical functions.~~

~~c. Design of parking, access and servicing.~~

- ~~i. Refer to the assessment criteria in 1(c) above.~~

4. Offices that are accessory to an industrial activity in the site and the GFA exceeds 30 per cent of all buildings on the site in the Heavy Industry and Light Industry zones, offices up to 100m2 GFA in the Light Industry zone

a. Centre vitality

- i. Refer to the assessment criteria in 2(b) above.

~~b. Reverse sensitivity and the displacement of industrial activities~~

- ~~i. Refer to the assessment criteria in 3(b)(i) above.~~

c. The displacement of industrial activities

- i. Offices in the industrial zones should not discourage or displace permitted activities. The scale and design of offices should not be likely to attract further similar or supporting activities.
- ii. Consideration will be given to w Whether the offices will increase the efficiency of the industrial activity by integrating supporting administration, services or clerical functions to support industrial activities.

4a. Tertiary education facilities in the Local Centre zone

a. Intensity and scale

- i. Refer to the assessment criteria in 1(a) above.

4b. Emergency services in the Heavy Industry zone

a. Reverse sensitivity

- i. Refer to the assessment criteria in 3(b)(i) above

4c. Visitor accommodation and boarding houses in the Business Park zone

a. Intensity and scale

- i. Refer to the assessment criteria in 3(a)(i) above

b. Nature of activity

- ii. The proposal should be subordinate to office activities within the zone, and should not discourage or displace these activities.

5. New buildings and alterations and additions to buildings not otherwise provided for

a. Building design and external appearance

Creating an active frontage

- i. Buildings should have clearly defined public frontages that positively contribute to public open spaces including streets (excluding service lanes). As a guide buildings should adjoin the site frontage for:
- at least 50% in the Mixed Use zone where the ground floor activity is commercial
 - at least 50% along those streets within of Metropolitan and Town Centre zones that are not subject to a Key Retail or General Commercial Frontage
 - as much frontage as is practicable in the Local and Neighbourhood Centre zones, along the centre's main retail street.

Where building frontage described above is not met, the following matters should be considered. Whether:

- minor modulation and variance of frontage layout is proposed to accommodate recessed pedestrian entrances and windows, provided that the overall continuity of the frontage is maintained
 - topographical or hazard constraints preclude the building frontage sought
 - the site is subject to a long term or staged development plan
 - existing development on the site does not achieve the desired building frontage and the proposal is for a minor addition or alteration.
- ii. Where a site has more than one frontage, it may not be possible to activate all frontages. Priority should be given to activating those frontages on or adjacent to the centre's main retail street(s).
- iii. Principal pedestrian entrances (for both commercial and residential activities) should face the street, be clearly identifiable, conveniently located and be accessed (where practicable) at grade from street level. Where the entrance is unable to face the street it should be visually obvious and conveniently accessible from the street.
- iv. Areas of glazing should face public open spaces including streets to achieve interaction between users of the building and of the public open spaces.
- v. Carparking should not occupy the ground floor frontage within buildings, so as to maximise pedestrian and streetscape amenity and the visibility of commercial activities from streets.
- vi. Ventilation and fumes outlets should not be vented into the adjacent pedestrian environment.
- vii. Dwellings at ground floor in the Mixed Use zone should positively contribute to public open spaces including streets while achieving privacy for occupiers of the dwelling, in

particular by:

- landscaping or front fencing should be low enough to allow passive surveillance of the street from inside the dwelling
- The ground floor level of buildings should be no more than 1.5m above the footpath level.

Managing the visual effects of buildings

Note - unless adjacent to a scheduled historic heritage place or building, the aesthetic style of the building will not normally be a matter of assessment.

- viii. Buildings, including alterations and additions, should positively contribute to the visual quality of the environment, having regard to the planning and design outcomes identified in the Unitary Plan for the relevant zone. Emphasis on visual quality should be prioritised on those parts of the building closest to public open spaces including streets.
- ix. Buildings should be designed to:
 - avoid large unrelieved facades visible from public open spaces including streets (except service lanes). Where large areas of blank wall are unavoidable (such as along a façade that is built to the side boundary), they should include modulation, architectural detailing or surface relief.
 - visually break up their mass into distinct elements, including through the use of horizontal and vertical facade modulation, articulation, recesses and variation in roof form. The use of landscaping and colour variation should complement the above but should not be a substitute
 - integrate building elements, including balconies, signage, plant, exhaust and intake units, into the façade and/or roof design.
- x. Buildings taller than 32.5m should positively contribute to the skyline of the locality.
- xi. Buildings adjoining or in close proximity to a scheduled historic heritage place or building should be designed having regard to the significant historic heritage elements and built form of the place or building.
- xii. Where a building with multiple storeys adjoins the site frontage, its façade should be of a height that defines and encloses the street.
- xiii. On the ground floor frontage of buildings, roller doors, security gates or grilles should minimise effects on pedestrian amenity and be designed as a part of the architecture of the building, such as by being located inside the building and/or being substantially transparent.

Additional criteria

- xiv. Development in:
 - Local and Neighbourhood Centres
 - the Mixed Use zone where the ground floor activity is commercial
 - those areas of Metropolitan and Town Centre zones that are not subject to a Key Retail or General Commercial Frontage

should have appropriate ground floor stud heights where they adjoin public open spaces, including streets, to provide for the wide range of activities expected over time. Note: a finished floor to floor height of 4m has been historically successful in Auckland.

- xv. In the Centres and Mixed Use zone, verandahs that provide effective shelter from the weather should be provided above principal pedestrian entrances and areas where there are existing or proposed new active frontages.

b. Safety

- xvi. Site development should be consistent with CPTED principles.

c. Movement networks where required by a structure plan or proposed by an applicant

New streets

- xvii. New streets should be designed to promote pedestrian priority and visual interest, including how building facades and entrances relate to the new street.
- xviii. New streets should follow direct and logical routes and where possible align with the existing road network.

New through-site links where public access is provided

- xix. New through-site links should:
- ~~only be provided where a new street is not practicable~~
 - have a direct and logical route
 - be subject to passive surveillance and ground floor activation along as much of its length as possible.
 - be available for public use at least during business hours.

New service lanes

- xx. New service lanes should be designed to be visually unobtrusive and identifiable as being for service access only.
- xxi. New service lanes should be designed so that passive surveillance and ground floor activation is provided adjacent to and clearly visible from each service lane entrance.

d. Landscaping

- xxii. In the Business Park zone, landscaping should be distributed to maximise its visibility from public open spaces, including streets.

~~a. Building design and external appearance~~

~~*Contributing to sense of place*~~

- ~~xxiii. The design of buildings should contribute to the local streetscape and sense of place by responding to the planned future form and character of the surrounding area.~~
- ~~xxiv. In the Metropolitan Centre zone, tall buildings should positively contribute to the centre's skyline. the silhouette of the building as viewed from areas surrounding the centre should positively contribute to the centre's skyline.~~

~~*Creating a positive frontage*~~

- ~~xxv. Buildings should have clearly defined public frontages that address the street and public open spaces (excluding service lanes) to positively contribute to the public realm and pedestrian safety.~~
- ~~xxvi. Pedestrian entrances should be located on the street frontage and be clearly identifiable and conveniently accessible from the street.~~

- ~~xxvii. For mixed use buildings, separate pedestrian entrances should be provided for residential uses.~~
- ~~xxviii. Activities that engage and activate streets and public open spaces are encouraged at ground and first floor levels.~~
- ~~xxix. Internal space at all levels within buildings should be designed to maximise outlook onto street and public open spaces.~~
- ~~xxx. Servicing elements should be avoided on building facades unless integrated into the facade design.~~
- ~~xxxi. Dwellings at ground floor in the Mixed Use zone must positively contribute to the public realm while achieving privacy and a good standard of amenity for occupiers of the dwelling, in particular by:

 - ~~• providing balconies over-looking the street or public open space~~
 - ~~• providing a planted and/or fenced setback to the street or public open space for the part of the site that is not required to adjoin the street. Landscaping or fencing should be low enough to allow direct sightlines from a pedestrian in the street or public open space to the front of a balcony~~
 - ~~• raising the balcony and floor plate of the ground floor dwellings above the level of the adjoining street or public open space to a height sufficient to provide privacy for residents and enable them to over-look the street or public open space.~~~~

~~Visual interest and variation in building form~~

- ~~xxxii. Buildings, including alterations and additions, should be designed as a coherent scheme and should demonstrate an overall design strategy that positively contributes to the visual quality of development.~~
- ~~xxxiii. Where the proposed development is an extension or alteration to an existing building, it should be designed with consideration to the architecture of the original building and respond positively to the visual amenity of the surrounding area.~~
- ~~xxxiv. Buildings should be designed to:

 - ~~• avoid long, unrelieved frontages and excessive bulk and scale when viewed from streets and public open spaces (except service lanes)~~
 - ~~• visually break up their mass into distinct elements to reflect a human scale and the typical pattern of development in the area~~
 - ~~• differentiate the ground level from upper levels and the roof~~
 - ~~• Techniques to achieve this include the use of recesses, variation in building height and roof form, horizontal and vertical rhythms and facade modulation and articulation.~~~~
- ~~xxxv. Blank walls should be avoided on all levels of building frontages to streets and public open spaces (except service lanes).~~
- ~~xxxvi. Side or rear walls without windows or access points which are exposed to views from streets or public open space should be used as an opportunity to introduce creative architectural solutions that provide interest in the façade including modulation, relief or surface detailing.~~
- ~~xxxvii. Buildings should provide a variety of architectural detail at ground and middle levels including maximising the use of entrances, and windows and balconies overlooking~~

~~the streets and public open spaces.~~

~~xxxviii. — Roof profiles should be designed as part of the overall building form and contribute to the architectural quality of the skyline, as viewed from both ground level and the surrounding area. This includes integrating plant, exhaust and intake units and other mechanical and electrical equipment into the overall rooftop design.~~

~~xxxix. — Colour variation and landscaping, without the use of other design techniques, should not be used to mitigate a lack of building articulation or design quality.~~

~~xl. — For residential development:~~

- ~~• — the unrelieved repetition of unit types should be avoided~~
- ~~• — balconies should be designed as an integral part of the building. A predominance of cantilevered balconies should be avoided~~
- ~~• — apartments above ground floor should be accessed from internal corridors or entrance ways. External walkways / breezeways should generally be avoided.~~

Materials and finishes

~~xli. — Buildings should use quality, durable and easily maintained materials and finishes on the facade, particularly at street level.~~

~~xlii. — Buildings should not use reflective materials that would adversely affect safety, pedestrian amenity or the amenity of surrounding properties.~~

~~xliii. — Where provided, signage should be designed as an integrated part of the building facade.~~

Internal amenity

~~xliv. — Buildings should have floor to floor heights that:~~

- ~~a. — provide a good standard of amenity within the building, by contributing to a sense of space and allowing adequate sunlight and daylight access; and~~
- ~~b. — enable adaptive reuse of the building~~

~~xlv. — Finished floor to floor height of new buildings above ground floor should be at least 3m, but higher when the floor will accommodate non-residential activities.~~

~~b. — Design and scale of buildings adjoining historic heritage places~~

~~i. — Buildings adjoining or in close proximity to a scheduled historic heritage place:~~

- ~~• — should be located and designed to have regard to the significant historic heritage elements and built form of the place. This does not mean a rigid adherence to the height of the place, not nor does it reduce the development potential of the site, but it does require careful consideration in terms of the form and design of the building to minimise the effects of dominance~~
- ~~• — may not be required to adjoin the site frontage if a better design outcome could be achieved by respecting the setback and/or spatial location of the place~~
- ~~• — should use materials and/or design detail that respects rather than replicates any patterns or elements existing in the place, however new and contemporary interpretations in form and detail may be used~~
- ~~• — should generally avoid ground floor frontages entirely of glass, i.e. curtain walling or continuous shop front glazing.~~

~~c. — Design of public open space~~

~~i. — Where provided, through site links and public open spaces should be designed to~~

- ~~integrate with the existing or planned streets and public open spaces, be visually attractive and positively contribute to the streetscape and sense of place. Glazing at ground floor should be provided and blank walls should be minimised.~~
- ~~ii. Through-site links should be publicly accessible preferably with 24 hour a day and seven-day a week access.~~
- ~~iii. Public open spaces should provide a high level of pedestrian safety and prioritise pedestrian and cycle movement over vehicle and service traffic.~~
- ~~iv. Where new publicly accessible open spaces are provided they should be designed and managed to be accessible to people of all ages and abilities.~~
- d. ~~Design of landscaping~~
- ~~i. Where provided, landscaping should:~~
- ~~• integrate the development into the surrounding area and contribute to the site and surrounding area amenity~~
 - ~~• maintain the personal safety of people and enhance pedestrian comfort~~
 - ~~• be designed for on-going ease of maintenance.~~
- ~~ii. Where landscaping is provided for a visual buffer to an adjoining residential or open space zone it should form a continuous screen at all times of the year.~~
- e. ~~Topography, earthworks and natural features~~
- ~~i. Building platforms, parking areas and vehicle entrances should be located and designed to respond to and integrate with the natural landform, landscape features and site orientation.~~
- ~~ii. Earthworks should be minimised and retaining walls avoided on the street frontage, where possible. However, where retaining walls or earthworks are required they should be incorporated as a positive landscape or site feature by:~~
- ~~• integrating retaining walls as part of the building design~~
 - ~~• stepping and landscaping earthworks or retaining walls over 1m in height, to avoid dominance or overshadowing effects~~
 - ~~• ensuring that earthworks or retaining walls visible to the public, including adjoining sites, provide visual interest through attractive design and by incorporating modulation, landscaping and quality materials.~~
 - ~~• Where practicable retain mature vegetation and large trees on site. Retention of mature trees is particularly encouraged where their size, location or species makes a significant contribution to the streetscape or where they could be logically incorporated to enhance on-site amenity.~~
- f. Design of parking, access and servicing
- i. Refer to the assessment criteria in 1(c) above.
- g. Design and layout of dwellings, retirement villages, visitor accommodation and boarding houses
- i. For development in the Metropolitan centre zones, refer to xx in the City Centre provisions.
- ii. For development in other zones, refer to xx in the Terraced Housing and Apartment Buildings provisions.
- ~~i. Dwellings should be located, proportioned and orientated within a site to maximise the~~

amenity of future residents by:

- ~~clearly defining communal, semi-communal and private areas within a development~~
 - ~~maximising passive solar access while balancing the need for buildings to front the street~~
 - ~~providing for natural cross-ventilation by window openings facing different directions.~~
- ii. ~~Adequate storage space for larger items such as bikes, gardening and cleaning equipment, should be provided either within each dwelling or within the building containing the dwellings.~~
- iii. ~~Common areas within buildings containing dwellings, visitor accommodation and boarding houses should provide equal physical access for people of all ages and physical abilities, in particular, by providing doorways, corridors and circulation spaces of sufficient dimension to allow ease of movement and minimising stairs where possible.~~
- iv. ~~Visitor accommodation and boarding houses should be designed to achieve a reasonable standard of internal amenity. Consideration will be given to:~~
- ~~any specific internal design elements that facilitate the more efficient use of internal space~~
 - ~~the relationship of windows or balconies to principal living rooms~~
 - ~~the provision of larger indoor or outdoor living spaces whether communal or exclusive to the dwelling, especially in dwellings that are not self-contained.~~
- v. ~~Suitable provision should be made for on-site rubbish storage and sorting of recyclable materials that:~~
- ~~is a sufficient size to accommodate the rubbish generated by the proposed activity~~
 - ~~is accessible for rubbish collection~~
 - ~~for new buildings, is located within the building.~~
 - ~~for alterations or additions to existing buildings where it is not possible to locate the storage area within the building, the storage area should be enclosed and not visible from the street or public open spaces.~~
- vi. ~~As a guide, where a development containing 10 or more dwellings the size of communal storage areas should be an aggregate of the minimum areas specified for the dwelling types below:~~
- ~~A. studio and one bedroom — 0.3m²~~
 - ~~Two bedrooms — 0.5m²~~
 - ~~Three bedrooms — 0.7m²~~
 - ~~Four or more bedrooms — 1m²~~
- ~~Plus an additional 30 percent of the aggregated minimum areas should be provided within the communal storage area for manoeuvring or sorting within the waste storage area.~~
- vii. ~~Where appropriate, a waste management plan should be provided and:~~
- ~~include details of the vehicles to be used for rubbish collection to ensure any rubbish truck can satisfactorily enter and exit the site; and~~
 - ~~provide clear management policies to cater for different waste management requirements of the commercial tenancy and residential apartments.~~

h. Water sensitive design

- i. ~~On site stormwater management should be integrated into the site design, including landscaped areas, applying to apply a water sensitive design approach as appropriate.~~

~~All development should be designed to incorporate water sensitive design principles that use natural systems and processes for stormwater management to minimise adverse effects and protect and enhance the values and functions of natural ecosystems. This may include:~~

- ~~• a water sensitive design approach that is appropriate to the scale of the proposed development~~
- ~~• maximising localised water collection, retention and re-use~~
- ~~• minimising stormwater run-off by maximising on-site management and disposal of stormwater~~
- ~~• using ecologically sensitive techniques, integrated with site landscaping and other features to reduce and treat stormwater run-off.~~

6. Conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses

a. Design and layout of dwellings, retirement villages, visitor accommodation and boarding houses

- i. For development in the Metropolitan centre zones, refer to xx in the City Centre provisions.
- ii. For development in other zones, refer to xx in the Terraced Housing and Apartment Buildings provisions.

~~i. Refer to the assessment criteria in clause 5(g) above.~~

~~7. Demolition of buildings~~

~~a. Pedestrian amenity and safety~~

- ~~i. Sites containing buildings that are proposed to be demolished should not have significant adverse effects on the quality and amenity of the public realm and the safety and efficiency of the surrounding transport network. In particular:~~
 - ~~• a high quality and safe temporary hard or landscaped edge should be provided along the site boundaries so that a defined boundary to streets and public open spaces is maintained. This should include the provision and maintenance of continuous pedestrian cover within areas subject to the Key Retail Frontage overlay~~
 - ~~• an edge treatment should be maintained that is designed to reduce its vulnerability to graffiti and vandalism.~~

~~b. Re-use of building materials~~

- ~~i. Demolished materials should be re-used and recycled as much as possible.~~

~~c. Site condition post demolition~~

- ~~i. If the site is not developed following demolition, the site should be landscaped to provide good standard of visual amenity and the site should not be used for temporary or permanent parking.~~

~~d. Traffic generation~~

- ~~i. With regard to the effects of building demolition on the transport network, consideration should be given to the proposed hours of operation, the frequency and timing of truck movements to and from the site and the location of vehicle access.~~

7. Assessment - Development control infringements

7.1 Matters of discretion - Centres, Mixed Use, General Business and Business Park zones

For new buildings or alterations and additions to existing buildings that involve a development control infringement, the council will consider the relevant matters in ~~in 6.1 set out~~ above in addition to the matters set out in Rule G2.3 clause 2.3 of the general provisions and the following.

1. Building height, height in relation to boundary, building setbacks at upper floors, maximum tower dimension and tower separation
 - a. effects of additional building scale ~~on neighbouring sites, streets and public open spaces (sunlight access, dominance, visual amenity)~~
 - b. contribution to growth and intensification outcomes. consistency with the planned future form and character of the area/zone.
2. Buildings fronting the street, ~~building entrances,~~ minimum floor to floor height (ground floor), glazing, ~~roller doors,~~ residential at ground floor, ~~ground floor at street frontage level,~~ verandahs, building frontage height
 - a. effects on the vitality and amenity of streets and public open spaces
 - b. effects on historic heritage and historic character buildings and notable trees.
3. Yards (excluding riparian, lakeside and coastal protection yards), building setback in the Business Park zone, landscaping and storage and screening
 - a. effects on amenity.
4. Dwellings, retirement villages, visitor accommodation and boarding houses
 - a. for development in the Metropolitan centre zones, refer to Chapter I4 City Centre zone 7.1 Matters of discretion (3) – (5).
 - b. for development in other zones, refer to xx in the Terraced Housing and Apartment Buildings provisions.
4. ~~Outlook space~~
 - a. ~~privacy and outlook for dwellings~~
 - b. ~~daylight access and ventilation for dwellings.~~
5. ~~Minimum dwelling size, minimum floor to floor height (dwellings), minimum dimension of principal living rooms and bedrooms, outdoor living space, storage servicing and waste, daylight to dwellings, dwelling mix~~
 - a. ~~effects of reduced living and circulation space, sunlight/daylight access and storage on residential amenity.~~
6. ~~Wind~~
 - a. ~~effects of development on wind conditions and amenity.~~
7. ~~Separation between buildings on the same site~~
 - a. ~~dominance effects~~
 - b. ~~effects of reduced daylight and sunlight access and ventilation.~~
8. Maximum impervious area in the Business Park zone
 - a. refer to clause 1.4 of the Auckland wide Stormwater management rules H4.14 Stormwater management 1.4 Assessment – Restricted discretionary activities.
9. Riparian yard, maximum impervious area within a riparian yard, lakeside yard or coastal yard
 - a. effects on the function of the yard

- b. effects on natural hazards
- c. amenity and character
- d. public access.

7.1A Matters of discretion – Industrial zones

For new buildings or alterations and additions to existing buildings that involve a development control infringement, the council will consider the relevant matters in 6.1 above in addition to the matters set out in Rule G2.3 of the general provisions and the following.

1. Building height and height in relation to boundary
 - a. Proximity to sensitive zones
 - b. Operational requirements of industrial activities
2. Yards and landscaping (except riparian, lakeside and coastal protection yards)
 - a. Effects on amenity
 - b. Operational requirement
3. Storage and screening
 - a. Amenity effects
4. Riparian yard, maximum impervious area within riparian yards, lakeside yard and coastal protection yard
 - a. Refer to clause 7.1.9

7.2 Assessment criteria - Centres, Mixed Use, General Business and Business Park zones

For new buildings and alterations and additions to existing buildings that involve a development control infringement in the centres, Mixed Use, General Business and Business Park Zones the relevant assessment criteria in 6.2 above will apply in addition to the criteria in Rule G2.3 of the general provisions and the specific criteria for the infringement below.

- a. ~~For centres, Mixed Use, General Business and Business Park Zones the relevant assessment criteria in 6.2 above will apply in addition to the criteria in Rule G2.3 clause 2.3 of the general provisions and the specific criteria for the infringement below.~~
- b. ~~For the industrial zones only Rule G2.3 and specific criteria for the infringement in clause 1A below will apply~~

1. Height, height in relation to boundary, building setbacks at upper floors, maximum tower dimension and tower separation
 - a. Effects of additional building scale ~~on neighbouring sites and streets and public open spaces (sunlight access, dominance, visual amenity)~~
 - i. ~~Significant height infringements should be avoided.~~
 - ii. ~~Substantial buildings that infringe the controls~~ should be of a very high standard of visual design and quality. They should make a significant positive contribution to the visual amenity of the skyline, streetscape, and the neighbouring surrounding area. ~~, and the wider city.~~
 - iii. ~~Minor height infringements may be appropriate where it would provide an attractive and integrated roof form that also meets the purpose of the control.~~
 - iv. Additional height and/or building mass may be appropriate on corner sites to reinforce the prominence of the corner.
 - v. Additional height on buildings adjacent or opposite residential zones (excluding Terraced Housing and Apartment zones) should maintain amenity and visual privacy of residential properties.
 - vi. Infringements of occupiable building height should not compromise:
 - a roof form that provides variation and interest when viewed from the street
 - storey heights that provide a good standard of amenity within the building, by contributing to a sense of space and allowing adequate sunlight and daylight access.
 - b. ~~Effects on Contribution to growth and intensification outcomes the planned future form and quality of the surrounding area~~ character of the area/zone
 - i. Buildings ~~need to~~ should demonstrate that:
 - Additional height on buildings adjacent or opposite residential zones (excluding Terraced Housing and Apartment zones) should maintain amenity and visual privacy of residential properties.

- the bulk or height contributes to the growth and intensification outcomes identified in the Unitary Plan for the locality ~~does not detract from the planned future character of the surrounding area~~
 - when located in the Metropolitan or Town centre zones, the infringement is consistent with the ~~Business zones~~, Policy D3.3(1) 4 or D3.4(1) 4.
2. Buildings fronting the street, ~~building entrances~~, minimum floor to floor height, glazing, ~~roller doors~~, residential at ground floor, ~~ground floor at street frontage level~~, verandahs, building frontage height
- a. Effects on the vitality and amenity of streets and public open spaces
- i. On sites subject to the Key Retail Frontage layer on the planning maps, overlay, there should be exceptional circumstances for outcomes that do not achieve the required frontage. ~~buildings should adjoin the site frontage unless there are exceptional circumstances and the development achieves a better design outcome than a complying proposal.~~
 - ii. Buildings, particularly those that infringe the Key Retail Frontage provisions, should enhance the appearance and integrity of the streetscape as a whole.
 - ~~iii. Buildings should have floor to floor heights that contribute to a sense of space within the building and provide a good standard of amenity for building occupants.~~
 - iiia. Commercial sexual services and strip clubs should screen or appropriately conceal commercial sexual activities and products from public view.
 - iv. Dwellings should not locate on the ground floor of buildings fronting streets and public open spaces where they would:
 - detract from the amenity and vitality of the street or public open space, ~~such as on frontages that are subject to the glazing and verandah control~~
 - ~~have a low standard of amenity in terms of noise and air quality effects, such as on streets that carry high volumes of vehicle traffic~~
 - discourage or displace commercial activity at the ground floor of buildings within centres, particularly on sites subject to the Key Retail Frontage layer on the planning maps, overlay.
 - v. Where dwellings are proposed considered to be appropriate at ground floor, and in addition to iv above, they should be designed to enable safety passive surveillance of the street/public open space and provide privacy for residents. This could be achieved by:
 - landscaping or front fencing low enough to allow passive surveillance of the street from inside the dwelling
 - The ground floor level of buildings being no more than 1.5m above the footpath level.
 - ~~providing balconies over looking the street or public open space~~
 - ~~providing a planted and/or fenced setback where the site adjoins streets or public open spaces. Fences or landscaping should be low enough to allow direct sightlines from a pedestrian in the street or neighbouring public open space to the front of a balcony~~
 - ~~raising the balcony and floor plate of the ground floor dwellings above the level of the adjoining street or public open space to a height sufficient to provide privacy for residents and enable them to overlook the street or neighbouring public open space.~~
- b. Effects on historic heritage and historic character buildings and notable trees
- i. Priority will be given to protecting the important features on the ground floor facades of historic heritage and historic character buildings and notable trees over compliance with the street frontage controls.
3. Yards (excluding riparian, lakeside and coastal protection yards), building setback in the Business Park zone, landscaping and storage and screening

- a. Effects on amenity
 - i. ~~Landscaping, structural tree planting and shrubs to define~~ Landscaping should enhance the street edge, delineate pedestrian routes and mitigate the adverse visual and pedestrian amenity and nuisance effects of car parking, loading and service areas, caused by infringements to amenity controls. Landscaping Trees should be selected and planted so as to ensure sight lines to or from site entrances are not obscured.
 - ii. Yards should not be used for activities or buildings likely to create nuisance or privacy effects on residential neighbours.
 - iii. Landscaped areas in the Business Park zone should be well integrated with building layouts and provide for a quality and quantity of planting, including using ground cover, shrubs and trees that achieve a high level of amenity within a park-like setting.

4. Dwellings, retirement villages, visitor accommodation and boarding houses

- a. For development in the Metropolitan centre zones, refer to xx in the City Centre provisions Chapter I4 City Centre zone 7.2 Assessment criteria (3) – (5).
- b. For development in other zones, refer to xx in the Terraced Housing and Apartment Buildings provisions.

~~4. Outlook space~~

- a. ~~Privacy and outlook for dwellings~~
 - i. ~~Development that infringes the outlook space control will need to demonstrate that there will be a reasonable standard of visual and acoustic privacy between dwellings, including their any outdoor living space. Methods to achieve this include, off-setting or changing the orientation of balconies and windows to avoid direct over looking, the use of screening devices and landscaping.~~
- b. ~~Effects of reduced daylight and sunlight access and ventilation~~
 - ii. ~~Development that infringes this control will need to demonstrate that the dwellings will receive a good degree of daylight and ventilation, and will not reduce access to sunlight, particularly for dwellings at lower building levels.~~
- c. ~~Privacy, outlook, daylight access and ventilation for visitor accommodation.~~
 - iii. ~~the criteria for dwellings in clauses (a) and (b) above apply, except that a lesser dimension of outlook separation to a minimum of 6.0m from bedrooms or principle living areas may be acceptable in some cases where the intent of criteria (a) and (b) above are satisfied and, with the exception of Crown land, where certainty can be provided, through a registered covenant in favour of the Council or another equally restrictive mechanism, that the building or area within a building is not to be used for accommodation other than non permanent accommodation and is to be managed as a single entity in perpetuity.~~

~~5. Minimum dwelling size, minimum floor to floor height (dwellings), minimum dimension of principal living rooms and bedrooms, outdoor living space, storage servicing and waste, daylight to dwellings and dwelling mix~~

- a. ~~Effects of reduced circulation space, daylight access, storage etc on residential amenity~~
 - i. ~~Dwellings that do not comply with the minimum dwelling size or room dimension controls must demonstrate that:

 - ~~the proposed dwelling size provides a good standard of amenity for the number of occupants the dwelling is designed for~~
 - ~~there is adequate circulation around standard sized furniture.~~~~
 - ii. ~~Methods to achieve (i) may include use of built in furniture and mezzanine areas with good access and head height. Provision of a larger private outdoor space may provide amenity that mitigates a smaller dwelling size.~~
 - iii. ~~Dwellings that do not comply with the minimum floor to ceiling height must demonstrate that principal living rooms and bedrooms are provided with adequate daylight. Lower floor to~~

ceiling heights may be appropriate within rooms that are not habitable rooms.

~~6. Separation between buildings on the same site~~

~~a. Dominance effects~~

~~i. Development that infringes this control should not result in the building visually dominating the outdoor living space or windows to habitable rooms of dwellings on the same site.~~

~~b. Effects of reduced daylight and sunlight access and ventilation~~

~~i. Development that infringes this control will need to demonstrate that the dwellings will receive a good degree of daylight and ventilation, and will not reduce access to sunlight, particularly for dwellings at lower building levels.~~

5. Maximum impervious area in the Business Park zone

a. refer to H4.14 Stormwater management 1.4 Assessment – Restricted discretionary activities

6. Riparian yard, maximum impervious area within a riparian yard, lakeside yard or coastal yard

a. effects on the function of the yard

- i. The infringement should minimise adverse effects on the function of the yard particularly in regard to flooding, erosion, stream health or water quality, taking into account any mitigation measures, including planting with native plants and/or providing a wider setback elsewhere that will enhance the function of the yard.
- ii. The continuity of any vegetation corridor should be maintained.
- iii. Site works and associated vehicle movements should be minimised within the yard.
- iv. The application should demonstrate that there is no practicable alternative to development or impervious area within the yard and that the development or impervious area is located as far from the CMA, stream, or lake as possible.
- v. The Council will consider whether development or impervious area within the yard is required for the reasonable use and development of the site, including for the provision of public access or infrastructure such as recreational trails, bridges/culverts, underground utilities, wastewater or stormwater infrastructure

b. effects on natural hazards

i. Development within the yard should not exacerbate the risk or potential of natural hazards on the site or surrounding area.

c. amenity and character

ii. Development within the yard should not detract from the amenity and character values of the site, the coastal environment or the lake or stream corridor.

d. public access

iii. Infringing the yard should not unduly preclude future opportunities for developing public access, particularly through esplanade reserves.

7.2B Assessment criteria – Industrial zones

For new buildings and alterations and additions to existing buildings that involve a development control infringement in industrial zones the relevant assessment criteria above will apply in addition to the criteria in rule G2.3 in the general provisions and the specific criteria for the infringement below:

1. Building height and height in relation to boundary

a. Proximity to sensitive zones

- i. The proximity to residential, special purpose – school, special purpose – Maori purpose and public open space zones
- ii. Alternative methods proposed to protect and maintain the amenity values of adjacent sensitive zones
- iii. the extent to which site layout, screening and other methods can be used to mitigate the infringement
- iv. the degree of overshadowing or impacts on the land uses within the residential, special purpose – school, special purpose – Maori purpose and public open space zones

b. Operational requirements of industrial activities

i. The operational requirements of industrial activities and the efficient use of industrial land for industrial activities

2. Yards and landscaping (except riparian, lakeside and coastal protection yards)
 - a. Effects on amenity
 - i. Landscaping should enhance the street edge, delineate pedestrian routes and mitigate the adverse visual and pedestrian amenity and nuisance effects. Trees should be selected and planted so as to ensure sight lines to or from site entrances are not obscured.
 - ii. Yards should not be used for activities or buildings likely to create nuisance or privacy effects on residential neighbours.
 - iii. The methods proposed to protect and maintain the amenity values of adjacent sensitive zones in terms of separation distances or buffers, site design or screening.
 - iv. Alternative methods to achieve the landscaping requirements will be considered where the amenity of the adjoining zones is still achieved.
 - b. Operational requirements
 - v. The functional or operational need for a reduced yard or landscaping.
3. Storage and screening
 - a. Effects on amenity
 - i. The adequacy of an alternative means to achieve the outcomes sought.
 - ii. The desirability of alternative means to achieve good streetscape and CPTED outcomes.
 - iii. The size and visual appearance of the rubbish and/or storage area being screened.
 - vi. The degree to which the proposal will mitigate visual impacts from outdoor rubbish and/or storage areas on adjoining sensitive zones
4. Riparian yard, maximum impervious area within riparian yards, lakeside yard and coastal protection yard
 - a. Refer to clause 7.2A.6 above

8. Assessment - Integrated retail developments, supermarkets, department stores, large format retail and trade suppliers

8.1 Assessment criteria

In addition to the assessment criteria for new buildings stated above, the following criteria applies to:

- integrated retail developments in the Metropolitan Centre, Town Centre and Local Centre zones;
- supermarkets, department stores and large format retail in the Centres, Mixed Use and General Business zones;
- trade suppliers in the General Business zone

where the activity or integrated retail development exceeds 1000m² GFA per tenancy.

Where the assessment criteria for new buildings above are is inconsistent with any criteria listed below, ~~above,~~ the criteria below take precedence. Where relevant, the assessment criteria apply applies to development control infringements.

1. Building design and external appearance
 - a. Except in the General Business zone, ~~T~~ the preferred option for development is building up to the street boundary with no parking to the street.
 - b. Buildings should address public open space, ~~principal parking areas~~ and in particular the street, by bringing visual activity, pedestrian amenity and activity to these edges. One or more of the following techniques should be used in order of importance, having regard to the context of the site:
 - i. sleeving street facing building elevations with smaller scale, active uses, where appropriate (except for the General Business zone)
 - ii. providing a significant amount of ground floor glazing, particularly to street facing facades
 - iii. facade modulation that visually breaks up longer frontages. This may include use of horizontal and vertical articulation to create a series of smaller elements, structural bays or other similar techniques
 - iv. an alternative design solution which achieves the intent of this clause.

- c. Frontages should be integrated with the prevailing rhythm and scale of existing or intended future frontages along streets, whichever is appropriate. ~~The stepping of building mass should be used on street frontages where adjoining buildings are of a smaller scale.~~
 - d. Where alterations and additions are proposed to buildings that are set back from the road with parking in front, the continuation of this form of site layout is acceptable.
2. Design of parking, access and servicing
- a. Loading bays and site storage should be located away from and/or appropriately screened from public open spaces, pedestrian paths, streets and adjoining residential zones.
 - b. Where loading bays/service areas front a street, with the exception of service lanes, a high standard of design is expected in relation to that facade to contribute to streetscape and pedestrian amenity.
 - c. Where loading bays/service areas are located internally to the site a lesser standard of design may be appropriate for that facade.
 - d. ~~High quality Well designed~~ pedestrian connections should be provided between the main building entrances and the street, ~~and through the site where the site has two or more street frontages.~~
 - ~~e. High quality pedestrian connections through a site should be provided to main building entrances and the street and through the site where the site has two or more street frontages.~~
 - f. The development should be designed to provide a high level of pedestrian safety and amenity, including movement through the parking area from street frontage to building entrance.
 - g. Parking areas, including parking buildings or at grade parking areas, should be located away from the street frontage wherever practicable. However, where parking areas are located at or near the street frontage, then that parking building or area should be:
 - i. designed to contribute to streetscape and pedestrian amenity
 - ii. have landscaping, including tree planting, of a scale and amount that visually breaks up the parking area. ~~As a guide, one tree should be planted every sixth parking bay~~
 - iii. of a depth that minimises building setback from the street.
 - h. Where practicable, delivery vehicles should enter the site by way of a rear lane or access way which leads directly to loading and storage areas.
 - i. Where a site adjoins or contains on its rear or side boundary a service lane or access way (whether private or public ownership) that serves a significant pedestrian role, the development should be designed to provide that service lane or access way ~~should be considered as a street for the purpose of assessment criteria and in regard to the~~ with an appropriate level of pedestrian amenity.
3. Supermarkets and department stores in Metropolitan, Town and Local Centre zones: ~~and Town Centre zones~~
- a. Supermarkets and department stores in the Metropolitan and Town Centre zones that do not comply with the street frontage development controls may be granted consent where it has been demonstrated that:
 - i. the highest possible quality outcome has been proposed
 - ii. the benefits of having that supermarket or department store locate within the centre outweigh the failure to fully implement the zone's design policies
 - iii. the development is not located on a street that:
 - is subject to a Key Retail Frontage layer on the planning maps ~~overlay~~

- is an important part of the centre's retail or pedestrian activity
- has an existing continuous built edge.

9. Assessment - Drive-through restaurants facilities and service stations

9.1 Assessment criteria

~~In addition to the~~ The assessment criteria for new buildings in 6.2.5 stated above, ~~the following criteria apply to drive-through restaurants facilities, including and service stations, with the exception of:~~, in the Metropolitan Centre, Town Centre and Local Centre zones. ~~Where the assessment criteria for new buildings is inconsistent with any criteria listed below, the criteria listed below take precedence.~~

- 6.2.5(a) i
- 6.2.5(a) viii (for service stations)

~~Where relevant, the~~ The assessment criteria below also apply to development control infringements.

- Building design and external appearance
 - ~~Where a drive through restaurant facility or service station is proposed on a site that is subject to a Key Retail Frontage layer on the planning maps overlay, the assessment criteria listed above for new buildings take precedence over the criteria below.~~
Buildings should have clearly defined public frontages that positively contribute to public open spaces including streets (excluding service lanes).
 - ~~In other areas, s~~ Streetscape amenity and continuity of built form is still important and should be maintained as far as is practicable and be supplemented by landscaping by a combination of landscaping and built form.
 - Buildings, landscaping and site layout should be designed to ensure that the development maintains the amenity does not detract from the amenities of the street or those of surrounding residential ~~or business~~ zoned sites.
 - ~~The preferred option for buildings is for a significant part of the principal building to align directly with the site frontage, with large areas of glazing addressing the street.~~
 - ~~Landscaping should be provided parallel to the site frontage in order to enhance the appearance of the site from the street and define the street edge. A width of approximately 3m is appropriate.~~
 - ~~Where the site adjoins a residential zone, landscaping and fencing should be provided along the common boundary to enhance amenity and provide screening and separation from the residential site.~~
 - Mechanical plant and equipment, including that located on top of a building should be screened from view from the street, public open space and adjoining residential zoned sites.
- Design of parking, access and servicing
 - Drive-through ordering and collection points should be designed and located to avoid or mitigate any adverse effects of noise, light, glare ~~and fumes~~ on adjacent residential zoned sites, including any effects of vehicles stopping and starting on-site.
 - ~~The site should be designed to accommodate any queuing of vehicles within the site. Queuing should not be located in between the building and the street. On corner sites this applies to the single site frontage with the highest pedestrian movement.~~

- c. Outdoor storage and rubbish containers should be screened from the street, public open space and adjoining residential zoned sites by fencing or landscaping.
- d. The location of vehicle accesses should have regard to effects on the continuity of activities and pedestrian movement at street level.

10. Special information requirements

1. Design Statement

- a. A design statement is required for the activities specified in the tables below. The design statement is required to include as a minimum the matters indicated within the table below, and as further explained as set out in clause ~~G1x~~ G2.7.2 of the general provisions. Drawings, illustrations and supporting written explanation should be proportionate to the complexity and significance of the development proposal. Refer to the non-statutory ADM for additional guidance and examples on the preparation of design statements, including case studies.
- ~~b. a design statement may be required for development within the Light Industry zone for development control infringement where there are significant adverse effects on the surrounding area. The information required will need to correspond with the scale and significance of the effects.~~

Table 8: Design statement requirements

Information requirements	Buildings and alterations to buildings not otherwise provided for <u>New buildings and significant alteration and additions to existing buildings on sites with a Key Retail or General Commercial Frontage, and;</u> <u>New buildings on all other sites within Metropolitan, Town, Local, Neighbourhood centres, General Business and Mixed use zones where the site is larger than 500m² or the building proposed is larger than 1000m² GFA</u>	Any activity requiring consent that includes car parking, access or servicing	
A. CONTEXT ANALYSIS			
1. Site analysis			
a.	Existing site plan	X	✗
b.	Streetscape character	X	✗ (f-i)
2. Neighbourhood analysis			
a.	Natural and cultural environment	X	
b.	Movement	X	✗
c.	Neighbourhood character	X	✗
d.	Use and activity		✗
e.	Urban structure	X	
3. Opportunities and constraints analysis			
a.	Opportunities and constraints diagram	X	✗
B. DESIGN RESPONSE			
a.	Concept design	X	✗

b.	Proposed site plan	X	X
c.	Proposed elevations	X	
d.	Solar <u>Sunlight</u> access	X	
e.	Landscape	X	X
f.	Streets, accessways & lanes	X	X
g.	Urban Structure	X (c - f)	
h.	Public open space	X	X

2. ~~Wind report~~

- ~~a. any building greater than 20m in the Metropolitan Centre zone, Town Centre zone, Mixed Use zone or Business Park zone must submit a report by a registered engineer qualified in wind assessments.~~

Overlays

E4.4 City Centre Fringe Office objectives and policies

Overlay description

The City Centre Fringe Office overlay applies to areas of the Mixed Use zone and Local Centre zone in the fringe area around the city centre.

The purpose of the overlay is to enable intensive office activities close to the city centre, where public transport services are excellent. This is achieved by removing the GFA limitation on office activities.

Objective

1. Intensive office opportunities exist in commercial areas surrounding the city centre.

Policy

2. Provide opportunities for substantial office activities in the Mixed Use zone and the Local Centre zone in areas surrounding the city centre, recognising their proximity to the city centre and availability of excellent public transport services.

J4.5 City Centre Fringe Office rules

1. Activity table

The following table specifies the land use activities in the City Centre Fringe Office overlay.

Activity	Activity status
Commercial	
Offices	p

E4.5 Identified Growth Corridor

Overlay description

The overlay is applied to a limited number of significant road corridors or significant segments of these corridors. The purpose of the overlay is to provide additional opportunity to those commercial activities (predominantly retail activities) that:

- may not be appropriate for, or are not able to locate in centres due to the size, scale or nature of the activity, and
- are not typically provided for in the underlying zone.

Where commercial activities are enabled by an identified growth corridor, these should:

- respect the current land uses and the outcomes anticipated by the underlying zone
- support a compact urban form
- maintain the safety and efficiency of the road network and promote integrated transport
- not diminish the function and viability of the city centre, metropolitan, town and local centres.

The overlay only relates to those sites that have direct frontage to the identified growth corridor.

The overlay is a policy overlay. It does not change the activity status of land use activities within the overlay area. It provides additional objectives and policies that must be considered when assessing a proposal for a resource consent.

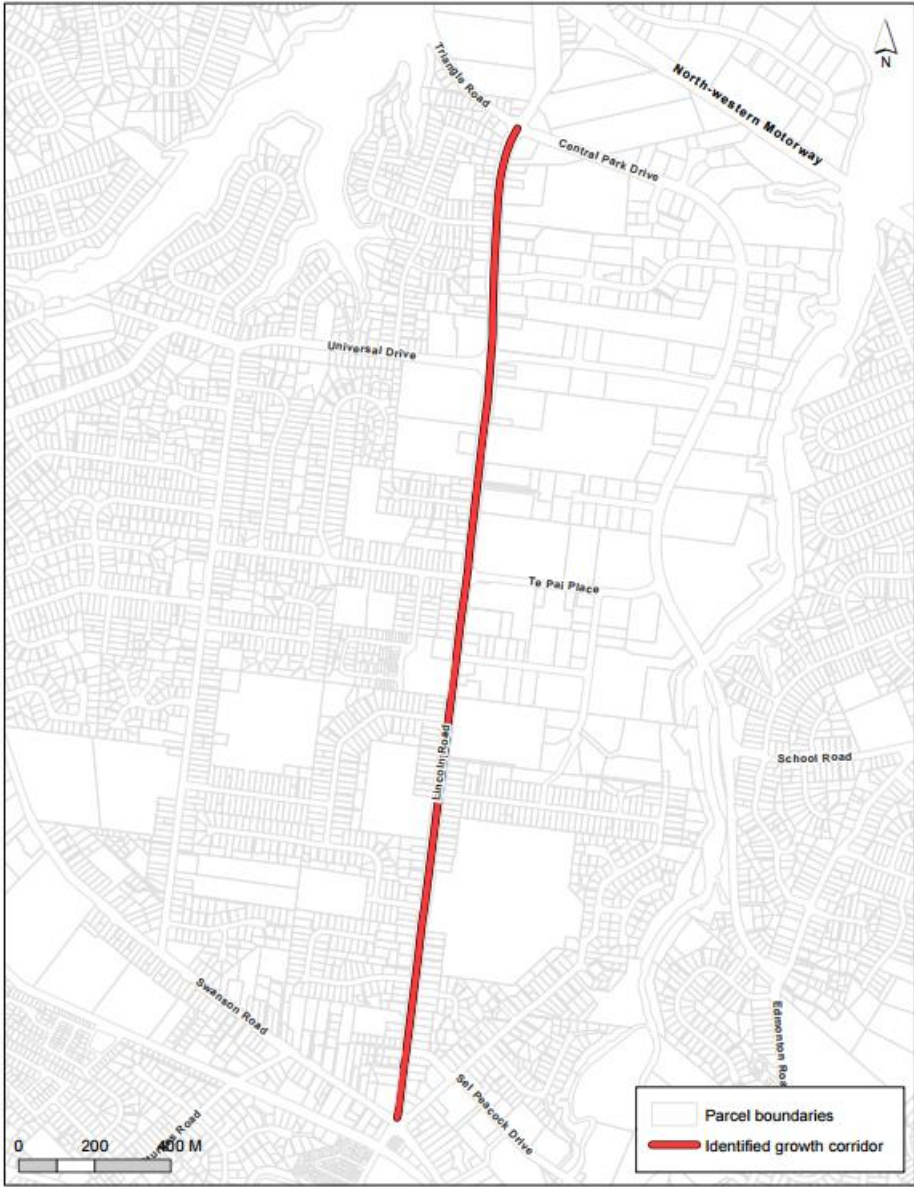
Objectives

1. A mix of compatible commercial activities that may not be appropriate for, or are not able to locate in centres, is provided for, that will not have a significant adverse effect on the vitality and viability of centres.
2. An improved amenity and street environment that integrates with the transport network.
3. A range of commercial activities that minimises adverse effects on existing development in the surrounding area.

Policies

1. Apply the overlay only to those sites which have direct frontage to the identified growth corridor.
2. Assess applications for commercial activities against the RPS – Commercial and Industrial Growth, Policy 7.

Figure 1: Identified Growth Corridor locations – Lincoln Road



Identified growth corridor: Lincoln Road



E4.5 Identified Growth Corridor Overlay – objectives and policies

Note: This text replaced the deleted section above. For ease of reading the changes that are the same as the notified PAUP are not shown as underlined.

Overlay description ~~Description~~

~~These provisions are~~ The overlay is applied to a limited number of significant road corridors or significant segments of these corridors. The purpose is to provide additional opportunity to those ~~commercial~~retail activities (predominantly large format retail ~~activities~~) that:

- may not be appropriate for, or are not able to locate in centres due to the size, scale or nature of the activity, and
- are not typically provided for in the underlying zone.

Where ~~commercial~~retail activities are enabled by an identified growth corridor, these should:

- respect the current land uses and the design outcomes anticipated by the underlying zone
- support a compact urban form
- maintain the safety and efficiency of the road network ~~and promote integrated transport~~
- not diminish the function, role and amenity ~~and viability~~ of the city centre, metropolitan, town and local centres.

~~The provisions only relates to those sites that have direct frontage and access to the identified growth corridor.~~

The ~~provisions~~ overlay can ~~do not~~ change the activity status of land use activities within the overlay area. ~~They~~ It also provides specific additional objectives and policies that must be considered when assessing a proposal for a resource consent.

Objectives

1. ~~Provide for~~ A mix of commercialretail activities that may not be appropriate for, or are not able to locate in centres, ~~is provided for, where they~~ that will not have adverse effects on the function, role and amenity of centres, beyond those ordinarily associated with trade effects on trade competitors.
2. An appropriate level of improved amenity and a street environment that integrates with the transport network.
3. ~~Commercial~~ Aactivities avoid, remedy or mitigate adverse effects on existing development in the surrounding area.

Policies

1. Having regard to those matters identified in B3.1 Commercial and Industrial Growth, Policy 7, Aapply the overlay only to those sites which:
 - ~~have~~ direct frontage or access to a major arterial road ~~to the Identified Growth Corridor;~~
 - are proximate to catchments that can be served efficiently and appropriately by retail development;
 - are capable of being developed in a way that is compatible with surrounding activities;
2. Recognise the functional requirements of large format retail in business zones, so that where the built form outcomes of the underlying zone are not achieved the development positively contributes to the

streetscape and character of its surroundings.¹

3. ~~Assess-Require applications for commercial retail activities in business zones to be assessed with regard to: in terms of their effects on those matters identified in against the RPS— B3.1 Commercial and Industrial Growth, Policy 7, and the adverse effects, including cumulative effects, on the function, role and amenity of local centres, beyond those effects ordinarily associated with trade effects on trade competitors-~~
 - a. adverse effects, including cumulative effects, on the function, role and amenity of the city centre, metropolitan, town and local centres, beyond those effects ordinarily associated with trade effects on trade competitors
 - b. effects, on community social and economic well-being and accessibility
 - c. impacts on the safe and efficient operation of the transport system network including public transport and the road network
 - d. conflicts between incompatible activities
4. Require applications for retail activities in residential zones to be assessed with regard to:
 - a. the matters in Policy 3 above
 - b. compatibility with residential character

¹ Consequential change to refer to IGCs in Section 8 Assessment Matters for LFR, Supermarkets.

J4.4 Identified Growth Corridor - rules

1. Activity table

Activity Table

The following table specifies the land use activities in the Identified Growth Corridor overlay. The land use activity status is to be determined in accordance with the underlying zoning of the site unless the following table applies provisions apply a more lenient activity status, on the activity:

Activity	
Food and Beverage	<u>D</u>
Retail up to 450m ² GFA per tenancy	<u>D</u>
Retail greater than 450m ² GFA per tenancy	<u>RD</u>
Retail greater than 450m ² GFA per tenancy with a residential zone	<u>D</u>
Trade Suppliers	<u>RD</u>

2. Development controls

Development Controls

The development controls for the underlying zone shall apply.

3. Assessment – restricted discretionary activities

Assessment Criteria

3.1 Matters of Discretion

The council will restrict its discretion to the matters below for the activities listed as restricted discretionary in the activity table:

1. Effects of new buildings
2. Effects on centres
3. Reverse sensitivity
4. Traffic generation

1. New buildings

3.2 Assessment criteria

The council will consider the relevant assessment criteria below for the restricted discretionary activities listed above.

1. The criteria in I3.8, Assessment - Integrated retail developments, supermarkets, and department stores, large format retail and trade suppliers if relevant.
2. The criteria in H1.2.5.2.1A Assessment - Traffic Generation Threshold.
3. The relevant assessment criteria for the underlying zone shall apply.
4. The extent to which the proposal will generate adverse effects, including cumulative effects, on the function, role and amenity of the city centre, metropolitan, town and local centres, beyond those effects ordinarily associated with trade effects on trade competitors.

5. The extent to which the form and scale of buildings on sites in Residential zones are compatible with the residential character of adjacent sites if occupied by residential activity.
6. For activities on sites in Light Industrial zones, the extent to which reverse sensitivity effects on neighbouring industrial activities are avoided, remedied or mitigated.

Business themed definitions and nesting

PART 4 - DEFINITIONS

Animal breeding or boarding

Breeding, or boarding or day care centres for domestic pets or working dogs

- ~~keeping, breeding or boarding dogs.~~

Excludes:

- ~~keeping of working dogs~~
- ~~keeping of domestic pet cats or dogs.~~

This definition is nested within the Rural nesting table.

Bus depots

Sites for bus parking, servicing and repair.

Includes:

- accessory administrative offices and facilities.

This definition is nested within the Industry nesting table.

Business

Commercial and industrial activities.

Commercial services

Businesses that sell personal, property, financial, household, private or business services.

Includes:

- real estate agent
- travel agent
- customer banking facilities
- dry cleaning
- hairdressing
- authorised betting shop.

This definition is nested within the Commerce nesting table.

Community correction facilities

Means a building used for administrative and non-custodial services. Services may include probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, and offices may be used for the administration of and a meeting point for community work groups.

Community facilities

Facilities for the well-being of the community, generally on a not for profit basis.

Includes:

- arts and cultural centres
- places of worship
- community centres
- community corrections facilities
- halls
- libraries
- marae complex
- ~~recreation centres~~
- Citizens Advice Bureaux
- justice facilities.

Excludes:

- entertainment facilities
- care centres
- healthcare facilities.

Department stores

~~A shop organised into departments that sell goods such as apparel, furniture, appliances, electronics, household goods, toiletries, cosmetics, jewellery, toys and sporting goods, where no one merchandise line dominates.~~

~~This definition is nested within the Commerce nesting table.~~

A shop that retails a wide variety of goods, other than food or groceries, but the variety is such that no predominant product line can be determined. These units have predominant retail sales in a combination of clothing and at least three of the following six product groups:

- Furniture
- Kitchenware, china, glassware and other housewares
- Textile goods

- Electrical, electronic and gas appliances
- Perfumes, cosmetics and toiletries
- Sporting goods

The products primary to these headings, as well as other products, are normally sold by or displayed in separate departments or sections supervised by managers (with specialised product knowledge) within the store, and, generally, merchandising, advertising, customer service, accounting and budgetary control functions are undertaken on a departmentalised basis.

This definition is nested within the Commerce nesting table.

Drive-through facility

~~'Facilities designed to serve customers in their vehicles.'~~

Replace this definition with:

Drive-through restaurant

Any land and/or building on or in which food and beverages are prepared, served and sold to the public inclusive of a facility designed to serve customers in their vehicles, for the consumption on or off the premises and may include an ancillary cafe and/or playground area.

Entertainment facilities

Facilities used for paid ~~recreation~~, leisure or entertainment.

Includes:

- cinemas
- bars and nightclubs
- theatres
- concert venues.

Industrial activities

The manufacturing, assembly, packaging, ~~wholesaling~~ or storage of products or the processing of raw materials and other accessory activities.

This definition is nested within the Industry nesting table.

Excludes:

- Mineral extraction activities

Large format retail

Any individual shop tenancy with a floor area greater than 450m², where the tenancy is created by freehold, leasehold, licence or any other arrangement to occupy.

Excludes:

- food and beverage
- garden centres
- marine retail
- motor vehicle sales
- trade suppliers.

Light manufacturing and servicing

Places in which articles, goods or produce are prepared and/or repaired for sale or rent and apart from required parking and manoeuvring, the light manufacturing and servicing activity will be contained entirely within a building. These activities will not generally require resource consent for the use, storage or handling of ~~large quantities of hazardous substances nor require~~ for air discharge. ~~Consents~~

Justice facilities

Facilities used for judicial, court, or tribunal purposes, and/or activities including collection of fines and reparation, administration and support, together with custodial services as part of the operation of New Zealand's justice system'

Recreation facility facilities

A facility where the primary purpose is to provide for sport and recreation activities for the well-being of the community. They may be used by individuals, families, groups and teams.

Includes:

- recreation centres
- aquatic facilities, swimming pools, both indoor and outdoor
- fitness centres and gymnasiums
- indoor sports centres

Repair and maintenance services

Servicing, testing or repairing vessels, vehicles or machinery.

Includes:

- automotive mechanics
- panel beating.
- devanning, storage and testing of LPG cylinders.

Reverse sensitivity

The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the pre-existing activity.

Tenancy

One area of occupancy of a retail or office activity that is created by freehold, leasehold, licence or any other arrangement to occupy.

Wholesaler

A business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers.

Nesting

Bus depots

Nest this definition immediately below 'industrial activities'.

Community corrections facilities and Justice facilities

Nest these new definitions in the Community nesting table

Drive through restaurant

Nest this new definition under Food and Beverage in the Commerce nesting table.

Recreation facilities

Nest this definition in the Community nesting table

Storage and Lock up

Move the definition from being nested in the Commerce table as a subset of Commercial services to being nested in the Industry table as a subset of Industrial activities.

Wholesalers

Nest this new definition under Retail in the Commerce nesting table

Subdivision

PART 3 - REGIONAL AND DISTRICT RULES» Chapter H: Auckland-wide rules» 5 Subdivision » 2.3 Controls for activities in particular zones

2.3.2 Business zones

1. Site size

a. Where any subdivision is proposed on a vacant site, all proposed sites must comply with the following controls:

Table 4: Standards for vacant site subdivision in the City Centre and Business zones

Standard	City Centre	Metropolitan Centre	Town Centre	Local Centre	Neighbourhood Centre
Minimum site size	200m ²	200m ²	200m ²	200m ²	200m ²
Minimum frontage	10m for sites over 2000m ²	10m for sites over 2000m ²	10m for sites over 2000m ²	n/a	n/a
Shape factor	Each proposed site is capable of containing a rectangle with an area equal to half the area of the site where the longer sides are no greater than twice the length of the shorter sides				
Carriageway width for entrance strips/rear sites	n/a	5.5m	5.5m	5.5m	5.5m
Standard	Mixed Use	General Business	Business Park	Light Industry	Heavy Industry
Minimum site size	200m ²	200m ²	1000m ²	1000m ²	2000m ²
Minimum average site size	n/a	n/a	n/a	2000m ²	5000m ²
Minimum frontage	n/a	n/a	10m	20m	20m
Shape factor	Each proposed site is capable of containing a rectangle with an area equal to half the area of the site where the longer sides are no greater than twice the length of the shorter sides				
Carriageway width for entrance strips/rear sites	5.5m	5.5m	5.5m	6.5m	6.5m

2. Rear sites

a. Rear sites must not exceed 20 per cent of the total number of proposed sites.

3. Site shape factor

a. ~~To demonstrate that proposed sites can accommodate a building,~~ All vacant sites must be able to contain a rectangle with an area equal to half the area of the site where the longer sides are no greater than twice the length of the shorter sides to accommodate a building that complies with all applicable controls of the zone and is located outside of the following while avoiding:

i. the 1 per cent AEP floodplain natural hazard area identified in a council natural hazard register/database or GIS viewer;

- land which may be subject to coastal hazards;
- land affected by coastal storm inundation 1 per cent AEP plus 1m Sea level rise
- land which may be subject to land instability;

~~ii. slopes greater than an average of 1 in 5-~~

iii. protected root zone of a notable tree

iv. Significant Ecological Area or Outstanding Natural Feature or Outstanding Natural Landscape overlay

v. scheduled historic heritage place, or site or place of significance to Mana Whenua

vi. private and public network utility installations, ~~including private and public lines-~~

vii. private and public stormwater and wastewater lines

viii. building line restrictions in the Unitary Plan and on a Certificate of Title

~~viii.~~ ix. right-of-way easements

~~ix.~~ x. area of esplanade reserves and esplanade strips required by clause 2.1.6

~~x.~~ xi. yard setback required by the underlying zone

~~xi.~~ xii. separation distance from national grid transmission lines

~~xii.~~ xiii. riparian, lake or coastal protection yard.

4. Parking areas

a. Where parking spaces are permitted in association with a development or required as part of a development, where resource consent has been obtained and any such development is subdivided under the Unit Titles Act, the parking spaces ~~identified as accessory units~~ must be:

i. held together with the principal units, or

ii. form a part of the common property.

~~b.~~ iii. Any parking spaces identified as a principal unit must be tied to the approved land use by way of a legal instrument on the title.

eb. Discretion may be applied where specific approval has been granted by resource consent for shared car parking with other development within the same precinct.

c. Except that this rule does not apply to building or land used exclusively for car parking

5. Signs

a. Where signs have been approved on a building with resource consent and the development is subdivided under the Unit Titles Act, the signs must not be created as principal units on the survey plan. The sign must be identified as an accessory unit or alternatively form a part of the common property.

Consequential changes to Rule G2.3 of Chapter G General Provisions

PART 3 - REGIONAL AND DISTRICT RULES» Chapter G: Auckland-wide rules

2.3 Rule Control infringements for permitted, controlled and restricted discretionary activities

1. ~~All permitted, controlled and restricted discretionary~~ activities must comply with the ~~land use and development~~ controls applying to the activity.
2. A permitted, controlled or restricted discretionary activity that does not comply with one or more ~~land use or development~~ controls is a restricted discretionary activity unless otherwise stated in the Unitary Plan.
3. For ~~rule control~~ infringements that are a restricted discretionary activity, the council will restrict its discretion to the following matters, in addition to any specific matters listed in the rules:
 - a. Site ~~and/or~~ development and/or proposal characteristics
 - b. The purpose of the control
 - c. cumulative effects arising from multiple development control infringements.
4. The council will consider the relevant assessment criteria below. When assessing a restricted discretionary ~~land use or development~~ control infringement, for the matters of discretion listed above the council may consider the following criteria as they relate to the matters of discretion above, in addition to the relevant assessment criteria listed in the rules.
 - a. Whether the site, location or type of the activity has any unusual features or particular characteristics that make compliance with the development control unnecessary, such as:
 - i. unusual size, shape, topography, substratum, soil type, vegetation or natural hazard susceptibility
 - ii. adverse topography or the unusual use or particular location of buildings on neighbouring sites.
 - iii.
 - b. Whether the effects of the land use or development control infringement still achieves the purpose of the control; ~~demonstrating that (or will in the circumstances result in a better outcome is achieved than a complying proposal).~~ ~~and that the~~
 - c. The proposal makes a positive contribution to the site and/or neighbourhood, locality or environment. ~~by improving liveability, amenity or visual appearance.~~
 - d. Whether the infringement will, in combination with other control infringements, give rise to adverse cumulative effects on the environment. This will require the effects of multiple development control infringements to be considered as a whole and not in isolation from one another.

~~b. While not exhaustive, for applicable developments the ADM may offer guidance on these matters.~~

Advice note: When considering an application for resource consent, Council will consider both the positive and adverse effects on the environment of allowing the infringement.

ATTACHMENT D
Metropolitan, Town and Local Centres

Centre	Zone	Size (ha)
Metropolitan Centres		
Newmarket	Metropolitan Centre	14.71
Takapuna	Metropolitan Centre	21.31
Sylvia Park	Metropolitan Centre	21.50
Botany	Metropolitan Centre	23.46
Papakura	Metropolitan Centre	23.79
Westgate / Massey North	Metropolitan Centre	28.27
New Lynn	Metropolitan Centre	44.55
Manukau	Metropolitan Centre	45.83
Henderson	Metropolitan Centre	47.06
Albany	Metropolitan Centre	69.02
Town Centres		
Sunnynook	Town Centre	2.14
Ellerslie	Town Centre	2.33
Mt Albert	Town Centre	3.21
Remuera	Town Centre	3.48
Northcote	Town Centre	3.76
Three Kings	Town Centre	3.91
Devonport	Town Centre	4.06
Pt Chevalier	Town Centre	4.86
Te Atatu North	Town Centre	4.95
Newton - Upper Symonds St	Town Centre	4.97
Otara	Town Centre	5.54
Whangaparaoa	Town Centre	5.79
Milford	Town Centre	6.53
Glenfield	Town Centre	6.76

Centre	Zone	Size (ha)
Parnell	Town Centre	7.12
Howick	Town Centre	7.27
Helensville	Town Centre	8.52
Wellsford	Town Centre	9.22
Takanini	Town Centre	9.36
Glen Eden	Town Centre	9.72
Orewa	Town Centre	9.78
Highland Park	Town Centre	10.10
Avondale	Town Centre	10.21
Royal Oak	Town Centre	10.41
Browns Bay	Town Centre	10.88
Papatoetoe	Town Centre	10.90
Pakuranga	Town Centre	11.19
St Lukes	Town Centre	11.22
Glen Innes	Town Centre	11.26
Birkenhead	Town Centre	11.64
Warkworth	Town Centre	11.70
Manurewa	Town Centre	12.56
Kumeu - Huapai	Town Centre	12.64
Ponsonby	Town Centre	13.95
Otahuhu	Town Centre	14.18
Stoddard Rd	Town Centre	14.37
Panmure	Town Centre	14.51
Pukekohe	Town Centre	14.84
Ormiston	Town Centre	17.60
Hunters Corner	Town Centre	17.63
Onehunga	Town Centre	18.62
Silverdale	Town Centre	22.60

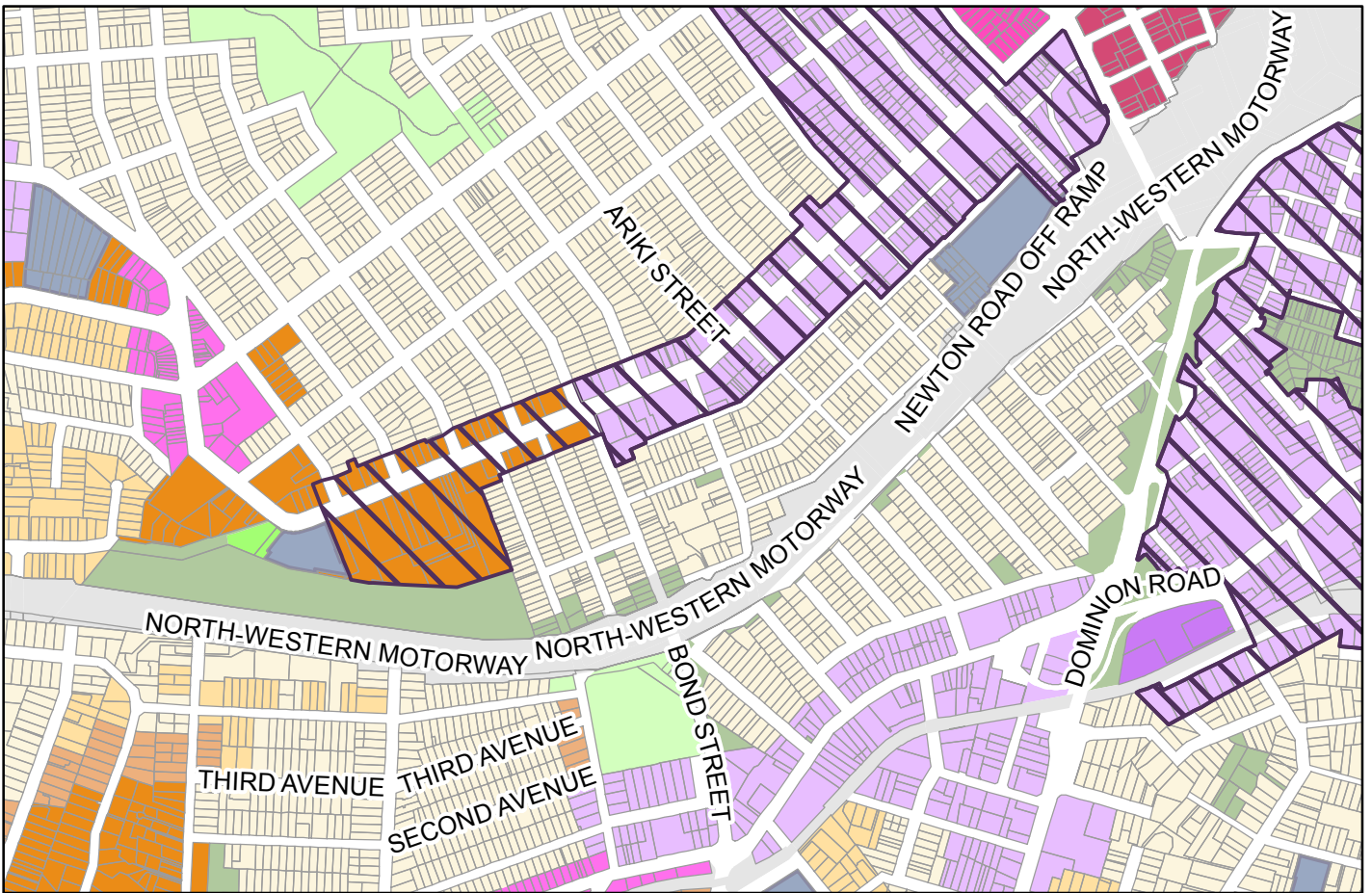
Centre	Zone	Size (ha)
Mangere	Town Centre	25.06
Local Centres		
Sunnyvale	Local Centre	0.25
Sturges	Local Centre	0.49
Homai	Local Centre	0.53
Grafton	Local Centre	0.66
Torbay	Local Centre	0.90
Riverhead	Local Centre	0.91
Hauraki Corner	Local Centre	0.94
Beach Haven	Local Centre	1.05
Mission Bay	Local Centre	1.06
Market Road	Local Centre	1.08
Mangere Bridge	Local Centre	1.13
Panama Road	Local Centre	1.17
Northcross	Local Centre	1.20
Belmont	Local Centre	1.23
Leigh	Local Centre	1.32
Swanson	Local Centre	1.40
Morningside	Local Centre	1.42
Kingsland	Local Centre	1.42
Greenwoods Corner	Local Centre	1.46
Titirangi	Local Centre	1.57
Karaka	Local Centre	1.57
Sandringham	Local Centre	1.70
Hingaia	Local Centre	1.70
St Heliers	Local Centre	1.71
Windsor Park	Local Centre	1.75
West Lynn	Local Centre	1.77

Centre	Zone	Size (ha)
Kaukapakapa	Local Centre	1.87
Glendene	Local Centre	1.92
Mt Eden	Local Centre	2.02
Waimauku	Local Centre	2.05
Drury	Local Centre	2.07
Mt Roskill	Local Centre	2.24
Mairangi Bay	Local Centre	2.28
Kelston	Local Centre	2.31
Favona	Local Centre	2.32
Te Hana	Local Centre	2.43
Gulf Harbour	Local Centre	2.50
Jervois Road	Local Centre	2.52
Stonefields	Local Centre	2.64
Mt Wellington	Local Centre	2.86
Chatswood	Local Centre	2.91
Botany Junction	Local Centre	2.93
Blockhouse Bay	Local Centre	2.95
Long Bay	Local Centre	2.96
Dawsons Road	Local Centre	3.00
Grey Lynn	Local Centre	3.11
Ranui	Local Centre	3.27
Greenlane West	Local Centre	3.33
Kepa Road / Eastridge	Local Centre	3.34
Lynfield	Local Centre	3.58
Mangere East	Local Centre	3.73
Greenlane East	Local Centre	3.81
Meadowbank	Local Centre	3.88
Greville	Local Centre	4.27

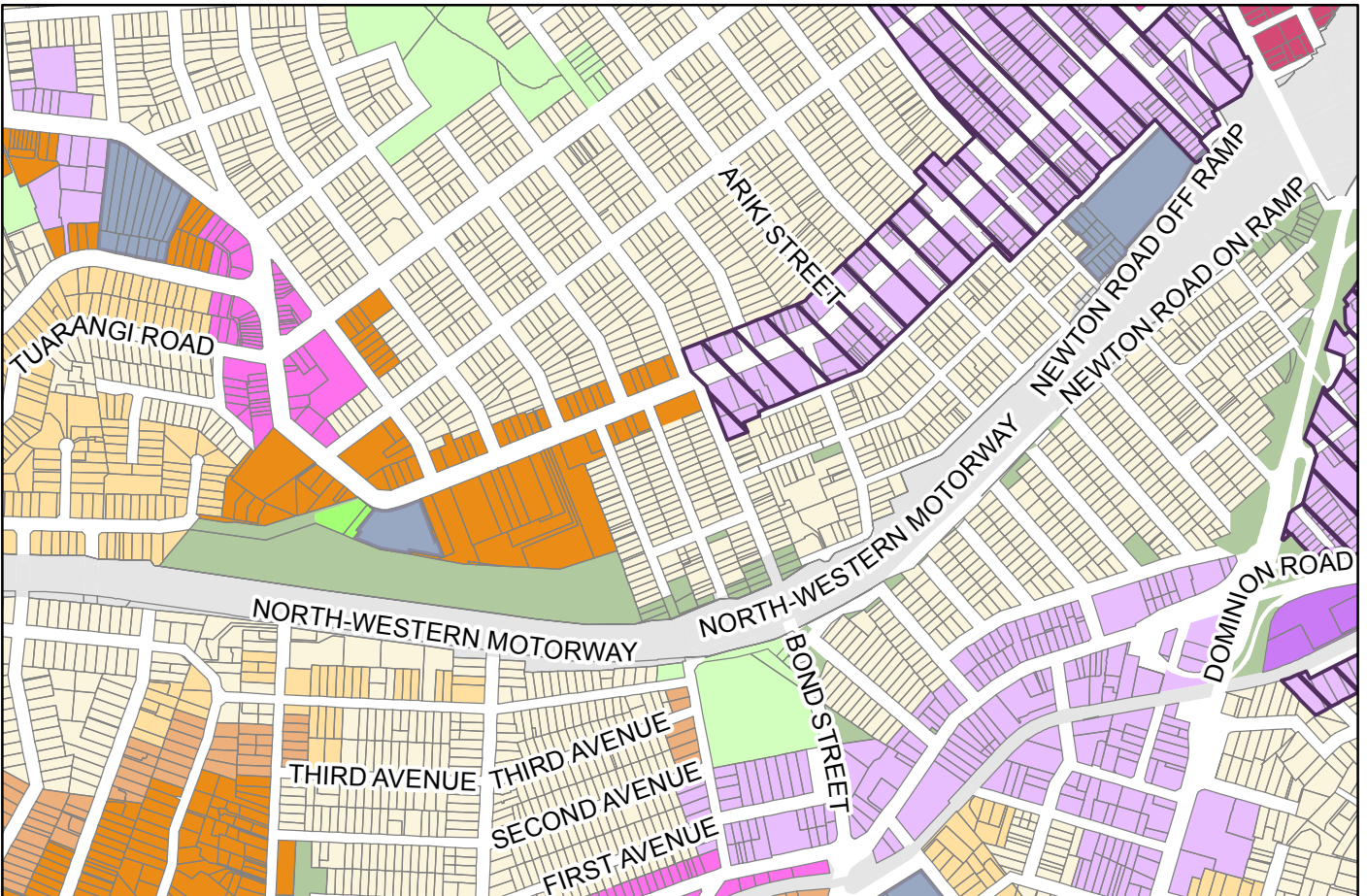
Centre	Zone	Size (ha)
Addison	Local Centre	4.42
Balmoral	Local Centre	4.51
Te Atatu South	Local Centre	4.86
Matakana	Local Centre	4.97
Clendon	Local Centre	6.02
Meadowlands	Local Centre	6.05
Hobsonville	Local Centre	6.44
Eden Valley	Local Centre	6.58
Snells Beach	Local Centre	7.47
Albany Village	Local Centre	8.11
Massey West	Local Centre	9.10
Waiuku	Local Centre	11.70
Newmarket	Metropolitan Centre	14.71

ATTACHMENT E

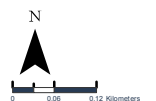
City Centre Fringe office mapping amendment



City Centre Fringe Office - as notified



City Centre Fringe Office - as amended



Created Date: 27 Jul 2015
 Scale @ A3: 1:10,782
 Projection: NZTM
 Datum: NZGD2000
 File Name: City Centre Fringe Office.mxd

BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991
and the Local Government (Auckland
Transitional Provisions) Act 2010

AND

IN THE MATTER of Topic 080 Rezoning and Precincts
(General) and Topic 081 Rezoning and
Precincts (Geographical Areas)

AND

IN THE MATTER of the submissions and further submissions
set out in the Parties and Issues Report

**STATEMENT OF PRIMARY EVIDENCE OF JOHN MICHAEL DUGUID
ON BEHALF OF AUCKLAND COUNCIL**

(ZONING)

3 DECEMBER 2015

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1. SUMMARY

- 1.1 Zoning is a key method within the Proposed Auckland Unitary Plan (**PAUP**) to give effect to the objectives and policies of the proposed Regional Policy Statement (**RPS**). Zoning allows regional and district provisions to be grouped by geographic area. The notified PAUP provides for a regionally consistent approach through the six Residential zones, ten Business zones, five Rural zones, five Public Open Space zones, eleven Special Purpose zones, seven Coastal zones, the Strategic Transport Corridor Zone and the Future Urban Zone. Where important values or characteristics exist in a part of the region, these are provided for through the use of Overlays and Precincts.
- 1.2 The purpose of this evidence is to provide a strategic planning overview for Topic 080 Rezoning and Precincts (General) (**Topic 080**) and Topic 081 Rezoning and Precincts (Geographical Areas) (**Topic 081**). As part of this evidence I provide a recap on the Council's proposed strategy for managing growth in Auckland. I also outline the Council's proposed approach to applying zones to give effect to the RPS, and to achieve the objectives and policies for the Auckland-wide provisions, zones and overlays in an integrated manner. I also provide an overview of the presentation of the Council's evidence in response to the many submissions received in relation to zoning. Through the PAUP submissions process, the Council received over 20,000 rezoning requests in relation to more than 80,000 properties.
- 1.3 In addition to this statement of evidence, I have prepared a separate statement of evidence for Topic 080 and Topic 081. The separate statement discusses the Council's approach to precincts.

Council's Approach to Zoning

- 1.4 The Council's proposed objectives of the RPS seek to provide for growth in a quality compact urban form by containing urban growth within a Rural Urban Boundary (**RUB**). The focus for accommodating urban growth is primarily within the existing metropolitan area, which is defined by the legacy Metropolitan Urban Limit 2010 (**metropolitan area 2010**). To support a quality compact urban form, higher residential densities are enabled around centres and frequent public transport routes and stations. Outside the metropolitan area 2010, growth is focused in the RUB within greenfield areas that are contiguous with the urban area and satellite towns.

1.5 In determining the zoning that should be applied in response to submissions on the PAUP, the Council has been guided by the overall strategy to focus growth primarily within the metropolitan urban area. To give effect to the wider objectives of the RPS, other overarching considerations that have influenced the Council's proposed application of zones include:

- (a) Providing for increased housing capacity through the application of the Terrace Housing and Apartment Buildings (**THAB**) zone and Mixed Housing Urban (**MHU**) zone within moderate walking distance from centres, the frequent transport network, the rapid transit network or major community facilities and open space;
- (b) Ensuring that the methods included within the PAUP to manage historic character and areas of ecological significance (e.g. overlays) are complemented by the application of a zone (e.g. the Single House Zone (**SHZ**)) that minimises the potential for a mis-match between the zone and those other methods;
- (c) Ensuring that the methods included within the PAUP to manage regionally significant views to and between the maunga (e.g. overlays) are complemented by the application of a zone that minimises the potential for a mis-match between the zone and those other methods;
- (d) Limiting growth in unserviced settlements in rural and coastal areas through the application of the Rural Coastal Settlement Zone;
- (e) Limiting growth in serviced settlements through the application of a zone that will not create undue development pressure such as the SHZ;
- (f) Recognising and providing for a hierarchy of centres that stems from the Auckland Plan and following the proposed criteria set out in Chapter B3.1 of the RPS when considering the outward expansion of centres;
- (g) Enabling a sufficient supply of land for industrial activities, particularly land for extensive industrial activities and heavy industry, where the scale and intensity of effects anticipated in those zones can be accommodated and managed;
- (h) Managing reverse sensitivity by considering the interface between the Heavy Industry zone and more intensive residential zones, and generally not 'upzoning' within 500m of the Heavy Industry Zone and within the Sensitive Activity Restriction overlay;
- (i) Managing the impacts on regionally and nationally significant infrastructure, such as the national grid, to ensure they are appropriately protected from incompatible development and reverse sensitivity effects through the application of the SHZ or Mixed Housing zones;

- (j) In areas subject to significant natural hazard risks, applying a zone that limits the potential for increases in adverse consequences, taking into account the nature of the risks present, development opportunities and the vulnerability of activities;
- (k) Limiting growth in areas with poor accessibility to the City Centre, Metropolitan, Town and Local Centres, the existing or planned public transport network or large urban facilities, or in areas with significant infrastructure constraints, to ensure there is alignment between land use and infrastructure provision (e.g. through the application of the SHZ, Large Lot zone or Rural and Coastal Settlement zone);
- (l) Retaining the Special Purpose School zone for independent and integrated schools and applying a residential or business zone to state schools consistent with the zones applied adjoining or adjacent to the school;
- (m) Generally applying a Residential or Business zone consistent with the zones applied adjoining or adjacent to the subject site for tertiary education facilities and retirement villages; and
- (n) Rezoning within the Future Urban zone should generally only occur where necessary to reflect a Special Housing Area variation that has reached the decision stage, or to correct an error (i.e. the land already has a “live” zone in the Council’s operative district plan).

1.6 In determining the zoning applied in response to submissions on the PAUP, the Council is also guided by the overall strategy to allow for 40% of growth outside the metropolitan urban area. As discussed in the evidence of Dr Fairgray for the Council in Topics 059-063 on the Residential zones, the development capacity modelling has revealed that upzoning is not required to achieve 40% of growth outside the metropolitan urban area.

1.7 To ensure the proposed application of zones gives effect to the RPS and achieves the objectives and policies of the Auckland-wide provisions, zones and overlays in an integrated manner, a zoning principles matrix was developed to provide clear and consistent guidance for applying the zoning to particular sites in the region. The matrix consolidates and interprets the objectives and policies of the RPS, Auckland wide, zone and overlay provisions. The principles also incorporate the Panel’s best practice approaches to re-zoning and precincts set out in the Interim Guidance dated 31 July 2015¹.

¹ AUIHP Interim Guidance Best Practice Rezoning, Precincts and Changes to the Rural Urban Boundary dated 31 July 2015.

Presentation of the Council's Evidence on Zoning

- 1.8 The submission points requesting rezoning to the Public Open Space, Special Purpose and Coastal zones have been allocated to Topic 080 Rezoning and Precincts (General). The Council's approach to submission points allocated to Topic 080 is to group the submission points by zone, and to respond to the same type of request collectively.
- 1.9 The submission points requesting rezoning to the Residential, Business, Future Urban and Rural zones have been allocated to Topic 081 Rezoning and Precincts (Geographical Areas). The exceptions to this are the zoning requests relating to the City Centre zone, which were discussed in the Council's evidence for Topic 050 City Centre, and requests to rezone to FUZ, which are dealt with in the RUB Topics 016 and 017. However, requests to rezone FUZ areas to one of the PAUP's urban zones are considered in the Council's evidence for Topic 081.

PART A – OVERVIEW AND BACKGROUND

2. INTRODUCTION

- 2.1 My full name is John Michael Duguid. I hold the position of General Manager Plans and Places at Auckland Council (**Council**). My qualifications and experience are provided in **Attachment A**. I have been intimately involved in the development of the Proposed Auckland Unitary Plan (**PAUP**) since Council was formed on 1 November 2010.

3. CODE OF CONDUCT

- 3.1 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

4. SCOPE

- 4.1 This statement of evidence outlines the Council's approach to zoning and addressing the submissions received on the PAUP that seek to rezone land or areas within the Auckland region, including the coastal marine area (**CMA**), that have been allocated to

Topic 080 Rezoning and Precincts (General) (**Topic 080**) and Topic 081 Rezoning and Precincts (Geographical Areas) (**Topic 081**). In particular this evidence outlines:

- (a) the relevant statutory framework;
- (b) an overview of the structure of the PAUP and how the zones have been applied within the PAUP;
- (c) the Council's general approach to rezoning requests; and
- (d) the Council's position in relation to 'out of scope' amendments.

4.2 These matters are not repeated in the planning evidence reports produced by the Council's witnesses for Topics 080 and 081, which specifically address submissions that seek to rezone land or areas within the region, including the CMA.

4.3 I have relied on the following statements of evidence when forming my view on the Council's approach to zoning within the PAUP and refer to them where relevant:

- (a) Donald Munro, Public Transport (Auckland Transport);
- (b) Mark Bourne, Water Infrastructure Planning (Watercare Services Ltd);
- (c) Anthony Reidy, Zoning of Roads;
- (d) David Mead, Natural Hazards (including Flooding);
- (e) Deborah Rowe, Historic Heritage and the Pre 1944 Overlay;
- (f) Lisa Mein, Historic Character; and
- (g) Peter Reaburn, Viewshafts and Height Sensitive Areas.

4.4 I am familiar with the approach set out in the evidence filed on behalf of the Council in respect of prior PAUP hearing topics that are relevant to zoning. I refer to relevant statements of evidence where appropriate in this evidence.

4.5 In addition to this statement of evidence, I have prepared a separate statement of evidence for Topic 080 and Topic 081. The separate statement discusses the Council's approach to precincts.

5. STATUTORY FRAMEWORK

Resource Management Act 1991

5.1 In the PAUP as notified, depending on the location of the zone, zoning is either a regional plan or a district plan method. The statutory framework for assessing the

merits of the spatial application of the zones is set out in sections 30, 31, 32, 63 to 68 and 72 to 76 of the Resource Management Act 1991 (**RMA**).

5.2 By way of summary, the proposed zoning of land and the CMA must:

- (a) Accord with and assist the Council in carrying out its functions so as to meet the requirements of Part 2 of the RMA²;
- (b) Have regard to the actual and potential effect of activities on the environment;³
- (c) Have regard to any evaluation report prepared in accordance with section 32;⁴
- (d) Be in accordance with any regulations (including National Environmental Standards);⁵
- (e) Give effect to the proposed Regional Policy Statement (**RPS**) in the PAUP;⁶
- (f) Have regard to any proposed regional plan of its region in relation to any matter of regional significance or for which the Council (as a regional council) has primary responsibility under Part 4 of the RMA;⁷
- (g) Have regard to management plans and strategies under other Acts, including the Auckland Plan (to the extent that they have a bearing on the resource management issues in the region);⁸
- (h) Have regard to any relevant entry on the New Zealand Heritage List, and to regulations relating to ensuring sustainability, or the conservation, management, or sustainability of any fishing resources (to the extent that they have a bearing on the resource management issues in the district);⁹
- (i) Have regard to the extent to which the regional plan and district plan needs to be consistent with policy statements and plans of adjacent regional councils and territorial authorities;¹⁰
- (j) Have regard to the Crown's interest in the CMA; any regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources; and the extent to which the regional plan needs to be consistent with regulations made under the Exclusive Economic Zone and Continental Shelf (Environmental Effects) Act 2012;¹¹

² Sections 63(1) and 74(1)(b) of the RMA.

³ Sections 68(3) and 76(3) of the RMA.

⁴ Sections 66(1)(d), 66(1)(e), 74(1)(d) and 74(1)(e) of the RMA.

⁵ Sections 66(2)(c)(iii) and 74(1)(f) of the RMA.

⁶ Section 66(2)(a) and 75(3)(c) of the RMA and sections 122(1) and 145(1)(f)(i) of LGATPA. See Judicial Conference on Interim Recommendations 27 January 2015 Conference Minute.

⁷ Section 74(2)(a)(ii) of the RMA.

⁸ Sections 66(1)(f), 66(2)(c)(i) and 74(2)(b)(i) of the RMA and section 145(2) of the LGATPA.

⁹ Sections 66(2)(c) 74(2)(b) (iia) of the RMA.

¹⁰ Sections 66(2)(d) and 74(2)(c) of the RMA.

¹¹ Sections 66(2)(b),(c)(iii) and (e) of the RMA.

- (k) Take into account any relevant planning document recognised by an iwi authority and lodged with the Council to the extent that its content has a bearing on the resource management issues of the district or region;¹²
- (l) Recognise and provide for the matters in a planning document prepared by a customary marine title group under section 85 of the Marine and Coastal Area (Takutai Moana) Act 2011 and lodged with the Council to the extent they relate to the relevant customary marine title area; and take into account the matters in that document to the extent they relate to a part of the common marine and coastal area outside the customary marine title area;¹³
- (m) Must not have regard to trade competition (or the effects of trade competition);¹⁴
- (n) Comply with other statutes (which in the Auckland region include the Hauraki Gulf Maritime Park Act 2000 and the Waitakere Ranges Heritage Area Act 2008); and
- (o) Give effect to any national policy statement and the New Zealand Coastal Policy Statement (**NZCPS**).¹⁵

5.3 Under section 32 of the RMA, an evaluation must also:

- (a) Examine whether the proposed spatial application of zones is the most appropriate way to achieve the objectives of the PAUP by identifying other reasonably practicable options for achieving the objectives, assessing the efficiency and effectiveness of the provisions in achieving the objectives,¹⁶ and summarising the reasons for deciding on the proposed application of zones; and
- (b) Contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from implementing the proposed spatial application of zones.

5.4 I have considered this framework when undertaking my analysis of the overarching matters and principles that should guide the spatial application of zones within the PAUP. In terms of the Council's functions under the RMA, I consider sections 30(1)(a) and 31(1)(a) to be particularly relevant to zoning. This is because the way in which

¹² Sections 66(2A)(a) and 74(2A) of the RMA.

¹³ Section 66(2A)(b) of the RMA.

¹⁴ Sections 66(30) and 74(3) of the RMA.

¹⁵ Section 75 of the RMA.

¹⁶ Noting that such an assessment must also identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from implementing the provisions including the opportunities for economic growth and employment that are anticipated to be provided or reduced, quantify these benefits and costs if practicable, and assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (section 32(2) of the RMA).

zones are applied will have a major impact on the integrated management of the natural and physical resources of the region and effects of the use, development or protection of land and associated natural and physical resources of the district.

- 5.5 The Council's functions under section 30(1)(gb) are also of particular relevance to the application of zones, as those functions include the strategic integration of infrastructure with land use.

Part 2 - Purpose and Principles

- 5.6 The RMA has an overriding purpose to promote the sustainable management of natural and physical resources. Section 5 of the RMA defines sustainable management as:

“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:

- *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations*
- *safeguarding the life supporting capacity of air, water, soil and ecosystems*
- *avoiding, remedying or mitigating any adverse effects of activities on the environment.*¹⁷”

- 5.7 The PAUP adopts a zoning approach to land use and the management of activities in the CMA. Zones are areas where common land uses and activities are anticipated. Zones are spatially mapped in the PAUP GIS viewer and all land and areas within the CMA are assigned a single zone. Zoning is a key method used in the PAUP to achieve the purpose of the RMA. Zoning as a technique allows *“bundles of activities considered generally appropriate in each zone or area, in recognising the constraints of the environment, and that some activities may not be appropriate in every location”*.¹⁸ Zoning also sets out a common policy direction to assist in determining the existing or future nature of those areas.

- 5.8 The matters of national importance set out in section 6 of the RMA represent values that must be recognised and provided for when considering appropriate locations for zones. Many of these values are represented by overlays in the PAUP, including Significant Ecological Areas (**SEA**) and Outstanding Natural Landscapes (**ONL**).

¹⁷ Section 5 of the RMA

¹⁸ *Keystone Watch Group v Auckland City Council* A7/2001 at paragraph [30].

- 5.9 In determining the location of zones, particular regard must also be had to the matters listed in section 7 of the RMA, including the efficient use and development of natural and physical resources, the intrinsic values of ecosystems, the maintenance and enhancement of the quality of the environment, and the maintenance and enhancement of amenity values.
- 5.10 Section 8 of the RMA requires the principles of the Treaty of Waitangi (**Treaty**) to be taken into account. The Council and Auckland's Mana Whenua engaged extensively with one another during the preparation of the PAUP. This high level of engagement, complemented by advice from the Independent Maori Statutory Board, ensured the Council had a sound understanding of the resource management issues of significance to Mana Whenua. There are provisions throughout the PAUP (including those relating to the Special Purpose – Maori zone) that address these issues.

Section 32 RMA Evaluation

- 5.11 As outlined in the Auckland Unitary Plan Evaluation Report (**the Evaluation Report**), the Council focused its initial section 32 assessment on the provisions within the PAUP that represented significant changes in approach from those within the Council's current operative RMA policies and plans. While the Evaluation Report applies to the PAUP as a whole, the report targets the 50 topics where the provisions represent a significant policy shift. Zones and matters of relevance to zoning are discussed in the Evaluation Report; however the report does not contain a specific chapter on the Council's overall approach to zoning.

New Zealand Coastal Policy Statement

- 5.12 As I have previously mentioned, regional plans and district plans are required to give effect to the NZCPS. The following provisions of the NZCPS are of particular relevance to zoning:
- Policy 2 requires, in taking account of the principles of the Treaty of Waitangi, recognition that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;
 - Policy 6(1)(c) seeks to 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;

- Policy 6(1)(f) encourages consideration to be given to where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
- Policy 6(1)(i) seeks to set back development from the CMA and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment;
- Additionally, Policy 6(2), in relation to the coastal marine area seeks to:
 - (b) recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;
 - (c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places; and
 - (d) recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there;
- In relation to ports, Policy 9 seeks to ensure that development in the coastal environment does not adversely affect the efficient and safe operation of the ports;
- Policy 11 requires avoidance of adverse or significant adverse effects on sites that are important to maintaining biodiversity, particularly indigenous biodiversity;
- Policies 13 and 15 seek to (respectively) preserve the natural character of the coastal environment and to protect the natural features and natural landscapes of the coastal environment from inappropriate subdivision, use, and development, including by ensuring that regional policy statements and plans, maps or otherwise identify areas for which objectives, policies and rules are required to implement these policies;
- Policy 18 seeks to recognise the need for public open space within and adjacent to the coastal marine area, and to provide for such public open space, including future need for public open space, in and close to cities, towns and other settlements;
- Policy 19 seeks to maintain and enhance public walking access to, along and adjacent to the coastal marine area;
- Policy 24 provides for the identification of coastal hazards and assessment of hazard risks over at least 100 years;
- Policy 25 addresses subdivision use and development in areas subject to coastal hazard risk, by seeking to:
 - (a) avoid increasing the risk of social, environmental and economic harm from coastal hazards;
 - (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards;

- (c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards;
- (d) encourage the location of infrastructure away from areas of hazard risk where practicable; and
- Policy 27 sets out strategies for protecting significant existing development from coastal hazards risks.

The Auckland Plan

- 5.13 The Auckland Plan is a 30 year strategy for Auckland’s future growth and development required under the Local Government (Auckland Council) Act 2009. It sets out the overall vision for Auckland to become the world’s most liveable city. The Auckland Plan is a strategy prepared under another Act to which regard should be had pursuant to section 74(2)(b)(i) of the RMA. The Auckland Plan specifically identifies the PAUP as a means of implementing the Auckland Plan.¹⁹
- 5.14 Section D of the Auckland Plan is of particular relevance to zoning as it sets out a development strategy for Auckland to 2040. A key element of the development strategy is moving to a more compact quality urban form.
- 5.15 Section 10 of the Auckland Plan focuses on urban Auckland, including how to achieve the development strategy. A key strategic direction of the development strategy for urban Auckland is to “create a stunning city centre, with well-connected quality towns, villages and neighbourhoods” (Strategic Direction 10). The three stated priorities for urban Auckland are to:
- (a) realise quality compact urban environments;
 - (b) demand good design in all development; and
 - (c) create enduring neighbourhoods, centres and business areas.
- 5.16 A key strategic direction of the development strategy for rural Auckland is to “keep rural Auckland productive, protected and environmentally sound” (Strategic Direction 9). Section 9 of the Auckland Plan focuses on rural Auckland and how to achieve this strategic direction. The two stated priorities for rural Auckland are to:
- (a) create a sustainable balance between environmental protection, rural production, and activities connected to the rural environment; and

¹⁹ The Auckland Plan, Section A2, Paragraph 14

- (b) support rural settlements, living and communities.
- 5.17 Schedule 2 to Chapter 9 classifies rural settlements according to their existing and future role and function as part of a network across rural Auckland. Rural settlements are classified into the following categories:
- (a) satellite towns;
 - (b) rural and coastal towns; and
 - (c) rural and coastal villages (serviced and unserviced).
- 5.18 Chapter 11 of the Auckland Plan provides a specific focus on Auckland’s housing, with an overall aspirational goal that all Aucklanders have secure, healthy homes they can afford. Key priorities to achieve this aspiration are:
- (a) increasing housing supply to meet demand; and
 - (b) increasing housing choice to meet diverse preferences and needs.
- 5.19 Chapter 12 of the Auckland Plan provides a specific focus on physical and social infrastructure, with an overarching goal of ensuring Auckland becomes more liveable and resilient through planning, delivering and maintaining quality infrastructure. Key priorities to achieve this aspiration are:
- (a) optimising, integrating and aligning network utility provision and planning; and
 - (b) protecting, enabling, aligning and integrating the provision of social and community infrastructure for present and future generations.
- 5.20 Chapters 4 and 7 of the Auckland Plan seek to reinforce Auckland’s sense of place through the protection of historic and natural heritage. The relevant strategic directions aspire to “protect and conserve Auckland’s historic heritage for the benefit and enjoyment of present and future generations” (Strategic Direction 4) and through “Acknowledging that nature and people are inseparable.” Key priorities to achieve these aspirations include:
- (a) understanding, valuing and sharing our heritage;
 - (b) valuing our natural heritage;
 - (c) sustainably managing natural resources;
 - (d) treasuring our coastline, harbours, islands and marine areas; and
 - (e) building resilience to natural hazards.

5.21 The Auckland Plan identifies the need to achieve a balance between increasing the development potential of land in Auckland, and ensuring the protection of historic and natural heritage, integration with infrastructure, resilience to natural hazards and enabling housing choice. As outlined in the Council's evidence for the RPS hearings from Chloe Trenouth,²⁰ Michael Tucker²¹ and Bain Cross,²² the RPS is a key mechanism for implementing the strategic directions set out in the Auckland Plan.

Housing Accords and Special Housing Areas Act 2013

5.22 Special Housing Areas are a tool provided for within the Housing Accords and Special Housing Areas (**HASHA**) legislation and through the Council's agreement with the Government, the Auckland Housing Accord. The primary purpose of HASHA and the Auckland Housing Accord is to boost Auckland's housing supply.

5.23 Approval and consenting processes under HASHA use the notified provisions of the PAUP and developments in Special Housing Areas are therefore based on the PAUP residential zones. The HASHA also establishes a process for rezoning land for housing by way of a variation to the PAUP. A number of variations have been notified since the HASHA was enacted.

6. REGIONAL POLICY STATEMENT

6.1 The RPS seeks to achieve a quality compact city where urban growth is primarily focused within the metropolitan area 2010, and concentrated around defined centres. In addition to the various urban growth and development objectives of the RPS, there are objectives that provide for specific matters such as the protection of historic character and natural heritage and the management of other issues such as the risks associated with natural hazards, and protecting major infrastructure and heavy industrial land from reverse sensitivity.

6.2 Key sections of the RPS, as amended by the Council's current position (set out in the tracked change provisions attached to the various closing statements for Topics 005 to

²⁰ Chloe Trenouth, Topic 010, EIC, paragraph 6.4

²¹ Michael Tucker, Topic 013, EIC, paragraph 10.6

²² Bain Cross, Topic 011, EIC, paragraphs 6.6-6.7

018²³), which need to be considered and given effect to through the application of zones and precincts include:

- (a) *B2.1 Providing for growth in a quality compact urban form* implements the strategic direction of the Auckland Plan by seeking to move toward a quality compact urban form. Objective 1 seeks to support a compact urban form with a clear defensible limit to the urban expansion of the metropolitan area, satellite towns, rural and coastal towns and serviced villages. Residential growth should be focused within and around centres and within moderate walking distances from the city, metropolitan, town and local centres, the rapid and frequent service network and within close proximity to urban facilities (Objective 3, Policy 2). Outside the metropolitan area 2010 urban growth is focused on greenfield land within the Rural Urban Boundary (**RUB**) that is contiguous with the urban area and the satellite towns of Pukekohe and Warkworth (Objective 4).
- (b) *B2.2 A Quality Built Environment* seeks to deliver quality, sustainable development as Auckland moves towards a more compact urban form. The policy direction acknowledges a need for development to provide housing choice for communities (Objective 1B).
- (c) *B2.3 Development Capacity and supply of land for urban development* seeks to ensure there is sufficient development capacity and land supply to accommodate projected population and business growth. 70 per cent of growth should be accommodated within the metropolitan area 2010 (Objective 2) and 40 per cent of growth should be accommodated outside the metropolitan area 2010 (Objective 3). Policy 3 requires structure planning to rezone future urban land within the RUB.
- (d) *B2.5 Rural and coastal towns and villages* seeks to contain growth within the existing extent of unserviced settlements due to factors including servicing, infrastructure and accessibility constraints, and in some cases their sensitive character (Objective 2). Objective 3 seeks that growth within serviced villages is contained within the RUB, or where a RUB has not been established, within the urban areas existing at the date the Auckland Unitary Plan becomes operative.
- (e) *B2.6 Public open space and recreational facilities* seeks to enable the provision of quality public open spaces, particularly in intensified areas and in areas with access to the coast (Objectives 3 and 5).

²³ Topics 005 (RPS Issues), 006 and 007 (RPS Natural Resources and RPS Climate Change), 008 (RPS Coastal), 009 (RPS Mana Whenua), 010 (RPS Heritage and Special Character), 011 (RPS Rural), 012 (RPS Significant Infrastructure, Energy and Transport), 013 (RPS Urban Growth), 013 (B3.1 RPS Urban Growth – Commercial and Industrial Growth), 018 (RPS General).

- (f) *B2.7 Social infrastructure* recognises the importance of social facilities, such as educational facilities, in providing for the health, safety, social, economic and cultural well-being of people and communities. Local, small-scale social infrastructure (e.g. medical centres, places of worship, care centres, primary schools, community halls and cultural facilities) are to be provided for in areas accessible to local communities, while larger scale social infrastructure is to be located in centres and/or in close proximity to public transport (Policy 1).
- (g) *B3.1 Commercial and Industrial Growth* seeks to sustain and enhance the role and function of centres as focal points for commercial growth and activities to support a compact urban form (Objective 1). Objective 3 seeks to provide for industrial activities in a manner that avoids conflicts between incompatible activities.
- (h) *B3.2 Significant infrastructure* seeks that infrastructure planning and development is integrated and coordinated with land use and development to support growth (Objective 5). Objective 6 seeks to ensure that Auckland's significant infrastructure is protected from reverse sensitivity effects and incompatible subdivision, use and development.
- (i) *B3.3 Transport* seeks to provide for an effective, efficient and safe transport system that is integrated with, and supports, a quality, compact form of urban growth and associated land use (Objective 2).
- (j) *B4.1 Historic heritage* seeks to identify and protect historic heritage places from inappropriate subdivision, use and development (Objective 1).
- (k) *B4.2 Special (Historic) character* seeks to ensure the character of identified historic character areas is retained and enhanced (Objectives 1 and 3). Objective 4 seeks that a precautionary approach is taken to the management of areas that have been identified as having high potential for historic character values, while they are further evaluated and a determination is made as to whether they should be included in the Historic Character overlay.
- (l) *B4.3.1 Natural character of the coastal environment* seeks to ensure that subdivision, use and development within the coastal environment, wetlands, lakes and rivers and their margins preserve the natural character of these areas (Objective 1).
- (m) *B4.3.2 Landscape and Natural Features* seeks to protect Auckland's natural landscapes and features that provide important reference points and a strong association with the character and identity of Auckland. In particular, this section seeks to identify and protect regionally significant views to and between Auckland's maunga (Objective 7). Objective 6 seeks to ensure that

landscape values are recognised in the management of existing rural production.

- (n) *B4.3.4 Biological diversity* seeks to protect areas of significant indigenous biological diversity from the adverse effects of subdivision, use and development (Objective 1).
- (o) *B5.1 Recognition of Te Tiriti o Waitangi partnerships and participation* seeks that the principles of the Treaty are recognised and provided for in the sustainable management of ancestral lands, water, air, coastal sites, wāhi tapu and other taonga, and natural and physical resources. In particular, Objective 4 seeks that the development and use of Treaty settlement land is enabled in ways that give effect to the outcomes of Treaty settlements.
- (p) *B5.3 Māori economic, social and cultural development* recognises that Mana Whenua should be able to occupy, develop and use their land within their ancestral rohe (Objective 2).
- (q) *B5.4 Protection of Mana Whenua cultural heritage* seeks to protect the tangible and intangible values of Mana Whenua cultural heritage.
- (r) *B6.1 Air* seeks to minimise reverse sensitivity conflicts by avoiding or mitigating potential land use conflicts between activities that discharge to air and activities that are sensitive to air discharges (Policy 1C).
- (s) *B6.7 Natural hazards* seeks to not increase, and reduce where possible, the risks of adverse effects to people, property and infrastructure from natural hazards (Objective 1). Objective 2 seeks to protect the natural function of flood plains.
- (t) *B7.1 Subdivision, use and development in the coastal environment* seeks to ensure that the adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied or mitigated (Policy 2A). Objective 4 seeks to achieve integrated management of activities on land and in the CMA. Objective 5 seeks that the risk of subdivision, use and development in the coastal environment being adversely affected by coastal hazards is not increased.
- (u) *B7.2 Public access and open space in the coastal environment* seeks to maintain and enhance public access to and along the CMA (Objective 1).
- (v) *B7.4 Managing the Hauraki Gulf* seeks to maintain and enhance the significant open space, recreation and amenity values of the Gulf (Objective 6).
- (w) *B8. 1 Rural Activities* seeks to enable rural production and other activities that support rural communities, while maintaining rural character and amenity values (Objective 2). Objective 3 seeks to protect Auckland's rural areas

outside the RUB, and rural and coastal towns and villages from inappropriate subdivision, urban use and development.

- (x) *B8.2 Land with High Productive Potential* seeks to manage elite and prime land to maintain its capability, flexibility and accessibility for primary production (Objective 1). The productive potential of land that is not elite or prime land is recognised (Objective 2).
- (y) *B8.3 Rural Subdivision* seeks to ensure that subdivision does not undermine the productive potential of rural land, and avoids, remedies or mitigates adverse effects on biodiversity or landscape values, rural character or amenity values, of rural land (Objective 1). Objective 2 seeks to prevent further fragmentation of rural land by sporadic and scattered subdivision for urban and countryside living purposes. Objective 3 encourages the use and development of existing titles rather than the subdivision of land for new sites. Objective 4 encourages the amalgamation and transfer of rural sites to areas that can best support them.

6.3 The objectives and policies of the RPS set out above are highly interlinked. An integrated approach is therefore required to ensure that the spatial application of zones gives effect to the provisions of the RPS *as a whole*.

7. INTERIM GUIDANCE FROM THE PANEL

7.1 The Panel has released Interim Guidance that is relevant for zoning and precincts. Of particular relevance to this Topic is the Panel's Interim Guidance relating to:

- (a) Best practice approaches to re-zoning and precincts, dated 31 July 2015; and
- (b) Air Quality, dated 25 September 2015.

7.2 The Panel's Interim Guidance on best practice approaches to re-zoning and precincts sets out best practice approaches to changing zoning and precincts. I support the Panel's guidance.

7.3 In its Interim Guidance on Air Quality, the Panel has indicated that the Sensitive Activity Restriction (**SAR**) overlay should be deleted.²⁴ Within paragraphs 19.6 to 19.9 I outline the Council's principle for zoning under the SAR overlay. I have read the Panel's Guidance to the effect that the SAR overlay is not appropriate, but due to reverse sensitivity issues at the interface with the Heavy Industry zone, I consider that the

²⁴ AUIHP Interim Guidance Air Quality dated 25th September 2015

zoning approach discussed in paragraphs 19.6 to 19.9 is still appropriate whether or not the SAR overlay is retained within the PAUP.

8. PROPOSED AMENDMENTS OUTSIDE THE SCOPE OF SUBMISSIONS

- 8.1 In accordance with section 144(3)(a) of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**), the Panel has the ability to make recommendations about changes to the PAUP that were not raised by submitters and not within the scope of submissions ('out of scope' recommendations).
- 8.2 In Part C of my evidence I outline the Council's approach to submissions requesting the rezoning of land (paragraphs 12.1 to 19.34). In particular, I discuss how zoning principles were established to guide the spatial application of the objectives and policies of the RPS and the zones themselves. The zoning principles were developed to assist the Council in responding to requests to rezone land. In particular, they were developed to ensure that the PAUP's regional and district plan provisions give effect to the RPS in a consistent and integrated manner, ensure that the location of the PAUP zones is the most appropriate way of achieving the PAUP's district plan objectives, and to achieve the other statutory criteria I have previously outlined.
- 8.3 Within its Interim Guidance regarding the Best Practice approaches to re-zoning and precincts,²⁵ the Panel specifies that zone boundaries need to be clearly defensible (e.g. follow roads where possible or other boundaries consistent with the purpose of the zone). The Panel also outlines that it does not consider spot zoning to be best practice.
- 8.4 In determining a change to zoning in response to a submission, an appropriate zone can be applied to a site or area where a specific submission point has requested a change. A site-specific submission point makes reference to a particular property or area (e.g. a street, neighbourhood or suburb). In this case, the proposed changes are clearly within the scope of submissions. If however, amendments are only made to the zoning of sites where there is a site-specific submission, then this would result in extensive spot zoning, inconsistent changes across the region and misalignment with the RPS.
- 8.5 In my view it is important to consider rezoning sites and areas that were not the subject of specific submissions. Doing so will avoid extensive spot zoning and achieve better planning outcomes for Auckland. Failing to do so is likely to result in the district plan

²⁵ AUIHP Interim Guidance Best Practice Rezoning, Precincts and Changes to the Rural Urban Boundary dated 31st July 2015

provisions of the PAUP not giving effect to the RPS, and a clear disconnect between the objectives and policies of the various zones and their spatial application.

PART B – DEVELOPMENT OF THE PAUP

9. OVERALL STRUCTURE

9.1 The PAUP includes a hierarchical policy framework that incorporates the RPS and regional and district plans in a comprehensive and integrated Unitary Plan. The structure is described in the evidence of Michele Perwick on behalf of the Council for Topic 003 (Chapter A Introduction).²⁶ The PAUP comprises the following three main parts:

- (a) Part 1 – The RPS provides the umbrella for the PAUP, setting up the overarching policy direction to achieve the integrated management of the Auckland’s natural and physical resources;
- (b) Part 2 – Consists of the regional and district objectives and policies, and area-based objectives and policies; and
- (c) Part 3 – Consists of the regional and district rules, and area-based rules.

9.2 Within Parts 2 and 3 the regional and district provisions are grouped depending on whether the provisions:

- (a) are specific to an outcome area (zone);
- (b) apply across the region – e.g. transport, stormwater and earthworks (Auckland-wide);
- (c) apply to a spatially defined area (overlays) which may traverse many zones and either protect and manage the values present within an area (e.g. SEA), or provide for a particular planning outcome (e.g. avoiding reverse sensitivity between land uses); and/or
- (d) apply to a specific area (precinct) to recognise local issues by providing more detailed place-based provisions.

²⁶ Michele Perwick Topic 003, EIC paragraph 10.1-10.5

10. ZONING STRUCTURE

- 10.1 There are a total of 99 residential, business and rural zones across the legacy district plans.²⁷ The multitude of zones contained within the legacy district plans makes it difficult to identify clear strategic directions and outcomes. In many cases the difference between zones has become arbitrary, and it is difficult to identify the purpose of one zone compared to another, particularly in the case of the residential zones.
- 10.2 The development of the PAUP provided an opportunity to significantly rationalise the number of zones and simplify Auckland's zoning framework. The simplified zoning framework not only reduces the size and complexity of the PAUP, it enables better alignment with the strategic direction of the Auckland Plan and the RPS.

Development of Zones

- 10.3 The Section 32 Evaluation Report provides an overview of the process that was undertaken to arrive at the simplified zoning framework within the notified PAUP.²⁸ In order to simplify the number and complexity of zones, the Council commissioned Beca Carter Hollings and Ferner Ltd (**Beca**) to prepare a "Legacy Zone Harmonisation Review" which was completed in February 2012.²⁹ The aim of that report was to group the existing residential, business and rural zones by outcomes into a smaller number of zones.
- 10.4 Tables were prepared for the residential and business zone topics (i.e. Topics 059-063 and 051-054 respectively) containing a summary of key performance standards and rules relative to each legacy district plan zone. Each legacy district plan zone was considered in terms of its form and function. These tables were then used to group the various legacy district plan zones by the outcomes they sought to achieve.
- 10.5 The 'grouped' zones were reviewed to confirm the extent to which they related to the initial zones identified for the PAUP. This analysis highlighted the outcomes that certain zones were seeking to achieve in relation to specific values or specific geographic contexts.
- 10.6 The method for applying the zones spatially across Auckland for the Draft Auckland Unitary Plan (**Draft AUP**) involved as a starting point, assigning zones based on the

²⁷ Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.1

²⁸ Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.6

²⁹ Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.6

Legacy Zone Harmonisation work by Beca. The THAB zone and the Mixed Housing zone were generally applied within approximately 250m and between 250m and 400m respectively of rail stations and metropolitan, town and local centres, as these areas were identified for significant growth and change in the Auckland Plan development strategy.³⁰ There was some refinement of the methodology to account for known hazards or the potential for reverse sensitivity.³¹

- 10.7 Spatial plans prepared under other Acts also informed the thinking around the application of zones.³² The extent to which these plans influenced the zoning maps depended on how recently they had been completed.
- 10.8 The Draft AUP was launched for feedback from mid-March 2013 to the end of May 2013. During this period the Council engaged with a wide range of key stakeholders and communities. This informal engagement period was designed to encourage feedback across Auckland to help improve the Auckland Unitary Plan prior to formal notification. The Council received over 21,000 pieces of written feedback on the Draft AUP during the 11-week consultation period.
- 10.9 Requests to rezone certain properties and areas formed a considerable part of the feedback on the Draft AUP. Over 3,700 specific rezoning requests were received. The feedback ranged from requests to rezone individual sites, to streets, suburbs and the region as a whole.
- 10.10 The spatial application of the Mixed Housing zone attracted a considerable amount of feedback. In particular, a number of respondents were concerned that the zone was too widespread. Some recommended that the Mixed Housing zone should be split into two zones, with one zone providing for moderate infill development and another enabling higher densities in certain locations.
- 10.11 In response to this feedback, the Council agreed that the Mixed Housing zone should be split into two zones (i.e. Mixed Housing Urban (**MHU**) and Mixed Housing Suburban (**MHS**)). The purpose of the new MHU zone was to act as a moderate intensity zone where change is anticipated, and to provide a transition between the THAB zone and the more traditional two storey suburban development of the MHS zone.

³⁰ Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.6

³¹ Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.6

³² Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.6

Providing for Local Variation

- 10.12 The notified PAUP establishes regionally consistent zone provisions through the six residential zones, ten business zones, five rural zones, five public open space zones, eleven special purpose zones, seven coastal zones, the Strategic Transport Corridor zone and the Future Urban zone. Where there are important local characteristics or values this is provided for within the PAUP through the spatial application of overlays and precincts.

11. PAUP ZONES

- 1.1 A complete list of the zones proposed within the PAUP is provided within **Attachment B**.

PART C - APPROACH TO REQUESTS TO REZONE LAND

12. OVERARCHING STRATEGY

- 12.1 The objectives of the RPS are summarised in paragraphs 6.1 to 6.3 and seek to provide for growth in a quality compact urban form by containing urban growth within a RUB. The focus for accommodating urban growth is primarily within the existing metropolitan area, which is defined by the legacy Metropolitan Urban Limit 2010 (metropolitan area 2010). Higher residential densities are enabled around centres and frequent public transport routes and stations to support a quality compact urban form. Outside the metropolitan area 2010, growth is focused in the RUB within greenfield areas that are contiguous with the urban area and satellite towns.
- 12.2 As previously stated, zoning is a key method to achieve the objectives and policies of the RPS. In determining the zoning that should be applied in response to submissions on the PAUP, the Council has been guided by the overall strategy to focus growth primarily within the metropolitan urban area. To give effect to the wider objectives of the RPS, the other overarching considerations that have influenced the Council's proposed application of zones include:
- (a) Providing for increased housing capacity through the application of the Terrace Housing and Apartment Buildings (**THAB**) zone and Mixed Housing Urban (**MHU**) zone within moderate walking distance from centres, the frequent transport network, the rapid transit network or major community facilities and open space;

- (b) Ensuring that the methods included within the PAUP to manage historic character and areas of ecological significance (e.g. overlays) are complemented by the application of a zone (e.g. the Single House Zone (SHZ)) that minimises the potential for a mis-match between the zone and those other methods;
- (c) Ensuring that the methods included within the PAUP to manage regionally significant views to and between the maunga (e.g. overlays) are complemented by the application of a zone that minimises the potential for a mis-match between the zone and those other methods;
- (d) Limiting growth in unserviced settlements in rural and coastal areas through the application of the Rural Coastal Settlement Zone;
- (e) Limiting growth in serviced settlements through the application of a zone that will not create undue development pressure such as the SHZ;
- (f) Recognising and providing for a hierarchy of centres that stems from the Auckland Plan and following the proposed criteria set out in Chapter B3.1 of the RPS when considering the outward expansion of centres;
- (g) Enabling a sufficient supply of land for industrial activities, particularly land extensive industrial activities and heavy industry, where the scale and intensity of effects anticipated in those zones can be accommodated and managed;
- (h) Managing reverse sensitivity by considering the interface between the Heavy Industry zone and more intensive residential zones, and generally not 'upzoning' within 500m of the Heavy Industry Zone and within the Sensitive Activity Restriction overlay;
- (i) Managing the impacts on regionally and nationally significant infrastructure, such as the national grid, to ensure they are appropriately protected from incompatible development and reverse sensitivity effects through the application of the SHZ or Mixed Housing zones;
- (j) In areas subject to significant natural hazard risks, applying a zone that limits the potential for increases in adverse consequences, taking into account the nature of the risks present, development opportunities and the vulnerability of activities;
- (k) Limiting growth in areas with poor accessibility to the City Centre, Metropolitan, Town and Local Centres, the existing or planned public transport network or large urban facilities, or in areas with significant infrastructure constraints, to ensure there is alignment between land use and infrastructure provision (e.g. through the application of the SHZ, Large Lot zone or Rural and Coastal Settlement zone);

- (l) Retaining the Special Purpose School zone for independent and integrated schools and applying a residential or business zone to state schools consistent with the zones applied adjoining or adjacent to the school;
- (m) Generally applying a Residential or Business zone consistent with the zones applied adjoining or adjacent to the subject site for tertiary education facilities and retirement villages; and
- (n) Rezoning within the Future Urban zone should generally only occur where necessary to reflect a Special Housing Area variation that has reached the decision stage, or to correct an error (i.e. the land already has a “live” zone in the Council’s operative district plan).

12.3 In determining the zoning applied in response to submissions on the PAUP, the Council has been guided by the overall strategy to allow for 40% of growth outside the metropolitan urban area. As discussed in the evidence of Dr Fairgray for the Council in Topics 059-063 on the residential zones, the development capacity modelling has revealed that upzoning is not required to achieve 40% of growth outside the metropolitan urban area in order to give effect to the RPS.

12.4 I support the overarching strategy set out above.

13. ZONING PRINCIPLES

13.1 As previously noted in paragraph 8.2, to ensure the spatial application of zones gives effect to the RPS and achieves the objectives and policies for the Auckland-wide provisions, zones and overlays in an integrated manner, a zoning principles matrix was developed to provide clear and consistent guidance. The zoning principles matrix has been progressively updated as the PAUP hearing topics have progressed. The matrix is attached to my evidence at **Attachment C**.

13.2 The zoning principles reflect the Council’s current position as expressed in the track changes included with the evidence in chief, rebuttal evidence or closing statement (whichever is the most recent) to the relevant hearing topic, and referenced in section 6 of this evidence. The principles also incorporate the Panel’s best practice approaches to re-zoning and precincts set out in the Interim Guidance dated 31 July 2015.³³

³³ AUIHP Interim Guidance Best Practice Rezoning, Precincts and Changes to the Rural Urban Boundary dated 31 July 2015.

14. RELATIONSHIP BETWEEN ZONES AND OVERLAYS

- 14.1 The zoning principles include guidance for zoning under specific overlays. These overlays include methods to limit development in order to protect a particular value, or to avoid increasing a reverse sensitivity conflict. The application of a zone that aligns with the provisions of an overlay helps to ensure there is a reasonable degree of consistency between the different layers of the PAUP.
- 14.2 The relevant overlays tend to cover large areas of land, which helps avoid spot zoning.
- 14.3 Other overlays such as the Historic Heritage overlay do not have a specific zoning principle. This is because this overlay is mainly applied to individual sites and a zoning response could lead to spot zoning. The impact this overlay has on a particular area or site should be considered as part of a contextual assessment.
- 14.4 The approach to zoning under the Historic Character overlay is discussed in more detail in the evidence of Ms Mein, the Pre 1944 overlay by Ms Rowe and the Height Sensitive Areas by Mr Reaburn for the Council.

15. CONTEXTUAL ASSESSMENT

- 15.1 The zoning principles discussed above should, in my opinion, always be considered in conjunction with the context of a particular site or area. These contextual factors may support the application of a different zone to that which is initially suggested by the zoning principles. Contextual factors that may influence zoning include:
- (a) The layout of streets and location of public open space and community facilities;
 - (b) Land with physical challenges such as steep topography, poor ground conditions, instability or natural hazards;
 - (c) Land with poor accessibility to centres and public transport; and
 - (d) Land with significant infrastructure constraints.
- 15.2 The approach to zoning in areas with flooding or coastal hazard constraints is discussed in more detail in the evidence of Mr Mead for Topics 080 and 081.

16. MODERATE WALKING DISTANCE

16.1 Chapter B2.1 of the RPS seeks to enable higher residential densities in neighbourhoods within moderate walking distances from the city centre, metropolitan, town and local centres; or the rapid and frequent service network and facilities. As outlined in paragraph 18.3, the objectives and policies for the residential zones seek to give effect to the RPS through requiring more intensive zones (i.e. THAB and MHU) to be located within close proximity to local, town and metropolitan centres, and in areas with good accessibility to public transport.

16.2 The definition of “*moderate walking distance*” is discussed in the evidence of Ms Trenouth on behalf of Council for Topic 013.³⁴ She did not support requests to define “*moderate walking distance*” within the PAUP. It was her view that:

*“this needs to be considered on a case by case basis with consideration of the walking environment, accessibility and topography”.*³⁵

16.3 The zoning principles matrix indicates that the THAB zone should be applied within 250m of centres, the rapid and frequent service network and large community facilities or open space facilities to give effect to the RPS, and that the MHU zone should be applied within 250m of the THAB zone. This is the guidance used as the basis for establishing a “*moderate walkable distance*” for the purpose of responding to zoning submissions on the PAUP. I acknowledge that in some circumstances depending on the walking environment, accessibility and topography, it may be appropriate to apply a THAB or MHU zone at a greater distance from a centre and the rapid and frequent service network to give effect to the RPS. Likewise, depending on the circumstances it may be warranted to apply THAB and MHU zones at a lesser distance from a centre, the frequent transport network or the rapid transit network to give effect to the RPS. The issue of moderate walking distance is discussed in further detail in the joint statement of evidence of Mr Cribbens, Mr Wrenn and Mr Winter for Topics 080 and 081.

17. ZONING OF ROADS

17.1 The PAUP does not apply a zone to legal roads. The Council is proposing zoning amendments through Topic 080, primarily to remove the zoning from legal roads which have been applied in error. These amendments are detailed in Mr Reidy’s evidence on behalf of the Council for Topics 080 and 081.

³⁴ Chloe Trenouth, Topic 013 EIR, paragraph 6.20-6.22

³⁵ Chloe Trenouth, Topic 013 EIR, paragraph 6.21

18. KEY CHANGES TO ZONES AND ZONING PRINCIPLES

Residential Zones

- 18.1 The notified PAUP provides for residential development through six standard residential zones. The effectiveness of the proposed residential zoning strategy in giving effect to the RPS, including the objective of a quality compact city, and increased housing capacity and choice, is discussed in the evidence of Mr Roberts for Topics 059, 060, 062 and 063 on behalf of the Council.
- 18.2 The Council has proposed through evidence to maintain the six standard residential zones.³⁶ The amendments proposed by the Council through its evidence to the objectives and policies generally maintain the purposes of the zones as notified. The exception to this is the SHZ where the Council is proposing amendments to that zone's description, as well as its objectives and policies to clarify its purpose.
- 18.3 The amendments to the objectives and policies of the residential zones clarify how the zones should be applied to give effect to the provisions in B2.1, B2.3 and B2.5 of the RPS. In particular, the amended objectives and policies direct that residential zones which provide for increased capacity and housing choice should be focused around centres, the rapid and frequent transport network and large urban facilities. The residential zones policy framework establishes an approach of generally decreasing building intensity away from centres, from the greatest degree of intensity in the THAB zone (5-7 storeys), through to the MHU zone (3 storeys) and then the less intense suburban zones MHS and SHZ (2 storeys).
- 18.4 The zone descriptions, objectives and policies that have been amended through the Council's evidence, and which influence the spatial application of the zones and resulting zoning principles, are summarised below.

Large Lot Zone

- 18.5 The zone description for the Large Lot zone is proposed to be amended to clarify that the zone seeks to promote development at a scale and intensity that enables a transition between urban and rural areas and limits growth to protect areas with quality landscapes and physical limitations.

³⁶ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 13.5

- 18.6 In response to the RPS and the amended objectives and policies of the Large Lot zone, the Council has adopted a zoning principle of applying the Large Lot zone on the periphery of urban areas to unserviced land within the RUB, where sites have high ecological values, landscape values or geotechnical issues.

Rural and Coastal Settlement Zone

- 18.7 The zone description for the Rural and Coastal Settlement (**RCS**) zone is proposed to be amended to clarify that the zone seeks to promote development at a scale and intensity that limits growth in un-serviced settlements that are generally located in remote locations and rely on on-site wastewater disposal and treatment.
- 18.8 The minimum lot size for subdivision within the RCS zone is proposed to be reduced from 4,000m² to 2,500m². This will still enable these areas to be serviced by on-site wastewater disposal systems, and maintain the character in the RCS zone.³⁷
- 18.9 In response to the RPS and the amended objectives and policies of the RCS zone, the Council has adopted a zoning principle to apply this zone to unserviced settlements in rural and coastal areas. Within serviced settlements where on site wastewater disposal is not required, the SHZ is applied to acknowledge the greater opportunities that exist for subdivision and development.

Single House Zone

- 18.10 The purpose of the SHZ within the notified PAUP (as set out in the zone description) was to provide for a different neighbourhood character from the MHS zone, by providing for a more open and spacious character.
- 18.11 The Council carefully considered the purpose of the SHZ in response to submissions. Consequently, through the evidence of its witnesses for the Residential zones Topics 059-063, the Council proposed a number of amendments to the zone description, objectives and policies of the SHZ to give effect to the RPS³⁸ and to clarify that the purpose of the SHZ is to:
- (a) provide for development that complements identified natural and built heritage values within identified areas; or

³⁷ Nicholas Roberts, Topics 059, 060, 062 and 063 EIR, paragraph 5.3

³⁸ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 15.29

- (b) recognise the limited ability of areas with significant environmental or infrastructure constraints to support more intensive development; and
 - (c) recognise the limited ability of areas which are not in close proximity to the city centre, metropolitan, town or local centres, the existing or planned public transport network or large urban facilities, to support more intensive development.
- 18.12 The Council proposed to retain the 600m² minimum lot site for subdivision and the density of one dwelling per site in the SHZ.³⁹
- 18.13 The development controls for the SHZ generally align with the MHS zone as both seek to provide for a suburban built character.⁴⁰
- 18.14 In response to the RPS and the amended objectives and policies of the SHZ, the Council has adopted a zoning principle of applying the SHZ to sites:
- (a) with significant environmental or infrastructure constraints that are unlikely to be addressed in the foreseeable future or which cannot be addressed at a site-specific level;
 - (b) with poor accessibility to the city centre, metropolitan, town and local centres or the existing or planned public transport network, or large urban facilities including existing or proposed public open spaces, community facilities, education facilities, tertiary education facilities and healthcare facilities;
 - (c) within serviced settlements in rural and coastal areas (e.g. Omaha and Matakana);
 - (d) within the Special/Historic Character overlay, Height Sensitive Area overlay, and the SEA overlay where over 20% of the site has protected vegetative cover; and
 - (e) with significant flooding risk.
- 18.15 For the purpose of applying this zoning principle, the Council's interpretation of "significant environmental constraints" includes sites subject to significant natural hazard risks, such as residential sites substantially in flood plains, where it is appropriate to not increase the intensity of vulnerable development beyond existing levels. The SHZ may also be applied in relation to other hazards, in particular coastal hazards, where they also present a significant risk and it is appropriate to not increase development potential.

³⁹ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 23.9 EIR paragraph 5.8

⁴⁰ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 23.17

18.16 The Council’s interpretation of a “significant infrastructure constraint” includes:

- (a) areas where the water supply or wastewater network are at maximum capacity;
- (b) areas that are remote from public transport or with poor transport linkages where there is no planned investment in the foreseeable future; and
- (c) areas where the stormwater system is at or near capacity, where there is no planned investment in the foreseeable future.

Mixed Housing Suburban Zone

18.17 The zone description, objectives and policies for the MHS zone are proposed to be amended to more explicitly recognise that the zone seeks to provide for a suburban character, and enables buildings generally of one or two storeys. It is applied to increase housing capacity and choice in places where there are no significant values or constraints, and to provide a transition between higher and lower intensity zones.

18.18 Density restrictions are proposed to be removed in the MHS zone for sites over 1000m², and increased to 1 dwelling per 200m² on sites less than 1000m.⁴¹

18.19 In response to the RPS and the amended objectives and policies of the MHS zone set out in the evidence for the Council in Topics 059-063, the Council has adopted a zoning principle to apply the MHS zone to sites:

- (a) Which do not meet the zoning principles for the MHU and THAB zones;
- (b) Which do not have significant infrastructure, accessibility or flooding constraints (or other natural hazard constraints) that would lead to the application of the SHZ zone;
- (c) Within the Height Sensitive Area overlay, or within the SEA overlay where the site has less than 20% protected vegetative cover; and
- (d) Which are not subject to the Special/Historic Character overlay.

There may be exceptional circumstances where (d) could be exempt. Criteria for these are set out in Ms Mein’s evidence for Topics 080 and 081.”

⁴¹ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 1.8

Mixed Housing Urban Zone

- 18.20 The zone description, objectives and policies for the MHU zone are proposed to be amended to more explicitly recognise that it has an urban character and applies to areas adjacent to the THAB zone to provide for housing choice and to facilitate a higher level of intensification in areas close to centres or the rapid and frequent service network.
- 18.21 Density restrictions have been removed in the MHU zone to enable multiple, smaller dwellings on a site, increasing housing capacity and choice.⁴²
- 18.22 In response to the RPS and the amended objectives and policies of the MHU zone set out in the Council's evidence for Topics 059-063, the Council has adopted a zoning principle of applying the MHU zone to sites:
- (a) within approximately 250m moderate walking distance from any THAB zone or Mixed Use Zone;
 - (b) within approximately 250m moderate walking distance from rapid and frequent transport networks and arterials;
 - (c) adjacent to neighbourhood centres;
 - (d) adjacent to certain public open space zones or community facilities; and
 - (e) which are, or which are able to be, adequately serviced by existing or planned infrastructure.

Terraced Housing and Apartment Buildings Zone

- 18.23 The zone description, objectives and policies for the THAB zone are proposed to be amended to more explicitly recognise that this zone supports growth and housing choice by encouraging intensive housing to be established on the periphery of local, town and metropolitan centres, and in areas with good public transport accessibility, capitalising on access to frequent public transport networks and employment in centres.⁴³
- 18.24 An increase in the THAB zone height limit from 13.5m (as notified) to 16m is proposed to provide for quality five-storey development.⁴⁴ This will enable an appropriate

⁴² Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 1.8

⁴³ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 15.48, 15.56,

⁴⁴ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 1.8,

transition in building scale from neighbouring business zones to lower intensity residential zones, while also enabling increased development in appropriate areas.⁴⁵

- 18.25 Amendments are proposed to the objectives and policies for the THAB zone to clarify that six and seven storey buildings are anticipated in identified areas through the Additional Zone Height Control (**AZHC**). In particular, Policy 3 proposes that in identified locations, greater building height is enabled adjacent to centres to provide an appropriate transition in building scale from the adjoining business zone to neighbouring lower intensity residential zones and to support public transport and social infrastructure. The principles for determining the areas where the AZHC is applied are discussed in paragraphs 18.29 – 18.32 below.
- 18.26 In response to the RPS and the amended objectives and policies of the THAB zone, the Council has adopted a zoning principle of applying this zone to sites:
- (a) within approximately 250m moderate walking distance of Metropolitan, Town and Local Centre zones;
 - (b) within approximately 250m moderate walking distance of rapid and frequent transport network and arterials;
 - (c) within close proximity to existing or proposed large open spaces, community facilities, education and healthcare facilities; and
 - (d) which are, or which are able to be, adequately serviced by existing or planned infrastructure.

Business Zones

- 18.27 The notified PAUP provides for commercial and industrial development using nine zones (not including the City Centre zone).
- 18.28 The ‘centres zones’ are the Metropolitan, Town, Local and Neighbourhood Centre zones. The approach for recognising and providing for a centres hierarchy in the notified PAUP stems from the Auckland Plan. Outside of the centres, the notified PAUP provides for additional commercial development through the Mixed Use zone, the General Business zone and the Business Park zone. Industrial activities are provided for within the Light Industry zone and the Heavy Industry zone. The proposed business zoning strategy which gives effect to the RPS, including a quality compact city, is discussed in the evidence of Mr Bonis, Mr Wyatt and Ms Wickham on behalf of the

⁴⁵ Nicholas Roberts, Topics 059, 060, 062 and 063 EIC, paragraph 1.8, 13.6

Council for Topics 051-054. Although the Council has proposed amendments to the objectives and policies of the business zones, the overall 'centres-plus' strategy in and the purpose of these zones is maintained.⁴⁶ The approach to the spatial application of the AZHC and business zones is summarised below.

Additional Zone Height Control

- 18.29 The PAUP includes the AZHC as a mechanism for providing site-specific height controls in the THAB and business zones (excluding the industrial zones). The AZHC identifies a site or area on the PAUP GIS viewer and specifies a height control that overrides the applicable zone-wide height control.
- 18.30 The general objectives and policies for the centres, Mixed Use, General Business and Business Park zones provide direction for where the AZHC should be applied. In particular, Policy 12 provides guidance on the approach to enabling additional height. In response to the objectives and policies, the Council has adopted principles to guide the application of the AZHC. These principles are based on the relevant amended objectives and policies of the THAB and business zones and anticipated effects associated with height. The principles direct that it is not appropriate to apply the AZHC:
- (a) where it will conflict with height limits imposed by the Volcanic Viewshafts, Height Sensitive Areas and Auckland Museum Viewshaft overlays;
 - (b) within areas subject to a Special/Historic Character or Historic Heritage overlay;
 - (c) where the area is within a precinct or sub-precinct and height is addressed as part of that package of rules;
 - (d) where additional height is inconsistent with the building form, scale and general amenity anticipated in the hierarchy of centres;
 - (e) to sites that are poorly served by the transport network (including rapid and frequent public transport) or community infrastructure;
 - (f) where the provision for additional height within business zones could have significant adverse effects on adjacent residential zones;
 - (g) where there are no special characteristics of the site or its location that make it inherently more suitable for accommodating the effects of additional height;
and
 - (h) where the site is not adjacent to a centres zone with a higher zone height.

⁴⁶ Jeremy Wyatt, Topic 051-054 EIC, paragraph 10.9

- 18.31 The Council's zoning principles support the application of the AZHC where:
- (a) the additional height supports public transport, community infrastructure and contributes to vitality and vibrancy if it is located in a centre;
 - (b) the size and depth of the area can accommodate the additional height without significant adverse effects;
 - (c) the application of the AHZC within business zones will not result in significant adverse effects on adjacent residential zones;
 - (d) any additional height in centres supports the status of the centre in the centres hierarchy or is adjacent to such a centre;
 - (e) the application of the AZHC ensures an efficient use of land; and
 - (f) additional height in the THAB zone provides an appropriate transition between the adjacent business zone and the neighbouring residential area.
- 18.32 Increases were proposed to the AZHC for the business zones and the THAB zone in the Council's evidence for Topic 078 Additional Height Control.

Metropolitan Centre Zone

- 18.33 Metropolitan centres have been selected according to the centres hierarchy set out in the Auckland Plan, and are identified as significant areas for growth and intensification, second only to the city centre in terms of scale and intensity.⁴⁷ The absence of Gross Floor Area (**GFA**) restrictions on commercial activities reinforce that this zone is a primary location for commercial growth.⁴⁸ In the Council's evidence for Topics 051-054, amendments were proposed to the objectives and policies to more explicitly recognise that these centres are identified for commercial and residential growth. The proposed zone height limit is 72.5m, although proposed heights vary in some centres using precincts or the AZHC.⁴⁹
- 18.34 Chapter B3.1 of the RPS contains criteria relating to the outward expansion of metropolitan centres (Policy 5). The criteria have been used to guide the response to submissions seeking expansion of the Metropolitan Centre zone.

⁴⁷ Jeremy Wyatt, Topic 051-054 EIC, paragraph 11.10

⁴⁸ Jeremy Wyatt, Topic 051-054, paragraph 11.10

⁴⁹ Jeremy Wyatt, Topic 051-054 EIC, paragraph 11.10

Town Centre Zone

- 18.35 The Town Centre zone is applied in accordance with the centres hierarchy set out in the Auckland Plan, and some other centres within the City Centre Fringe (e.g. Ponsonby). Town centres are suburban focal points strategically located around the region, which enable a range of commercial, community and above-ground floor residential activities.⁵⁰ As with metropolitan centres, the absence of GFA restrictions on commercial activities reinforce that the Town Centre zone is a primary location for commercial intensification.⁵¹ In the Council's evidence for Topics 051-054, amendments are proposed to the objectives and policies to more explicitly recognise that many of these centres will provide a focus for residential growth within the surrounding area.
- 18.36 There is no single zone height limit proposed in the Town Centre zone. Instead, each centre has a specific height limit shown on the AZHC layer on the PAUP's GIS viewer, which reflects the local environment and levels of anticipated growth.⁵²
- 18.37 The RPS contains criteria to guide the outward expansion of town centres (Policy 5 B3.1 RPS) and for establishing new town centres within the RUB (Policy 6 B3.1). The Council has used these criteria to respond to submissions seeking changes to the spatial application of the Town Centre zone.

Local Centre Zone

- 18.38 The Local Centre zone is applied predominantly in accordance with the centres hierarchy set out in the Auckland Plan. The Local Centre zone provides a focus for commercial activities which primarily serve a local area. Unlike the Metropolitan and Town Centre zones, GFA restrictions on commercial activities are proposed to be applied in local centres.⁵³ In the Council's evidence for Topics 051-054, amendments are proposed to the objectives and policies to clarify that the anticipated scale and intensity of development in local centres should respect the surrounding, typically residential environment.⁵⁴

⁵⁰ Jeremy Wyatt, Topic 051-054, paragraph 11.12

⁵¹ Jeremy Wyatt, Topic 051-054, paragraph 11.12

⁵² Jeremy Wyatt, Topic 051-054, paragraph 11.15

⁵³ Jeremy Wyatt, Topic 051-054, paragraph 11.20

⁵⁴ Matthew Bonis, Topic 051-054 EIC, paragraph 12.14,

- 18.39 The RPS contains criteria for establishing new local centres within the RUB (Policy 6 B3.1 RPS). Chapter D3.5 Policy 5 is particularly relevant to applications seeking to amend the spatial extent of the Local Centre zone.

Neighbourhood Centre Zone

- 18.40 The Neighbourhood Centre zone enables commercial activities of a range and scale that meets the local convenience needs of residents as well as passers-by. In the Council's evidence for Topics 051-054, amendments are proposed to the objectives and policies to clarify that the anticipated scale and intensity of development in neighbourhood centres should respect the surrounding, typically residential environment.⁵⁵
- 18.41 To give effect to the RPS and the amended objectives and policies of the Neighbourhood Centre zone, the Council has adopted a zoning principle of applying this zone to single corner stores or small shopping strips, predominantly located in residential neighbourhoods, as appropriate in terms of Policy 1 of the Neighbourhood Centre zone.

Mixed Use Zone

- 18.42 The Mixed Use zone is predominantly located around centres and along sections of the rapid and frequent service network. Commercial activities within this zone are limited to those that will not harm the vitality and viability of the City Centre, Metropolitan Centre and Town Centre zones.
- 18.43 The objectives and policies of the Mixed Use zone have been amended to delete the reference to the zone existing in 'a limited number of areas' and to clarify that this zone is located in suitable locations within a close walk of the City Centre, Metropolitan and Town Centre zones and rapid and frequent services network.⁵⁶
- 18.44 To give effect to the RPS and the amended objectives and policies of the Mixed Use zone, the Council has adopted a zoning principle of applying this zone to sites adjacent to the City Centre zone, Metropolitan Centre zone and Town Centre zone and along arterials that have good public transport. RPS policies that are particularly relevant to this principle include Chapters B2.1 Policies 2 and 3, B2.3 Policy 1 (for residential activities), and B3.1 Policies 7 and 8.

⁵⁵ Matthew Bonis, Topic 051-054 EIC, paragraph 13.9

⁵⁶ Matthew Bonis, Topic 051-054 EIC, paragraph 14.12

General Business Zone

- 18.45 The General Business zone provides for business activities that may not be appropriate for, or are unable to locate in, centres. This includes activities ranging from light industry to large format retail and trade suppliers. This zone also enables limited office activities.
- 18.46 In the Council's evidence for Topics 051-054, amendments proposed to the General Business zone policies clarify that although this zone is located primarily in areas close to the City Centre, Metropolitan or Town Centre zones, it is applied "in other areas where appropriate".⁵⁷ The activity status for large format retail (greater than 450m²) is also proposed to be amended from a Restricted Discretionary activity to a Permitted activity, to recognise that the zone has been applied to existing cohesive areas of large format retail.⁵⁸
- 18.47 The Council's adopted zoning principle is to primarily apply this zone to existing areas of large format retail within close proximity to the city centre, metro centres or town centres. The Council's position, supported by the Council's evidence for Topics 051-054, is that the future application of this zone should be limited, as commercial activity is expected to locate within and reinforce the roles of the city centre, metropolitan centres and town centres. Chapter B3.1 Policies 7 and 8 are relevant to submissions seeking changes to the spatial application of the General Business zone.

Business Park Zone

- 18.48 The Business Park zone recognises existing business parks. The Council's position, supported by the Council's evidence for Topics 051-054, is that the zone has a limited future application, as the primary location for commercial activities is expected to be within the city centre, metropolitan centres and town centres in order to reinforce the roles of those centres.
- 18.49 The RPS contains criteria that are relevant to the application of the Business Park zone so that it is limited to locations which will not harm the function, role and amenity of the City Centre, Metropolitan Centre and Town Centre zones (Policies 7 and 8 in B3.1 of the RPS). These criteria and Policy 4(a) in the Business Park zone are relevant to

⁵⁷ Matthew Bonis, Topic 051-054 EIC, paragraph 15.21

⁵⁸ Matthew Bonis, Topic 051-054 EIC, paragraph 28.20

submissions seeking rezoning to recognise existing areas of 'out of centre' concentrated office development or a new business park.

Light Industry Zone

- 18.50 The Light Industry zone is generally applied to areas of light industry activity that do not generate objectionable odour, dust or noise emissions. Residential and commercial activities that may cause reverse sensitivity issues and consume industrial land are not anticipated.
- 18.51 Land within the Light Industrial zone in the notified PAUP contains some existing established heavy industry activities. In the Council's evidence for Topics 051-054, it has proposed that some of these areas are rezoned to heavy industry.⁵⁹
- 18.52 Due to the different strategic approaches to industrial land by legacy councils, in some locations, the range of existing activities within this zone is wider than anticipated by the PAUP's Light Industry zone. In response to submissions relating to this issue, the Council's evidence for Topics 051-054 proposed an additional Policy 1A and land use control to be added to the zone to enable existing commercial activities within the Light Industry zone to continue to operate and change between uses (retail, offices and commercial services).⁶⁰ Large areas of office or comparison retail are not generally appropriate in the Light Industry zone, but in order to prevent spot zoning, it is anticipated that a scattering of sites with existing office or retail use will continue to exist within this zone.
- 18.53 To give effect to the RPS and the amended objectives and policies of the Light Industry zone, the Council has adopted a zoning principle of applying the Light Industry zone to established light industry areas, especially around heavy industry areas, to act as a buffer between heavy industry and sensitive uses.

Heavy Industry Zone

- 18.54 The Heavy Industry zone provides for industrial activities that may produce objectionable odour, dust and noise emissions. A reduced air quality standard applies. As discussed above, the Council's proposed rezoning approach for the Heavy Industry zone has predominantly been addressed as part of Topics 051-054. In giving effect to the RPS and the objectives and policies of the Heavy Industry zone, the Council

⁵⁹ Jarette Wickham, Topic 051-054 EIC, paragraph 32

⁶⁰ Jarette Wickham, Topic 051-054 EIC, paragraph 9.7-9.12, 11.12 -11.13

proposes to apply the zone to existing heavy industry areas. Ideally these areas should be reasonably large, with good access to freight routes. They should also be 500m from zones that provide for activities sensitive to air discharges (e.g. residential); however this is not always achievable given the existing urban environment. New heavy industry zoned areas should also be located where the industrial activities can operate efficiently and their effects can be managed, without being constrained by sensitive activities.⁶¹

Rural Zones

- 18.55 The notified PAUP includes five rural zones – Rural Production, Mixed Rural, Countryside Living, Rural Coastal and Rural Conservation. The effectiveness of the rural zoning strategy in giving effect to the RPS is discussed in the evidence of Bain Cross, Ruth Andrews and Barry Mosley for Topics 056 and 057 (Rural objectives and policies and Rural activities and controls) on behalf of the Council.
- 18.56 The foundation of the policy framework which directs the management of rural Auckland is based on the protection of elite and prime land and the provision for rural production activities as a priority over other activities. Other activities that support rural communities are also enabled. The RPS objectives and policies seek to minimising reverse sensitivity effects on rural production activities, channelling rural lifestyle living into identified areas, and managing rural subdivision so it supports rural production activities. The Council's evidence for Topics 056 and 057 also maintains strong policy support for the protection of both elite and prime land, with no distinction in terms of extent or degree of protection between the two.
- 18.57 Through evidence, the Council has maintained the five rural zones and the way in which they are spatially applied. Few changes in terms of the overall purpose of the zones and the policy frameworks which underpin them were proposed. The approach to the spatial application of the rural zones is as set out below.

Rural production zone

- 18.58 The purpose of the Rural Production zone is to provide for the use and development of land for rural production activities and rural industries, while maintaining rural character and amenity values. This zone has the largest spatial application of the rural zones.

⁶¹ B3.1 Commercial and Industrial Growth Policy 9, D3.11 Heavy Industry zone Objective 1 and Policy 1.

Mixed rural zone

- 18.59 The Mixed Rural zone has been applied to areas with a history of activities such as horticulture, viticulture and more intensive farming activities. The purpose of this zone is to provide for mixed rural production. The policy framework directing management of the Mixed Rural zone provides greater flexibility to accommodate a range of rural production activities and associated activities, while still ensuring good amenity levels for residents who use the land for rural lifestyle purposes.
- 18.60 Through evidence, the Council proposed refinements to the policy intent of this zone to anticipate and enable a wider range of activities.

Rural coastal zone

- 18.61 The purpose of the Rural Coastal zone is to retain and enhance the rural character and amenity values, local coastal character and high biodiversity values of rural areas in the coastal environment, while providing for rural production activities, rural lifestyle living and maintaining recreational opportunities.
- 18.62 Within the Rural Coastal zone, there are seven spatially defined areas that have their own objectives and policies in recognition of their local values and importance. The policy framework for these areas reflects their particular characteristics and provides specific guidance for their management.
- 18.63 Through evidence in Topics 056 and 057, the Council proposed refinements to the policy intent, which strengthened the recognition of this zone's purpose as a rural production zone.

Rural Conservation zone

- 18.64 The purpose of the Rural Conservation zone is to enable established rural and residential activities to continue, but to recognise this zone's particularly important natural values by adopting a conservative approach to new land uses, subdivision and development so that these values are maintained and protected.

Countryside Living zone

- 18.65 The Countryside Living zone principally provides for rural lifestyle living. The zone is generally applied closer to urban Auckland or to rural and coastal towns. The zone is applied to areas that have diverse topographical, land quality and landscape characteristics. As a consequence, there is a diversity of site sizes within this zone. This zone is the main receiver area for Transferable Rural Site Subdivision (**TRSS**) from other zones, and is also the zone in which the majority of rural lifestyle living is anticipated.
- 18.66 Through evidence, the Council proposed a revised rural subdivision strategy⁶² providing a targeted approach using a number of methods including TRSS. TRSS encourages and provides for the amalgamation of rural titles and the transfer of their residential development potential out of areas of elite or prime land into identified transferable site receiver areas. TRSS also enables the protection and restoration of identified areas of significant ecological value or outstanding natural character, and the creation of development opportunities in identified transferable site receiver areas. As outlined above, these identified receiver areas are predominantly in the Countryside Living zone.

School Zones

- 18.67 The PAUP as notified applied a Special Purpose – School zone to all state, integrated and private schools. The approach to providing for schools within the PAUP was discussed in the evidence of Trevor Mackie on behalf of the Council for Topic 055 (Social infrastructure). Through evidence in that topic, the Council supported the retention of the Special Purpose School zone for independent and integrated schools.⁶³ The Ministry for Education uses designations to plan for and operate its schools. Having considered the submission from the Ministry of Education and others on the issue of the zoning of schools, the Council considers that an underlying zone appropriate to the context of the surrounding area should be applied to state schools.⁶⁴
- 18.68 As a result of the amendments to the Special Purpose – School zone, the Council has adopted a zoning principle to retain the Special Purpose School zone for independent schools and to apply a residential, rural or business zone, consistent with the zones applied adjoining or adjacent to the subject school, to state schools.

⁶² Barry Mosley, Topic 057 EIC

⁶³ Trevor Mackie, Topic 055 EIC, paragraph 10.36

⁶⁴ Trevor Mackie, Topic 055 EIC, paragraph 10.37

Tertiary Education Zones

- 18.69 The notified PAUP provided for tertiary education facilities through a Special Purpose – Tertiary Education zone where they are located outside the city centre, metropolitan centres and town centres. The approach to providing for tertiary education facilities within the PAUP was discussed in the evidence of Mr Mackie on behalf of the Council for Topic 055. Through evidence on Topics 051-054, the Council supported tertiary education facilities being confirmed as Permitted activities in the Metropolitan, Town Centre and Mixed Use zones. Some tertiary education facilities located in metropolitan and town centres also have precincts which include tailored provisions for the site. For tertiary education sites outside the city centre, metropolitan and town centres, the Council generally supports the application of a Tertiary Education precinct (if necessary) over an appropriate underlying zone which is generally in context with the surrounding area.⁶⁵
- 18.70 For three of the larger campuses (i.e. AUT (Akoranga 1), UNITEC (Wairaka) and Massey (Albany 9), the Council proposed, in Topic 055, the application of the Special Purpose: Tertiary Education zone with a Tertiary Education precinct.⁶⁶ The Panel issued a direction regarding that matter and the Council has subsequently reviewed its position on these three campuses. As discussed in the evidence of Mr Bayliss and Mr van Kampen for Topic 080, the Council maintains this position in respect of AUT (Akoranga 1) and Massey (Albany 9). In respect of UNITEC (Wairaka) the Council supports retaining the Special Purpose: Tertiary Education zone over the central part of the campus and applying the Mixed Use zone to the north and Mixed Housing Urban zone to the south.
- 18.71 For other campuses, as a result of the amendments to the Special Purpose: Tertiary Education zone proposed through Topic 055, and with the exception of the approach outlined above for the three larger campuses, the Council has adopted a zoning principle to generally apply an appropriate residential, business or rural zone consistent with the zones applied adjoining or adjacent to the subject site to tertiary education facilities, with a Tertiary Education precinct if necessary.

Retirement Village Zone

- 18.72 The notified PAUP includes a Special Purpose zone that has been applied to 53 retirement village sites across Auckland. The PAUP's notified approach was to apply

⁶⁵ Trevor Mackie, Topic 055 EIC, paragraph 12.19

⁶⁶ Trevor Mackie, Topic 055 EIC, paragraph 12.22-12.27

the Special Purpose Retirement Village zone (**SPRVZ**) to existing retirement villages and that new retirement villages would establish under the zone rules that apply to a proposed site. While the stated SPRVZ's purpose is to enable new purpose-built retirement villages, new sites could only use these provisions if a plan change was undertaken and the site re-zoned SPRVZ. In effect, the PAUP would contain two management approaches for retirement villages. The first being a retrospective zone applying to existing sites, and the second relying on the standard residential and business zone provisions to manage the establishment of any new retirement villages.

- 18.73 The approach to providing for retirement villages within the PAUP was discussed in the evidence of Ms Rogers on behalf of the Council for Topics 059-063 relating to the residential zones (including Topic 061 Retirement and Affordability), and Topics 051-054 regarding the business zones. The Council supports providing for retirement village activities within the residential and business zone provisions of the PAUP and the deletion of the SPRVZ.⁶⁷
- 18.74 As a result of the proposed deletion of the SPRVZ, the Council has adopted a zoning principle of applying a residential or business zone consistent with the zones applied adjoining or adjacent to the subject site.

Māori Purpose Zone

- 18.75 The notified PAUP specifically provided for Māori cultural, social and economic activities on their ancestral lands through the Auckland-wide Māori land and Treaty settlement land provisions, as well as the Special Purpose – Māori Purpose zone. This zone's provisions enable papakāinga, small-scale care centres and retail, marae, education facilities, organised sport, urupā and other activities which support Māori cultural well-being.
- 18.76 The range of activities provided in the Māori Purpose zone are also provided for in other urban PAUP zones, typically as a Restricted Discretionary or Discretionary activity. Notably, the Māori Purpose zone permits marae and associated activities and provides for these to be co-located.
- 18.77 The approach of providing for the Māori Purpose zone within the PAUP was discussed in the evidence of Mr Clark on behalf of the Council for Topic 036 (Maori Land and Treaty). Through evidence, the Council supported the retention of the Māori Purpose

⁶⁷ Deanne Rogers Topic 050-063 EIC, paragraph 9.7

zone.⁶⁸ This includes supporting objectives and policies which allow the Māori Purpose zone to be located in urban, rural and coastal areas, including outside the RUB.

- 18.78 The PAUP has 15 Māori Purpose zone locations, mostly marae, but also including kura kaupapa Māori (schools) and urupā. The Maori Purpose zone is mostly a rollover of legacy district plan Māori special purpose zones,⁶⁹ with five additional locations included in the notified PAUP. The evidence of Mr Clark on behalf of the Council for Topic 080 addresses submissions relating to the spatial application of the Māori Purpose zone.

Major Recreation Facility Zone

- 18.79 The notified PAUP includes a Special Purpose Major Recreation Facility Zone (**MRF Zone**) that applies to a number of major recreation facilities across the region.
- 18.80 The Panel directed the Council⁷⁰ to consider the ways in which the current structure of the Special Purpose - Major Recreation Facility zone and its relationship with the Stadiums and Showgrounds, Zoo and MOTAT, Motorsports, Racing, and Sports precincts may be simplified. A new structure was proposed by Mr Scrafton in his evidence for the Council in Topic 076 (Major recreation zone and precincts).
- 18.81 The Council supports retaining the MRF zone to provide an overarching policy framework and emphasise the regional, national and in some cases international importance of these facilities.⁷¹ The objectives, policies and rules tailored to the individual facilities are included within individual Auckland wide precincts.⁷²
- 18.82 The Council supports amending the definition of major recreation facility so that it includes stadia and arenas, showgrounds and events centres, racecourses, motor racing, the Auckland Zoo and MOTAT.⁷³
- 18.83 The approach to applying the MRF zone in response to submissions is discussed in detail in the evidence of Mr Reidy for Topic 080.

⁶⁸ Jym Clark, Topic 036 EIC, paragraphs 10.4 – 10.6.

⁶⁹ Legacy plans which have a Maori special purpose zone equivalent: Waitakere, Auckland City Isthmus, Manukau, North Shore.

⁷⁰ Paragraph 2.4.2, Hearing Topic 076 Parties and Issues Report, 16 April, 2015

⁷¹ Christopher Scrafton, Topic 076, EIC paragraph 5.4

⁷² Christopher Scrafton, Topic 076, EIC paragraph 5.4

⁷³ Christopher Scrafton, Topic 076, EIR

Public Open Space Zones

- 18.84 The notified PAUP includes five Public Open Spaces zones including the Conservation, Informal Recreation, Sports and Active Recreation, Civic Spaces and Community zones. The effectiveness of the proposed public open space zoning strategy (in giving effect to the RPS) is discussed in the evidence of Ms Cox for Topic 058 (Public Open Space) on behalf of the Council. Through evidence, the Council has proposed to maintain five public open space zones with little change to the overall zone purpose or direction of how the zones should be applied spatially.⁷⁴
- 18.85 The approach to applying the Public Open Space zones in response to submissions is discussed in detail in the evidence of Ms Stewart for Topic 080.

Coastal Zones

- 18.86 The CMA applies to foreshore, seabed, water and air from mean high water springs (**MHWS**) to 12 nautical miles (territorial sea) (section 2 RMA). The notified PAUP proposes to manage the CMA through the application of six zones together with precincts and overlays.
- 18.87 The Coastal Transition zone applies to land which is above MHWS that was typically unzoned in previous district plans. This zone is an administrative tool that has been introduced to account for improvements in the quality of information on the location of MHWS.
- 18.88 The General Coastal Marine zone includes the majority of Auckland's CMA. The Marina, Minor Port, Mooring, Ferry Terminal and the Defence zones provide for specific activities within the CMA. The Marina and Minor Port zones apply to the CMA and the land adjoining the CMA to support the integrated management of activities that cross MHWS.⁷⁵
- 18.89 The effectiveness of the proposed coastal zoning strategy in giving effect to the key directions of the RPS is discussed in the evidence of Ms Coombes, Mr Spiro, Mr Tamura and Mr Scott for Topics 033-034 (General Coastal Marine zone and activities and other Coastal Zones) on behalf of the Council. Through evidence, the Council proposed to maintain six coastal zones⁷⁶ with little change to the overall purpose or

⁷⁴ Juliana Cox, Topic 058, EIC paragraph 1.3

⁷⁵ Robert Scott, Topic 033-034, EIC paragraph 95

⁷⁶ Jeremy Wyatt, Topic 051-054 EIC, paragraph 10.1

direction of how the zones should be applied spatially. The exception to this is the Ferry Terminal zone (**FTZ**), where Council proposed amendments to the zone description, objectives and policies of this zone to provide for the proposed rezoning of adjacent land as a landward component of the FTZ.⁷⁷ The Council also proposed amendments to the policies for the Mooring zone so that moorings and the Mooring zone are avoided where they will impede maritime passenger operations.⁷⁸ The Council also proposed to retain the Coastal Transition zone.⁷⁹

18.90 The approach to zoning within the CMA in response to submissions is discussed in detail in the evidence of Ms Coombes for Topic 080.

Healthcare Facility Zone

18.91 The notified PAUP provides for healthcare facilities through a Special Purpose – Healthcare Facility zone. The zone applies to large-scale institutions including the major hospitals, and smaller dedicated healthcare facilities. The purpose of the zone is to recognise the importance of healthcare facilities by enabling the continued operation and development of these facilities, while managing effects on the amenity of surrounding areas. Through evidence,⁸⁰ the Council supported the use of a special purpose zone, and has not proposed significant amendments to the purpose of the zone or how it should be applied spatially.

18.92 The approach to applying the Special Purpose - Healthcare Facility zone in response to submissions is discussed in detail in the evidence of Mr Bangs for Topic 080.

Cemetery Zone

18.93 The notified PAUP provides for the continued operation and development of cemeteries through a Special Purpose – Cemetery zone. Through evidence,⁸¹ the Council supported the retention of a special purpose zone, and has not proposed changes that affect how this zone should be applied spatially.

18.94 The approach to applying the Special Purpose - Cemetery zone in response to submissions is discussed in detail in the evidence of Mr Bangs for Topic 080.

⁷⁷ Matthew Spiro, Topic 033-034, EIC paragraph 43.3

⁷⁸ Matthew Spiro, Topic 033-034, EIC paragraph 23.4

⁷⁹ Mark Tamura, Topic 033-034, EIC paragraph 1.1

⁸⁰ Sanjay Bangs, Topic 055, EIC paragraphs 8.1 – 8.8

⁸¹ Sanjay Bangs, Topic 055, EIC paragraph 18.3

Quarries Zone

- 18.95 The notified PAUP provides for regionally significant quarry operations through a Special Purpose – Quarry zone. The zone provides for mineral extraction activities as a land-use activity, retaining development and land use controls over height, yards, noise and vibration and blasting. There are also assessment criteria that control traffic and access, visual amenity and site rehabilitation. The purpose of the Quarry zone is to ensure that mineral extraction can continue in a manner that minimises adverse effects, and that demand for minerals can be met, where possible, from supply sources within Auckland.
- 18.96 Through the evidence of Ms Wickham on behalf of the Council for Topic 041 (Earthworks and Minerals), the Council supported the use of a special purpose zone.⁸² As part of Topic 080, amendments are proposed to the spatial application of the Quarry zone.
- 18.97 The approach to applying the Special Purpose - Quarry zone in response to submissions is discussed in detail in the evidence of Mr Campbell for Topic 080 on behalf of the Council. It is likely that significant evidence will be provided by the quarry operators and the Council may need to revisit its position following receipt of that evidence.

Strategic Transport Corridor Zone (STCZ)

- 18.98 The purpose of the STCZ is to provide for State Highway and rail corridors to facilitate the integrated use of these corridors as a single transport network. The STCZ is applied to land subject to designations by the New Zealand Transport Agency (NZTA) and KiwiRail. A number of guiding principles have been developed to ensure a consistent approach to the application of the STCZ within the areas subject to NZTA and KiwiRail designations. These principles are detailed in the evidence of Ms Singh on behalf of the Council on the STCZ in Topic 080.

Landfill zone

- 18.99 Redvale landfill is one of only two remaining operational landfills in Auckland, accepting approximately 50-60% of Auckland's waste to landfill. The zoning for the landfill site in the PAUP is currently Mixed Rural. This underlying zone does not reflect the site's current and future uses, which will include landfilling, gas collection, energy production

⁸² Jarette Wickham, Topic 041 EIC paragraph 15, 16 and 18

and rehabilitation. The landfill currently has no planning 'recognition' in the PAUP, other than operating with existing use rights and resource consents.

- 18.100 As discussed in the evidence of Mr Cross for Topic 080, for consistency with other regionally significant infrastructure and the long-term limited uses for the site post-closure of landfilling, the Council proposes a *Special Purpose Zone – Landfill* for this site.

Future Urban Zone

- 18.101 The Future Urban zone (**FUZ**) is applied to land located within the RUB, on the periphery of existing urban areas. The Council has determined that this land is suitable for future urban development. The purpose of the FUZ is to facilitate the future development of the land for urban purposes by providing for the continuation of a broad range of rural activities and imposing restrictions on activities that might compromise the future development of the FUZ for urban purposes. Chapter B2.3 of the RPS requires that structure planning is undertaken to rezone land within the RUB zoned FUZ to ensure that development occurs in a staged, timely and integrated manner aligned with the provision of infrastructure.
- 18.102 The evidence of Mr Brown on behalf of the Council for Topic 028 addresses the provisions for the FUZ. Through evidence, the Council has continued to support the requirement to undertake structure planning and a plan change to enable urban development within the FUZ.⁸³ In responding to rezoning submissions, the Council has not generally supported rezoning from FUZ to another zone, other than to reflect an operative Special Housing Area variation or to correct an error. An example being if the land already has an urban zone in the operative plan.

19. KEY CHANGES TO OVERLAYS AND AUCKLAND WIDE PROVISIONS AND IMPLICATIONS FOR ZONING

Auckland-wide Flooding provisions

- 19.1 Zoning is proposed as a method to limit the exposure of people and property to the risk of flood hazards, and to ensure the function of flood plains is not impeded through inappropriate development.⁸⁴ The Council's proposed approach to zoning within flood

⁸³ Philip Brown, Topic 028 EIC, Paragraph 1.4

⁸⁴ Auckland Council, Residential Zones Section 32 Evaluation for the PAUP, Section 1.6

plains is discussed in the evidence of Mr Mead for Topics 080 and 081. The principles for applying zones within flood plains are attached to my evidence at **Attachment D**.

Significant Ecological Areas Overlay

- 19.2 Chapter B4.3.4 of the RPS as notified contains objectives and policies that seek to protect areas of significant indigenous biological diversity in terrestrial, freshwater and coastal environments from the adverse effects of subdivision use and development.
- 19.3 The SEA overlay gives effect to Chapter B4.3.4 by identifying areas of biological diversity or important natural habitat for protection. Chapter H4.3 Vegetation Management contains rules that seek to protect vegetation within the SEA overlay.
- 19.4 The approach to managing vegetation within the SEA overlay was discussed in the evidence of Ms Ford on behalf of the Council for Topic 023 (SEA and Vegetation Management). Through its evidence, the Council supported Discretionary activity status for any vegetation alteration or removal within an SEA.⁸⁵ The Council also continued to support the use of Controlled activity status for the provision for a building platform and access way for one dwelling per site where there is no practicable alternative location outside the area of protected vegetation.⁸⁶
- 19.5 Where more than 20% of a site is covered in an SEA, the Council's zoning principles support the application of the Large Lot zone, RCS zone or SHZ, which have a density of one dwelling per site. The application of the Large Lot zone, RCS zone or SHZ to sites that have more than 20% SEA cover complements the methods within the SEA overlay that seek a balance between development and protection by providing for clearance for a building platform and driveway for one dwelling per site as a Controlled activity.
- 19.6 I acknowledge that where the SEA overlay covers only a minor portion of a site, further residential development on the site could be accommodated without the need to clear protected vegetation. This is accounted for within the Council's zoning principles, which indicate that residential zones other than Large Lot, RCS or SHZ can be applied if the site has less than 20% protected SEA cover.

⁸⁵ Marilyn Ford Topic 023 EIC, paragraph 21.8

⁸⁶ Marilyn Ford Topic 023 EIC, paragraph 19.8

Air Quality (Sensitive Activity Restriction Overlay)

- 19.7 The SAR overlay gives effect to Chapter B6.1 of the RPS by protecting industrial activities from reverse sensitivity issues. The SAR seeks to avoid the location of activities sensitive to air discharges within the overlay area to avoid, remedy or mitigate reverse sensitivity conflicts and ensure the efficiency of Heavy Industry zoned land is preserved. The SAR applies to specific zones around the Heavy Industry zone, up to a maximum distance of 500m.
- 19.8 The approach to managing land use conflict between air discharges and activities that are sensitive to air discharges was discussed in the evidence of Mr Wyatt on behalf of the Council for Topic 035 (Air Quality). Through the Council's evidence for Topic 035, amendments were proposed to Objective 2 to clarify that the overlay seeks to enable industry to operate without additional constraints from activities sensitive to air discharges.⁸⁷
- 19.9 To complement these methods, the Council's approach to zoning considers the reverse sensitivity issues present at the interface between the Heavy Industry zone and zones containing activities sensitive to air discharges. In particular, the Council considers that appropriate zones within 500m of a heavy industry zone include zones that permit the existing level of activities sensitive to air discharges currently present in the area, or a less intense zone. Ideally, the number of activities sensitive to air discharges should not be increased unless the benefits of accommodating growth in the specific location outweigh the adverse effects on activities within the Heavy Industry zone.
- 19.10 As previously noted, in its Interim Guidance on Air Quality, the Panel has indicated that the Sensitive Activity Restriction (**SAR**) overlay should be deleted.⁸⁸ I have read the Panel's Guidance to the effect that the SAR overlay is not appropriate; however, due to reverse sensitivity issues at the interface with the Heavy Industry zone, I consider that the zoning approach discussed above is still appropriate whether or not the SAR overlay is deleted.

Volcanic Viewshafts and the Height Sensitive Area Overlay

- 19.11 Volcanic viewshafts and the Height Sensitive Area (**HSA**) overlay are included as mechanisms in the PAUP to give effect to the RPS objectives and policies that seek to protect significant views to and between Auckland's maunga. The approach to zoning

⁸⁷ Jeremy Wyatt, Topic 035 EIC, Paragraph 1.8

⁸⁸ AUIHP Interim Guidance Air Quality dated 25th September 2015

within the HSA overlay and with respect to volcanic viewshafts is discussed in detail in the evidence of Mr Reaburn for Topics 080 and 081.

- 19.12 The approach to managing views to and between maunga was discussed in the evidence of Mr McPhee for Topic 010 (RPS Heritage and Special Character) and Mr Reaburn for Topic 020 (Viewshafts) on behalf of the Council. Chapter B4.3.2 of the RPS as notified sought to protect significant views to and between Auckland's maunga and to require urban intensification to be consistent with the protection of volcanic features and viewshafts. More specifically, Policy 15 of Chapter B 4.3.2 sought to protect views to and between the maunga through avoiding new buildings or structures within identified viewshafts and development above the specified building heights in height-sensitive areas.
- 19.13 Through evidence on Chapter B4.3.2, the Council proposed amendments to Objective 7 to qualify that "regionally" significant views between Auckland's maunga are identified and protected.⁸⁹ The Council now supports the deletion of nine of the viewshafts in the notified PAUP, as they are not seen as reaching the threshold of "regionally significant".⁹⁰
- 19.14 The Council's principle for zoning residential areas under the HSA overlay is to apply the SHZ or MHS zone. These zones have height limits of 8m and 9m respectively and therefore support the residential height limits of the HSA overlay.

Special/Historic Character Overlay

- 19.15 Chapter B4.2 of the RPS as notified contains objectives and policies that seek to retain and enhance areas of Auckland's historic character. The Special/Historic Character overlay was proposed as a mechanism in the PAUP to give effect to the RPS objectives and policies that seek to retain and enhance areas of Auckland's historic character. The approach to zoning within the Special/Historic Character overlay is outlined in detail within the evidence of Lisa Mein for Topics 080 and 081.
- 19.16 Through the evidence of Deborah Rowe for Topic 010 (RPS Heritage and Special Character) on behalf of the Council, amendments were proposed to Chapter B4.2 of the RPS to acknowledge that areas that collectively and cohesively represent the various eras of Auckland's historical settlement and development should be referred to as 'Historic Character Areas', and that they are a 'subset' of the overarching concept of

⁸⁹ Andrew McPhee, Topic 010 EIC, paragraph 19.4

⁹⁰ Peter Reaburn, Topic 022 EIC, Paragraph 9.9

'historic heritage'⁹¹. The Council also supported amendments to the objectives for historic character to give effect to section 6(f) of the RMA through managing the protection of historic heritage from inappropriate subdivision, use and development⁹².

- 19.17 Under the overlay, controls are placed on use, development and demolition of buildings to manage change in these areas. The level of control varies according to the intent of the overlay and may be more restrictive or, in some instances, more permissive than the underlying zone.
- 19.18 Through the evidence of Lisa Mein for Topic 029 on behalf of the Council, a number of amendments were proposed to the objectives, policies and rules for the Special/Historic Character overlay, however, the Council proposed to retain the overlay as the key mechanism for managing change appropriately within identified areas of historic character.
- 19.19 The Council's principle for zoning under the Special/Historic Character overlay is to apply the SHZ, as it has a density limit of one dwelling per site, which is consistent with the controls of the overlay. In a limited number of instances the MHS zone may also be appropriate. Ms Mein discusses this in her evidence for Topics 080 and 081.

Pre-1944 Overlay

- 19.20 Chapter B4.2 of the RPS as notified contains objectives and policies that support a precautionary approach being taken to the management of areas with a concentration of pre-1944 buildings until they have been further evaluated for historic heritage, or special character significance. The approach to zoning within the Pre 1944 overlay is discussed in detail in the evidence of Ms Rowe for Topics 080 and 081. Ms Rowe has provided evidence on managing historic heritage on behalf of the Council for Topic 010 and Topic 030 (Pre-1944 overlay).
- 19.21 Through evidence on Chapter B4.2, the Council proposed amendments to clarify that the purpose of the Pre-1944 overlay is to manage areas that have been identified as having a high potential for historic character values until they can be evaluated and a determination made as to whether they should be included in the Special/Historic Character overlay.⁹³

⁹¹ Deborah Rowe, Topic 010 EIC, paragraph 9.13

⁹² Deborah Rowe, Topic 010 EIC, paragraph 9.37

⁹³ Deborah Rowe, Topic 010 EIC, paragraph 9.49

- 19.22 Through evidence on Topic 030, the Council proposed various amendments that reinforced the Pre-1944 overlay as a proactive mechanism in order to evaluate the potential significant historic heritage and historic character values to avoid the loss of these finite resources.
- 19.23 Through Topic 079 (Special Character and Pre-1944 Mapping) the Council is proposing to reduce the extent of the Pre-1944 overlay as a result of the survey work that has been carried out over the past year. The Council considers that the areas that remain in the overlay have high potential for significant historic heritage or historic character value.
- 19.24 The Council's principle for zoning under the reduced Pre-1944 overlay is as follows:
- (a) areas that are proposed to be deleted from the Pre-1944 overlay have no heritage constraints for the purposes of zoning decisions;
 - (b) retain the zoning where it is SHZ, MHS, Centre or Mixed Use in the notified PAUP;
 - (c) change the zoning to MHS where the zoning is MHU or THAB in the notified PAUP; and
 - (d) individual sites within the revised Pre-1944 overlay (potential significant historic heritage places) should not influence the underlying zone.

National Grid (Electricity Transmission) Corridor Overlay

- 19.25 Chapter B3.2 of the RPS as notified contains objectives and policies that seek to protect Auckland's significant infrastructure from reverse sensitivity effects and incompatible subdivision, use and development.
- 19.26 The Electricity Transmission Corridor (**ETC**) overlay identifies and provides a buffer corridor below and around high voltage transmission lines and transmission towers/poles. These lines and towers/poles are owned and operated by Transpower New Zealand Limited and form part of the national electricity grid. New buildings and structures for activities sensitive to transmission lines (examples include dwellings, retirement villages, healthcare and educational facilities) are proposed to be Non-Complying activities within the ETC overlay.
- 19.27 The approach to managing reverse sensitivity effects and incompatible subdivision and use on the National Grid was discussed in Mr Mackie's evidence on behalf of the

Council for Topics 012 (RPS Significant Infrastructure, Energy and Transport) and in Ms Dimery's evidence on behalf of the Council for Topic 042 (Infrastructure). In Topic 012, the Council supported the introduction of a new objective to recognise the national significance of the National Grid and to provide for its effective operation, maintenance, upgrading and development, while managing adverse effects on the network.⁹⁴ The Council supported re-naming of the ETC overlay to the National Grid Corridor overlay in Topic 042.⁹⁵ While various amendments were proposed to the provisions within this overlay, the Council's position has been to maintain the Non-Complying activity status for activities sensitive to transmission lines.⁹⁶

- 19.28 The Council approach to zoning of land within the National Grid Corridor overlay is to ensure that this nationally significant infrastructure is appropriately protected from incompatible development and reverse sensitivity effects. Noting that only a certain portion of the site may be subject to the overlay, the zoning applied to the subject site should align with the zoning applied to the surrounding sites (whether this is SHZ, MHS or MHU). The application of the THAB zone may not be appropriate where the site is constrained by the National Grid Corridor overlay.

Aircraft Noise Overlay

- 19.29 Chapter B3.2 of the RPS as notified contains objectives and policies that seek to protect Auckland's significant infrastructure from reverse sensitivity effects and incompatible subdivision, use and development. Chapter B3.3 of the RPS as notified contains objectives and policies that seek to establish a well-developed, operated and maintained transport system that manages potential adverse effects on the natural environment and the health, safety and amenity of people and communities.
- 19.30 The Aircraft Noise overlay manages the subdivision of land and location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields, so that the continued operation of the airports and airfields is not compromised and reverse sensitivity issues are addressed. New Activities Sensitive to Aircraft Noise (**ASAN**) (including dwellings, retirement villages, healthcare and educational facilities) within the Air Noise Boundary (ANB) (within the 65 dB L_{dn} Noise Boundary) are proposed to be a Prohibited activity.

⁹⁴ Trevor Mackie Topic 012, EIC, paragraph 1.12

⁹⁵ Rachel Dimery Topic 042, EIC, paragraph 14.4

⁹⁶ Rachel Dimery Topic 042, EIC, paragraph 1.6

- 19.31 The approach to managing the subdivision of land and the location of ASAN in areas of high cumulative noise around the region's airports and airfields was discussed in the evidence of Mr Vinall on behalf of the Council for Topic 045 (Airport). In Topic 012, the Council proposed amendments to strengthen the policies of the Aircraft Noise overlay to ensure that ASAN should not be established within the area between the 60 dB L_{dn} and the 65 dB.⁹⁷
- 19.32 In addition, the Council supported a bespoke set of provisions for the Auckland International Airport.⁹⁸ For Auckland International Airport, new policies were proposed to clarify that:
- (a) ASAN should be avoided within the High Aircraft Noise Area (**HANA**) unless the effects can be remedied or mitigated through restrictions on numbers of people exposed to the aircraft noise in the external environment (through zoning and density controls and through requiring acoustic treatment);
 - (b) ASAN are managed in the Moderate Aircraft Noise Area (**MANA**) unless the effects can be remedied or mitigated by restrictions on numbers of people exposed to aircraft noise in the external environment (through zoning and density controls and requiring acoustic treatment); and
 - (c) new residential areas (except for the Flat Bush precinct) that would contain ASAN are avoided within the HANA.
- 19.33 Additionally, within the bespoke set of provisions for Auckland International Airport, tertiary education facilities are proposed to be treated slightly differently to ASAN. In particular, within the HANA, new ASAN are proposed to be a Prohibited activity however, tertiary education facilities are proposed to be a Non-complying activity.
- 19.34 The Council's approach to zoning of land within the Aircraft Noise overlay is to ensure that airports are appropriately protected from incompatible development and reverse sensitivity effects. In particular, the zoning principle is to maintain the notified zoning or apply a less dense zone to ensure the number of ASAN are not increased.

⁹⁷ Mark Vinall, Topic 045, EIR, paragraph 10.8

⁹⁸ Mark Vinall, Topic 045, EIR, paragraph 10.5

PART D - REZONING METHODOLOGY

20. SUBMISSION MANAGEMENT

20.1 The Council received over 20,000 rezoning requests in relation to more than 80,000 properties across Auckland.

Hearing Topic 080 Rezoning and Precincts (General)

20.2 The submission points with rezoning requests that relate to the following zones have been allocated to Topic 080 Rezoning and Precincts (General):

- (a) Public Open Space (which contains five notified zones – Conservation, Informal Recreation, Sports and Active Recreation, Civic Spaces and Community zones): 2107 submission points from 733 submitters were received;
- (b) Coastal (which contains seven notified zones – General Coastal Marine, Marina, Minor Port, Mooring, Ferry Terminal, Defence and Coastal Transition zones): 96 submission points from 40 submitters were received; and
- (c) Special Purpose zones (which contain 11 notified zones and submissions seeking new special purpose zones): 954 submission points from 172 submitters were received.

20.3 The Council's approach to submission points allocated to Topic 080 is to group them by zone, and to respond to the same type of request collectively. This analysis is addressed in separate statements of evidence filed in respect of each of the above zones under Topic 080.

Hearing Topic 081 Rezoning and Precincts (Geographical Areas)

20.4 The submission points with rezoning requests that relate to the residential, business, and rural zones and the Future Urban zone have been allocated to Topic 081 Rezoning and Precincts (Geographical Areas). The exceptions to this are the zoning requests relating to the City Centre zone, which were discussed in the Council's evidence for Topic 050 City Centre, and zoning requests to rezone to FUZ, which are dealt with in the RUB Topics 016 and 017. However, requests to rezone FUZ areas to one of the PAUP's urban zones are considered in Topic 081.

20.5 The Council's approach to responding to submission points allocated to Topic 081 is to group the submission points by 29 geographical areas which are further broken down into 84 submission areas based on the 2006 Census Area Units (**CAU**). Some of the CAU boundaries have been adjusted to provide a more logical approach to grouping submissions. For instance, in some cases the boundaries have been adjusted to capture an entire centre. The submission area maps were provided to the Panel on 16 February 2015.⁹⁹

20.6 The number of rezoning requests received for each sub-regional area is as follows:

- (a) Central – 8251 submission points from 2,110 submitters;
- (b) North and Islands – 3225 submission points from 1376 submitters;
- (c) West – 1702 submission points from 221 submitters;
- (d) South – 4186 points from 485 submitters; and
- (e) Auckland Wide – 112 submission points from 89 submitters.

21. PRESENTATION OF THE COUNCIL'S RESPONSE TO SUBMISSIONS ON ZONING

Planner's Zoning Analysis and Proposed Position Spreadsheet

21.1 Given the volume of submission points received for Topics 081, spreadsheets are a valuable tool for grouping the analysis and response to submissions. The Council will provide as an attachment to the evidence-in-chief filed in respect of each geographical sub-area for Topics 081, a spreadsheet providing the planner's position and detailed reasoning in response to each submission point. The information recorded within the spreadsheets includes:

- (a) Submission point number;
- (b) Submitter's name;
- (c) Geographic topic;
- (d) Submission Area Unit;
- (e) Submission point summary;
- (f) Properties affected;
- (g) Locality;
- (h) Submission theme;
- (i) Notified PAUP zone/s;
- (j) Requested zone/s;

⁹⁹ Auckland Council Response to Direction in Independent Hearings Panel Procedural Minutes No.6 and No.7 – Rezoning and Precincts 16 February 2015

- (k) Relevant overlays, precincts and constraints;
- (l) Planner's proposed response;
- (m) Reasons;
- (n) Proposed zone change;
- (o) GIS map change; and
- (p) Consequential amendments.

Identification of Submission Themes

- 21.2 In responding to submissions for Topic 081 the Council has identified a range of common themes. A list of the themes and theme descriptions were provided in the Council's letter to the Panel dated 15 June 2015, a copy of which is provided as **Attachment F**.¹⁰⁰
- 21.3 Each submission point within Topic 081 has been matched to an identified theme. The number of themes within a geographic area varies according to the complexity of submission points received.
- 21.4 The Council's evidence-in-chief for Topic 081 will address the submission points by theme within each geographic area. This allows a comparison of themes between the submission areas across Auckland.

Mapping

- 21.5 Most of submission points received for Topics 080 and 081 with respect to zoning have provided detailed maps and/or a list of properties which are the subject of their submission. Where this is the case, the Council has mapped the relief sought within the PAUP GIS viewer and identified these sites in the Planner Recommendation Spreadsheets.
- 21.6 A smaller number of the submission points coded to Topics 080 and 081 that have requested changes to zoning have not provided detailed maps or a property address, or the request cannot be accurately defined spatially. The Council estimates that approximately 10% of rezoning requests are in this category. These requests, including all coastal requests, have not been mapped and have been captured in the Planner Recommendation Spreadsheet only.

¹⁰⁰ Auckland Council Response to Direction in Independent Hearings Panel Procedural Minutes No.6 and Conference Outcomes 15 June 2015

- 21.7 Maps showing the submission areas that were provided to the Panel on 16 February 2015 identified the properties that were subject to rezoning requests.¹⁰¹
- 21.8 The Council will provide as an attachment to the evidence-in-chief for each zone filed for Topic 080, two maps for each area:
- (a) the PAUP zones as notified (with the properties subject to rezoning requests identified); and
 - (b) the zoning changes proposed by the Council, with in scope and out of scope changes identified.
- 21.9 The Council will provide as an attachment to the evidence-in-chief filed in respect of each of the sub-areas for Topic 081, three maps for each specific topic or submission area. The maps will show:
- (a) The PAUP zones as notified;
 - (b) The PAUP zones as notified with the properties subject to rezoning requests identified; and
 - (c) The zoning changes proposed by the Council, with in scope and out of scope changes identified.
- 21.10 In some circumstances, additional maps have been created to give a 'zoomed in' view of a particular area or centre.

22. AUCKLAND COUNCIL SUBMISSION

- 22.1 There are 1169 submission points from the Council that have been coded to Topic 080 which seek a change in zoning. The submission points are addressed as part of the respective sub-topic, for example, Special Purpose zones.
- 22.2 There are 254 submission points from Auckland Council that have been coded to Topic 081 which seek a change in zoning. The submission points are addressed as part of the respective submission area.

¹⁰¹ Auckland Council Response to Direction in Independent Hearings Panel Procedural Minutes No.6 and No.7 – Rezoning and Precincts 16 February 2015

23. LOCAL BOARD VIEWS

- 23.1 Local board views on zoning were included in the Council's submission within the Local Board Views section. A total of 22 submission points were included from local boards for Topic 080 and 29 submission points were included in relation to Topic 081. The Council will provide a response to those submission points through its evidence for Topics 080 and Topic 081 within the respective zone topic or submission area.

24. AUCKLAND-WIDE SUBMISSIONS

- 24.1 There are a number of submission points allocated to Topic 080 that seek rezoning of residential or business zones generally, or in respect of particular areas. A table of these submission points is included within **Attachment E** of my evidence.
- 24.2 The themes of the sixteen submission points seeking rezoning of residential or business zones generally include:
- (a) Upzone around centres, railway stations and high frequency bus routes;
 - (b) Retain the location of the THAB zone along arterial roads;
 - (c) Apply SHZ in older city fringe suburbs;
 - (d) Amend zoning to ensure a consistent approach to address stormwater/flooding issues;
 - (e) Expand the MHU zone;
 - (f) Upzone the Isthmus;
 - (g) Align zoning with land values;
 - (h) Rezone inner areas of Rural Production zoned land used for lifestyle blocks;
 - (i) Rezone existing forestry within the Rural Conservation zone to Rural Production;
 - (j) Rezone Mixed Housing Urban properties that immediately adjoin a Single House zone to Mixed Housing Suburban;
 - (k) Rezone all Business Park zoned land to Mixed Use zone;
 - (l) Rezone Special Purpose and Residential land to 'commercial' so that BID (Business Improvement District) programmes are not detrimentally affected; and
 - (m) Rezone to delete libraries which are currently in business zones such as Remuera Library to Community zone.

24.3 Where these submissions are consistent with the zoning principles I have outlined and the Panel's best practise guidance on rezoning I support them.

24.4 The submission points that request changes in relation to the residential, business or rural zoning of a particular area will be specifically addressed in evidence for Topic 081.

PART E - CONCLUSION

24.5 My evidence has provided an overview of the PAUP zones and how they have been spatially applied. In my view, the PAUP zoning framework, supported by the zoning principles and the Council's approach to zoning discussed in my evidence (and adopted in the Council's planning evidence reports for Topic 080 and Topic 081), gives effect to the provisions of the RPS and provides a vital tool to assist the Council in achieving the sustainable management of Auckland's natural and physical resources.

John Duguid

3 December 2015

ATTACHMENT A

JOHN MICHAEL DUGUID - QUALIFICATIONS AND EXPERIENCE
(DECEMBER 2015)

EDUCATION

- **Master of Planning Practice (Honours) - University of Auckland**
Completed May 1998

- **Bachelor of Building Science - Victoria University of Wellington**
Completed November 1994

- **Certificates of Proficiency – Architectural Technology, Architectural Theory and Criticism - Victoria University of Wellington**
Completed November 1994

ADDITIONAL TRAINING

- **International Visitor Leadership Programme (Department of State, United States Government) – August 2012**
- **Auckland Future Leaders Programme (Committee for Auckland) - January 2010 – January 2012**
- **A-G Leadership Programme (Keenan Consulting) –Completed 2009**
- **Rogen Two-Day Public Speaking Course – Completed 2008**
- **International Cities and Town Centres Conferences – Attended 2002 (Caloundra), 2006 (Newcastle), 2007 (North Shore), 2008 (Sydney)**
- **National Certificate in First Line Management - August 2006 until May 2007 – partially completed**
- **IAP2 Certificate in Public Participation - June 2006**
- **Excelling as a First Time Manager or Supervisor Seminar –January 2005**
- **Project Management in Local Government Course – November 2003**
- **Environmental Conflict Resolution Workshop - March 2003**

EMPLOYMENT HISTORY

General Manager Plans and Place, Auckland Council

October 2015 to present

- Overall accountability for the development of plans and projects that realise the vision and goals for Auckland, including the Auckland Unitary Plan
- Providing quality policy and planning advice to the Mayor, Governing Body and Local Boards

Manager Unitary Plan, Auckland Council

Mid-2012 to present

- Leading the Unitary Plan unit
- Accountable for developing the Proposed Auckland Unitary Plan and taking it through the submissions and hearing process
- Business planning, business performance reporting and financial management
- Member of the Plans and Places senior lead team

Manager Plan Development, Auckland Council

December 2010 to mid-2012

- Leading the Plan Development unit
- Accountable for the review of over 100 bylaws from the former councils by 2015, developing and implementing plans for local areas and preparing and making operative the Proposed Auckland Unitary Plan
- Business planning, business performance reporting and financial management
- Member of the Regional and Local Planning department senior lead team

Manager Central Area Planning, Auckland City Council

June 2007 – December 2010

- Leading the Central Area Planning department
- Accountable for strategic planning projects in the CBD/city centre, Auckland City District Plan (Central Area Section), CBD/city centre resource consents, CBD/city centre resource consent monitoring
- Responsible for jointly overseeing the Auckland City Council Urban Design Panel
- Key contact for central government departments/agencies undertaking major infrastructure projects affecting the CBD/city centre (e.g. City Rail Link, National Convention Centre, Additional Waitemata Harbour Crossing, Victoria Park Tunnel)
- Business planning, business performance reporting and financial management

**Environmental Policy Adviser /Senior Environmental Policy Adviser – North Shore
City Council**

March 1999 – May 2007

- Providing senior support to staff within the Environmental Policy and Planning Department
- Assisting with business planning, performance and development reviews and recruitment
- Managing the Highbury Centre Review project and the development of the Highbury Centre Plan
- Member of the Albany Centre Review project team
- Managing the Albany Centre district plan change and Environment Court appeals process
- Managing the production of the 'Good Solutions Guide for Intensive Residential Developments' and 'What to Look for When Buying a Terraced House or Apartment'
- Providing urban design advice to staff and elected representatives
- Responsible for resolving a number of appeals on the business section of the Proposed North Shore District Plan

ADDITIONAL SKILLS AND EXPERIENCE

- **Conference paper on the Proposed Auckland Unitary Plan** – New Zealand Planning Institute Conference – August 2014; Environmental Regulations Conference - 2011
- **Conference paper on the development of the Albany Centre** – International Cities and Town Centres – October 2006
- **Conference paper on the Long Bay Structure Plan** – International Conference on Sustainability and Engineering – January 2007
- **Conference paper on intensive housing initiatives at North Shore City Council** – Urbanism Downunder March 2003
- **Urban Design Workshops and Charettes** – Various

ATTACHMENT B

A Complete list of Zones included within the Proposed Auckland Unitary Plan

Terrace House and Apartment Building Zone (THAB)

Mixed Housing Urban Zone (MHU)

Mixed Housing Suburban Zone (MHS)

Single House Zone (SHZ)

Rural and Coastal Settlement Zone

Large Lot Zone

City Centre Zone

Metropolitan Centre Zone

Town Centre Zone

Local centre Zone

Neighbourhood Centre Zone

Mixed Use Zone

Business Park Zone

General Business Zone

Light Industry Zone

Heavy Industry Zone

Rural Production Zone

Mixed Rural Zone

Rural Coastal Zone

Countryside Living Zone

Rural Conservation Zone

Conservation Zone

Informal Recreation Zone

Sports and Active Recreation Zone

Civic Spaces Zone

Community Zone

Future Urban Zone

General Coastal Marine Zone

Marina Zone

Mooring Zone

Minor Port Zone

Ferry Terminal Zone

Defence Zone

Coastal Transition Zone

Strategic Transport Corridor
Airport Zone
Cemetery Zone
Healthcare Facility Zone
Major Recreational Facility Zone
Maori Purpose Zone
Quarry Zone
Retirement Village Zone
School Zone
Tertiary Education Zone

ATTACHMENT C

2015 Proposed Auckland Unitary Plan Rezoning Principles

Best Practice Approach to Rezoning¹⁰²

- 1.1. The change is consistent with the objectives and policies of the proposed zone. This applies to both the type of zone and the zone boundary.
- 1.2. The overall impact of the rezoning is consistent with the Regional Policy Statement.
- 1.3. Economic costs and benefits are considered.
- 1.4. Changes should take into account the issues debated in recent plan changes.
- 1.5. Changes to zone boundaries are consistent with the maps in the plan that show Auckland-wide rules and overlays or constraints (e.g. hazards).
- 1.6. Changes should take into account features of the site (e.g. where it is, what the land is like, what it is used for and what is already built there).
- 1.7. Zone boundary changes recognise the availability or lack of major infrastructure (e.g. water, wastewater, stormwater, roads).
- 1.8. There is adequate separation between incompatible land uses (e.g. houses should not be next to heavy industry).
- 1.9. Zone boundaries need to be clearly defensible e.g. follow roads where possible or other boundaries consistent with the purpose of the zone.
- 1.10. Zone boundaries should follow property boundaries.
- 1.11. Generally no "spot zoning" (i.e. a single site zoned on its own).
- 1.12. Zoning is not determined by existing resource consents and existing use rights, but these will be taken into account.
- 1.13. Roads are not zoned.

Additional Best Practice Principles

- Ensure PAUP achieves a mix of residential zones in neighbourhoods to provide housing choice.
- Rural Urban Boundary (RUB) – all rural zones are outside the RUB and all urban zones are inside the RUB.

Contextual Principles

Have regard to:

- Land with physical limitations such as topography, ground conditions, vegetation, instability or natural hazards;

¹⁰² AUIHP Interim Guidance Best Practise Rezoning, Precincts and Changes to the Rural Urban Boundary dated 31st July 2015

- Land that has poor accessibility to centres and public transport;
- Land that has significant infrastructure constraints; and
- Areas where Auckland-wide rules, Overlays and Precincts apply which control the ability to develop or subdivide the site i.e. Additional Subdivision Control, Volcanic Viewshaft.

Schools Zoning Principles

Retain the Special Purpose School zone for Independent and Integrated schools;

Apply a residential, rural or business zone to state schools consistent with the zones applied adjoining or adjacent to the subject school.

Tertiary Education Principles

Apply an appropriate residential or business zone consistent with the zones applied adjoining or adjacent to the subject site to Tertiary Education facilities.

Retirement Village Zone

Apply a residential or business zone consistent with the zones applied adjoining or adjacent to the subject site to existing Retirement Villages.

Future Urban Zone

Only amend the spatial application of the Future Urban zone to reflect an operative Special Housing Area Variation or to correct an error.

Flood plains

The appropriate residential zoning for flood plains is determined by the flooding zoning principles see Attachment D.

Pre-1944 Overlay

The appropriate zone under the Pre-1944 overlay are as follows:

- Areas that are proposed to be deleted from the pre-1944 overlay have no heritage constraints for the purposes of zoning decisions.
- Retain the zoning where it is Single House, Mixed Housing Suburban, Centre or Mixed Use in the notified PAUP.
- Change the zoning to Mixed Housing Suburban where the zoning is Mixed Housing Urban or Terraced Housing and Apartment Buildings in the notified PAUP.
- Individual sites within the revised pre-1944 overlay (potential significant historic heritage places) should not influence the underlying zone.

Auckland-wide rules and Overlays that Impact Zoning

Residential Zoning Principles	Historic (Special) Character Overlay	National Grid (Electricity transmission) Corridor Overlay	Significant Ecological Area Overlay(SEA)	Sensitive Activity Restriction Overlay	Aircraft Noise Overlay	Height Sensitive Areas Overlay
<p>Terrace Housing and Apartment Building Zone Apply this zone to sites:</p> <ul style="list-style-type: none"> - Within approximately 250 metres moderate walking distance of Metropolitan, Town and Local Centre zones; - Within approximately 250 metres moderate walking distance of rapid & frequent transport network and arterials; - Within close proximity to existing or proposed large open spaces, community facilities, education and healthcare facilities; - Which are, or which are able to be, adequately serviced by existing or planned infrastructure. <p>(B2.1 Objectives 1 and 3, Policy 2, B2.3 Objective 1, Policy 1, B2.6 Objective 3 and 5, D1.1 Objective 2, Policy 3, D1.7 Objective 1)</p>	<p>The appropriate residential zone under the Historic (Special) Character Overlay is Single House zone.</p> <p>In localities where there are larger sites the Mixed Housing Suburban zone <u>could</u> be applied to enable some additional development within close proximity to centres and public transport.</p> <p>The application of MHS within areas subject to the overlay would require aerial and street survey so</p>	<p>The appropriate residential zones under the National Grid (Electricity transmission) corridor overlay are Single House Zone, Mixed Housing Suburban zone or Mixed Housing Urban zone. THAB is not an appropriate zone.</p> <p>(B3.2 Objective 2A and 6, Policies 2 and 7, E.1.4 Policies 1 and 2, C1.1 Objectives 5 and 6, Policies 2 and 9B)</p>	<p>The appropriate residential zones within the Significant Ecological Area (SEA) overlay where over 80% of the site has protected vegetative cover include Single House Zone or R + C Zone or LL Zone. Other zones are appropriate if the SEA overlay covers less than 20% of the site.</p> <p>(B4.3.4 Objective 1, C.5.1 Objective 5, E.7.12 Objective 3, E.7.12 Policy 3)</p>	<p>The appropriate zones within 500m of the Heavy Industry zone include what is currently there or a less dense zone. The number of activities sensitive to aircraft noise should not be increased.</p> <p>(B6.1 Objective 6, Policy 1C, E7.12 Objective 1-3, Policies 1-5)</p>	<p>The appropriate zones within the Aircraft Noise Overlay include what is currently there or a less dense zone. The number of activities sensitive to Aircraft Noise should not be increased.</p> <p>(B3.2 Objectives 2 and 6, Policies 2, 4, 7 and 9 B3.3 Objective 3 Policies 1, 3, 9(e) and 10, E.1.2 Objectives 1 and 2, Policies 1 to 5, C1.1 Objective 5)</p>	<p>The appropriate zone under the Height Sensitive Area overlay is Single House Zone or Mixed Housing Suburban Zone.</p> <p>(B4.3.2 Objective 7, Policies 15, 17 and 18, E.6.2 Objectives A, B, C Policies a, b, d, e, f)</p>

<p>Mixed Housing Urban (MHU) Zone: Apply this zone to sites:</p> <ul style="list-style-type: none"> - within approximately 250m moderate walking distance from any THAB zone and Mixed Use Zone; - within approximately 250m walking moderate distance from rapid and frequent transport network and arterials; - adjacent to Neighbourhood centres; - adjacent to certain Public Open Space zones or community facilities; - which are, or which are able to be, adequately serviced by existing or planned infrastructure. <p>(B2.1 Objectives 1 and 3, Policy 2, B2.3 Objective 1, Policy 1, B2.6 Objective 3 and 5, D1.1 Objective 2, Policy 3, D1.6</p>	<p>that it is only applied in areas where change has occurred or where change could be absorbed whilst maintaining the identified historic character.</p> <p>(B4.2 Objective 1 and 3, E3.1 Objective 2, Policies 1, 3A, 4F)</p> <p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>
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<p><i>Objective 1)</i></p> <p>Mixed Housing Suburban (MHS) Zone: Apply this zone to sites:</p> <ul style="list-style-type: none"> - Which do not meet the zoning principles for MHU and THAB zone; - Which do not have significant environmental, infrastructure, accessibility or flooding constraints that would lead to the application of the SHZ zone; - Within the Height Sensitive Area overlay or within the SEA overlay where the site has less than 20% protected vegetative cover; - Which are not subject to the Historic Character overlay. <p><i>(B2.1 Objectives 1 and 3, Policy 2, B2.3 Objective 1, Policy 1, D1.1 Objective 2, Policy 3, D1.5 Objective 1)</i></p> <p>Single House Zone (SHZ): Apply this zone to sites:</p> <ul style="list-style-type: none"> - With significant environmental, infrastructure constraints that are unlikely to be addressed in the foreseeable future or which cannot be addressed at a site-specific level; - With poor accessibility to the City Centre, Metropolitan, Town and Local Centres or the existing or planned public transport network, or large urban facilities including existing or proposed public open spaces, 	See Above	See Above	See Above	See Above	See Above	See Above
	See Above	See Above	See Above	See Above	See Above	See Above

<p>community facilities, education facilities, tertiary education facilities, and healthcare facilities;</p> <ul style="list-style-type: none"> - Within serviced settlements in rural and coastal areas (e.g. Omaha, Matakana); - Within the Historic Character overlay, Height Sensitive Area overlay and the Significant Ecological Area (SEA) overlay where over 80% of the site has protected vegetative cover; - With significant flooding risk. (B2.1 Objectives 1 and 3, Policies 1 and 2, B2.3 Objective 1, Policy 1, B2.5 Objective 3, Policy 1, D1.1 Objective 2, Policy 3, D1.4 Objectives 1 and 2, Policy 1) 						
<p>Rural + Coastal Settlement Zone Apply this zone to sites:</p> <ul style="list-style-type: none"> - Within un-serviced settlements in rural and coastal areas (e.g. Kaukapakapa, Waitoki). <p>(B2.1 Objectives 1 and 2, Policies 1 and 2, B2.3 Objective 1, Policy 1, B2.5 Objective 1, Policy 2, D1.1 Objective 2, Policy 3, D1.3 Objectives 1 and 3)</p>	See Above	See Above	See Above	See Above	See Above	See Above
<p>Large Lot Zone Apply this zone to sites:</p> <ul style="list-style-type: none"> - On the periphery of urban areas to sites 	See Above	See Above	See Above	See Above	See Above	See Above

<p>with geotechnical issues or high ecological or landscape values;</p> <p>- To un-serviced land within the RUB.</p> <p><i>(B2.1 Objectives 1, 2 and 4, Policies 1 and 2, B2.3 Objective 1, Policy 1, D1.1 Objective 2, Policy 3, D1.2 Objectives 1 and 3)</i></p>					
Business Zoning Principles		Auckland-wide rules and Overlays that Impact Zoning			
<p>Business Zone</p>	<p>National Grid (Electricity transmission) corridor Overlay</p>	<p>Sensitive Activity Restriction Overlay</p>	<p>Aircraft Noise Overlay</p>		
<p>Mixed Use Zone Apply this zone to sites:</p> <ul style="list-style-type: none"> - Adjacent to the City Centre Zone, Metropolitan Centre Zone and Town Centre Zones and along arterials that have good public transport. - Within locations which will not harm the vitality and viability of the City Centre Zone, Metropolitan Centre Zone and Town Centre Zone. <p><i>(B2.1 Objective 3, Policy 2, 3, 4, B2.3 Objective 1, Policy 1, B3.1 Objective 2, 3, Policy 1, 2, 5, 12, D3.3 Objectives 1, 2A, Policies 1, 2)</i></p>	<p>The appropriate zones under the National Grid (Electricity transmission) include what is currently there or a less dense zone.</p> <p><i>(B3.2 Objective 2A and 6, Policies 2 and 7, E.1.4 Policies 1 and 2, C1.1 Objectives 5 and 6, Policies 2 and 9B)</i></p>	<p>The appropriate zones within 500m of the Heavy Industry zone include what is currently there or a less dense zone. The number of activities sensitive to air discharges should not be increased.</p> <p><i>(B6.1 Objective 6, Policy 1C, E7.12 Objective 1-3, Policies 1-5)</i></p>	<p>The appropriate zones within the Aircraft Noise Overlay include what is currently there or a less dense zone. The number of activities sensitive to Aircraft Noise should not be increased.</p> <p><i>(B3.2 Objectives 2 and 6, Policies 2, 4, 7 and 9 B3.3 Objective 3 Policies 1, 3, 9(e) and 10, E.1.2 Objectives 1 and 2, Policies 1 to 5, C1.1 Objective 5)</i></p>		
<p>Metropolitan Centre Zone Metropolitan centres have been selected according to the centres hierarchy as set out in the Auckland Plan. There is a</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	<p>See Above</p>	

<p>fixed number of Metropolitan Centres. There is no scope for new Metropolitan Centres, only expansion. Apply this zone to sites:</p> <ul style="list-style-type: none"> - That meet the criteria set out in Policy 5 B3.1 RPS which provide for the outward expansion of metropolitan centres. <p><i>(B2.1 Objective 3, Policies 2, 3, 4, B2.3 Objective 1, Policy 1 B3.1 Objectives 2, 3, Policies 1, 2, 5, 12, D3.3 Objectives 1, 2A and Policies 1, 2)</i></p>			
<p>Town Centre Zone Town Centre Zone applied in accordance with the centres hierarchy as set out in the Auckland Plan and some other centres within the City Fringe (e.g. Ponsonby). There is not a lot of scope for new town centres in new neighbourhoods developed within the RUB.</p> <p>Apply this zone to sites:</p> <ul style="list-style-type: none"> - That meet the criteria set out in Policy 5 B3.1 RPS which provide for the outward expansion of town centres. -That meet the criteria set out in Policy 6 B3.1 RPS which provide for new town centres within the RUB. <p><i>(B2.1 Objective 3, Policies 2, 3, 4, B2.3 Objective 1, Policy 1, B3.1 Objectives 2, 3, Policies 1, 2, 5, 12 D3.4 Objectives 1, 2 and Policies 1, 2)</i></p>	See Above	See Above	See Above
<p>Local Centre Zone Local Centre Zone applied predominantly in accordance with the centres hierarchy as set out in the Auckland Plan.</p> <p>Apply this zone to sites:</p> <ul style="list-style-type: none"> - That meet the criteria set out in Policy 5 B3.1 RPS which 	See Above	See Above	See Above

<p>provide for the outward expansion of local centres.</p> <p>-That accord with the policy direction of D3.5 Policy 5 in considering extending the spatial extent of local centres.</p> <p><i>(B2.1 Objective 3, Policies 2, 3, 4, B2.3 Objective 1, Policy 1, B3.1 Objective 2, 3, Policies 1, 2, 5, 12, D3.5 Objectives 1, 2 and Policies 1, 5)</i></p>			
<p>Neighbourhood Centre Zone</p> <p>Apply this zone to:</p> <ul style="list-style-type: none"> - Single corner stores or small shopping strips located in predominantly residential neighbourhoods. <p><i>(B2.1 Objective 3, Policies 2, 3, 4, B2.3 Objective 1, Policy 1, B3.1 Objective 2, 3, Policies 1, 2, 5, 12 D3.6 Objectives 1 and 2, Policy 1)</i></p>	See Above	See Above	See Above
<p>General Business Zone</p> <p>Apply this zone to sites:</p> <ul style="list-style-type: none"> - Within close proximity to the City Centre Zone, Metropolitan Centre and Town Centre Zones and along arterials that have good public transport. - Within locations which will not harm the vitality and viability of the City Centre Zone, Metropolitan Centre Zone and Town Centre Zone. <p><i>(B2.3 Objective 1, Policy 1, B3.1 Objectives 2, 3, Policy 2, 3, 7, 8, 9, 10, 11, 12, D3.8 Objective 1, 2 and Policies 1, 3, 4)</i></p>	See Above	See Above	See Above
<p>Business Park Zone</p> <p>Apply this zone to sites:</p>	See Above	See Above	See Above

<p>- Within locations which will not harm the vitality and viability of the City Centre Zone, Metropolitan Centre Zone and Town Centre Zone.</p> <p>- to areas where significant existing level of office development established.</p> <p><i>(B2.3 Objective 1, Policy 1, B3.1 Objectives 2, 3, Policies 2, 3, 7, 8, 9, 10, 11,12, D3.9 Objectives 2, 4 and Policies 1, 3, 4)</i></p>		
<p>Light Industry Zone Apply this zone to sites:</p> <p>- With established light industrial activities, as permitted in the zone;</p> <p>- Around heavy industry areas, to act as a buffer between heavy industry and sensitive uses; <i>(B2.3 Objective 1, Policy 1, B3.1 Objective 3, Policy 9, 10, 11,12, D3.10 Objective 1 and Policy 1A, 1B, 2)</i></p>	See Above	See Above
<p>Heavy Industry Zone Apply this zone to sites:</p> <p>- 500m from zones that provide for activities sensitive to air discharges e.g. residential;</p> <p>- Reasonably large and robust areas with good access to freight routes. <i>(B2.3 Objective 1, Policy 1, B3.1 Objective 3, Policy 9, 10, 11, 12, D3.11 Objectives 1, 2 and Policies 1, 2, 3)</i></p>	See Above	See Above

Zoning Principles – Rural Zones

Rural Production Zone:

Large rural properties with low intensity settlement and rural production.

<p>Where there are opportunities to conserve and enhance native vegetation and wildlife.</p> <p>(B8.1 Objectives 2 and 3, Policies 3, 4, 5, 11, B8.2 Objectives 1 and 2, Policies 1, 2, 7 Objectives 1 and 3, Policies 1, D6.1 Objectives 3 and 7, Policies 3, 4 and 5 D6.2 Objective 2)</p>
<p>Mixed Rural Zone: Applies in areas with a history of horticulture and viticulture, including greenhouse production of flowers, fruit and vegetables, wine production, intensive poultry farming, and equine-related activities and services.</p> <p>(B8.1 Objectives 2 and 3, Policies 3, 4, 5, 11, B8.2 Objectives 1 and 2, Policies 1, 2, 7 Objectives 1 and 3, Policies 1, D6.1 Objectives 3 and 7, Policies 3, 4 and 5 D6.3 Objectives 2 and 3)</p>
<p>Rural Coastal Zone: Applies in areas beyond the immediate coastal environment that have landscape and amenity links to the coast.</p> <p>(B8.1 Objectives 2 and 3, Policies 3, 4, 5, 11, B8.2 Objectives 1 and 2, Policies 1, 2, 7 Objectives 1 and 3, Policies 1, D6.1 Objectives 3 and 7, Policies 3, 4 and 5 D6.3 Objectives 1-6)</p>
<p>Countryside Living Zone: Applies in locations which avoid sensitive areas such as natural landscapes, elite and prime land and quarries.</p> <p>Areas with smaller site sizes around rural townships.</p> <p>(B8.1 Objectives 2 and 3, Policies 3, 4, 5, 11, B8.2 Objectives 1 and 2, Policies 1, 2, 7 Objectives 1 and 3, Policies 1, D6.1 Objectives 3 and 7, Policies 3, 4 and 5 D6.5 Objective 1)</p>

ATTACHMENT D

Residential Rezoning Principles

Flooding

New urban areas: no business or residential zoning within areas subject to significant flooding

Existing urban areas: Follow below steps

Sites That May be Zoned Mixed Housing Urban / Suburban / THAB

Step	Criteria	Action
1	<p>Site:</p> <ul style="list-style-type: none"> a. is affected by flood plain but b. has one building platform (8 by 15m)¹⁰³ clear of the flood plain. <p>If not then proceed to step 2</p>	Site can be zoned mixed housing urban / suburban or THAB
2	<p>Site:</p> <ul style="list-style-type: none"> a. is affected by flood plain, b. does not have one 8 by 15m building platform clear of the flood plain, but c. is assessed by SWU has being in an area where flood plain hazards are considered to be inaccurate and/or not significant <p>If not, then proceed to step 3</p>	Site can be zoned mixed housing urban / suburban or THAB
3	<p>Site:</p> <ul style="list-style-type: none"> a. is affected by flood plain, b. does not have one 8 by 15m building platform clear of the flood plain, and c. is assessed by SWU has being in an area where flood plain hazards are considered to be significant, but d. already contains multi-unit development. <p>If not, then proceed to step 4</p>	Can select a zoning that best matches current development level.
4	<p>Site:</p> <ul style="list-style-type: none"> a. is affected by flood plain, b. does not have one 8 by 15m building platform clear of the flood plain, and c. is assessed by SWU has being in an area where flood plain hazards are considered to be significant, d. does not already contain multi-unit development; and e. is not part of a group of three or more sites that fit the same criteria, nor adjacent to the SHZ (i.e. it is a single, or double but isolated site) <p>If not, then proceed to step 5.</p>	Select a zoning that best matches adjacent sites
5	<p>Site:</p> <ul style="list-style-type: none"> a. is affected by flood plain; b. does not have one 8 by 15m building platform clear 	Select Single House Zone

¹⁰³ The subdivision section sets this as a minimum building platform. One shape factor would enable redevelopment of a stacked duplex type unit - a typology possible under the mixed suburban / urban zoning.

	<p>of the flood plain;</p> <ul style="list-style-type: none">c. is assessed by SWU has being in an area where flood plain hazards are considered to be significant;d. does not already contain multi-unit development;e. is part of a group of three or more sites that fit the same criteria (i.e. not a single, isolated site), or is adjacent to the SHZ.	
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ATTACHMENT E

Auckland wide Rezoning Submissions Coded to Topic 080

Submission	Submitter Name	Topic	Submission Area Unit	Summary	SUBMISSION THEME	WANTS TO BE HEARD	RESPONSE PROVIDED IN TOPIC 080 OR 081
1047-2	Alan Cole	South	South wide	Amend the location of the Rural Coastal zone so it is in keeping with what was agreed to in Franklin District Council Plan Change 14	Rural	No	Area specific - Responded to in Evidence for Topic 081
1234-11	The Great Ponsonby Art Hotel	Central	Central wide	Remove Town Centre zone from areas such as Ponsonby, Mt Eden and Kingsland.	Business	Yes	General Submission covered in Topic 080
1588-2	Mark Brent	Central	Central wide	Retain the Single House Zoning in Balmoral	Residential	No	Area specific - Responded to in Evidence for Topic 081
1617-7	Jennifer Conlon	West	West wide	Restrict intensification in Glen Eden	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
1617-8	Jennifer Conlon	West	West wide	Rezone Mixed Housing in Atkinson Road Titirangi to Single House	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
1854-1	H P S Group	West	West wide	Rezone land within Hobsonville Road - Trig Road triangle, in particular, 76-82 Hobsonville Road including 82a Hobsonville Road and 7 Trig Road, to Mixed Housing Urban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

1973-2	James Emily Properties Limited	West	West wide	Amend to Retain the permitted, controlled and discretionary activities of the Auckland Council District Plan (Waitakere Section) for this part of New Lynn.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
2088-17	Wendy Clark	South	South wide	Restore Franklin's coastal zone boundaries to that agreed in Plan Change 14.	Rural	Yes	General Submission covered in Topic 080
2088-18	Wendy Clark	South	South wide	Restrict "fill in" areas from the original/legacy overlay to 50m from the beach.	Rural	Yes	General Submission covered in Topic 080
2186-1	Whitford Residents and Ratepayers Association	South	South wide	Retain the [Franklin District Plan] Whitford Countryside Living zone for the Rural 2 area and reinstate the start date and existing subdivision rules.	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
2563-19	Felicity Beekhuizen	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
2564-20	Simon and Rachel Jacobs	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

2566-19	Ray McCormick	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
2568-17	F A Turner	South	South wide	Rezone to reduce the amount of Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
2570-17	J C C Goodwin	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
2574-16	Ian Watson	South	South wide	Retain the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
2575-67	AMP Property Portfolio Limited	South	South wide	Retain the Mixed Use zone on Ti Rakau Drive and Te Irirangi Drive.	Business	Yes	Area specific - Responded to in Evidence for Topic 081

2710-1	P H and M D Dower	South	Auckland wide	Reject Unitary Plan specifically for Howick area	Residential	No	Area specific - Responded to in Evidence for Topic 081
2834-2	Kumeu River Wines Limited and M G Brajkovich Family Trust	West	West wide	Retain the mixed rural zone on Waitakere Rd, Waitakere.	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
3052-2	Elizabeth P Langridge	North and Islands	North wide	Reject high rise buildings on coastal properties in Milford, Takapuna, Birkenhead and Northcote.	Residential	No	Area specific - Responded to in Evidence for Topic 081
3269-1	Trevor Purkis	Central	Central wide	Rezone the stretch of Great South Road from Greenlane West to Station Road, Penrose to Mixed Use.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
3368-1	Pepperell Family Trust	West	West wide	Rezone Lots 1 and 3 DP 116247, Lot 1 DP 142764 and Lot 5 and 5 DP 423139, York and Queen Street, Riverhead from Single House to Neighbourhood Centre.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
3707-1	Theresa Wells	North and Islands	North wide	Scale back amount of growth planned for Bayswater, Devonport and Takapuna areas.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4051-3	Tim Knight	South	South wide	Rezone Howick and Pakuranga area from Mixed Housing [and other residential zones - infer] to Single House Rezone sites from Mixed Housing Suburban in the area bound by New North Road in the west, the city fringe in the north, SH20 in the south and Great South Road in the east to Mixed Housing Urban.	Residential	No	Area specific - Responded to in Evidence for Topic 081
4087-16	Bryce Pearce	Central	Central wide		Residential	No	Area specific - Responded to in Evidence for Topic 081

4132-14	Sentinel Planning Limited	North and Islands	North wide	Review all Business zones to ensure they are compatible with the existing environment (in particular North Harbour Industrial Estate and Wairau Valley).	Business	Yes	General Submission covered in Topic 080
4132-15	Sentinel Planning Limited	North and Islands	North wide	Rezone North Harbour Industrial Estate and Wairau Valley from Light Industry to General Business.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
4186-3	Heather Parlane	South	South wide	Include a new transitional zone around Hill Park, Manurewa footprint being Great South Road, Orams Road and the Southern Motorway.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4587-1	Paul Sieberhagen	North and Islands	North wide	Rezone Northcote and Highbury to remove 6 storey building zones. Direct intensification to between Great North Rd and the North Western Motorway, Pt Chevalier, the Unitec site, MOTAT and to suburbs neighbouring Pt Chevalier such as Waterview, Westmere, Grey Lynn and Herne Bay	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4641-7	Michelle Wilkinson and Simon Judkins	Central	Central wide		Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4660-5	Bobby Shen	West	West wide	Retain the concentric zones around the Metropolitan Centre Zoning in Henderson	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4757-13	Bruce Macfarlane	North and Islands	North wide	Intensify high points, intersections with Terrace Housing and Apartment Buildings in Takapuna/Devonport Peninsula areas [refer to submission for details pg 7/7]	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4757-14	Bruce Macfarlane	North and Islands	North wide	Intensify ridges and main thoroughfares with Terrace Housing in Takapuna/Devonport Peninsula areas [refer to submission for details pg 7/7].	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

4797-107	Louis Mayo	Central	Central wide	Rezone the Light Industrial sites within Morningside and Greenlane to Mixed Use.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
4797-29 4797-33	Louis Mayo	Central Auckland-wide	Central wide Auckland wide	Rezone land around Morningside area that is close to public transport (the Western rail line) and also Great South Road in the Greenlane area to Mixed Use. Rezone all Business Park zoned land to Mixed Use zone.	Business	Yes	Area specific - Responded to in Evidence for Topic 081 General Submission covered in Topic 080
4797-8 4810-4	Louis Mayo Christine Dowsett	Central Auckland-wide	Central wide Auckland wide	Rezone land to enable higher density development near stations and high frequency bus routes, especially Newton, Morningside, Greenland and Ellerslie. Rezone inner areas of Rural Production zoned land which is actually largely lifestyle and uneconomic [no specific area identified].	Business Rural	Yes Yes	Area specific - Responded to in Evidence for Topic 081 General Submission covered in Topic 080
4823-84	Stephen Davis	Central	Central wide	Rezone all properties zoned "Mixed Housing Suburban" to "Mixed Housing Urban " within an area bounded by Great North Road, the Waterview Connection, the South-West motorway, the Onehunga Industrial area, Great South Road and the Central City, and including all the suburbs of Mount Albert, Mount Eden, Sandringham, Kingsland, Morningside, St Lukes, Eden Terrace, Three Kings, Oratia, Onehunga and Royal Oak and parts of Point Chevalier, Waterview, Mount Roskill, Greenlane and Pentrose.	Residential	No	Area specific - Responded to in Evidence for Topic 081

4823-93	Stephen Davis	Central	Central wide	Rezone Great South Road from Green Lane East southwards to approximately Ellerslie from Light Industrial to Mixed Use.	Business	No	Area specific - Responded to in Evidence for Topic 081
4824-5	Mount Saint John Residents Group Incorporated	Central	Auckland wide	Apply the Single House zone in older city fringe suburbs	Residential	Yes	General Submission covered in Topic 080
4855-5	Titirangi Ratepayers and Residents Association	Central	Central wide	Focus intensification in the Western Isthmus area from Mt Eden to Avondale.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
4894-10	Andrew Dopheide	Central	Central wide	Rezone to allow for increased development and housing intensity near high quality public transport routes in Great North Rd	Residential	No	Area specific - Responded to in Evidence for Topic 081
4894-11	Andrew Dopheide	Central	Central wide	Rezone to allow for increased development and housing intensity near high quality public transport routes between Ponsonby and Grey Lynn	Residential	No	Area specific - Responded to in Evidence for Topic 081
4907-5	Julia Jackson	Central	Central wide	Increase intensification of residential and commercial activities on transport nodes in Newton, Morningside, Greenlane and Ellerslie	Business	No	Area specific - Responded to in Evidence for Topic 081
4946-1	Kevin Pearson	West	West wide	Rezone Alice Road and Coatesville-riverhead Highway, Riverhead, from Mixed Use to a residential zone.	Residential	No	Area specific - Responded to in Evidence for Topic 081
4946-2	Kevin Pearson	West	West wide	Amend the Zoning of the Riverhead Town Centre to a structure plan that incorporates the existing land use in Riverhead and the proposed Future Urban areas to the south and west.	Rural	No	Area specific - Responded to in Evidence for Topic 081

4968-3	Shane Cook	Central	Central wide	Intensify the Great North Road ridge line.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5002-19	Liam Winter	Central	Central wide	Rezone areas between New North Road and Great South Road in the central Isthmus from Mixed Housing Suburban to Mixed Housing Urban. <i>Actually submission point 5002-20</i>	Residential	No	Area specific - Responded to in Evidence for Topic 081
5002-8	Liam Winter	Central	Central wide	Upzone Newton, Meadowbank, Greenlane, Morningside, St Lukes, Mt Roskill and the central Isthmus.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5040-7	Norma D Hanley	Central	Central wide	Rezone the Mixed Housing Urban and Mixed Use zones within the area of Balmoral Road, west to Sandringham Rd, North to Kingsland, and East to Mt Eden Rd, and North to New North Road to less intensive zones. Intensify these areas in stages after there is independent verification that the infrastructure can support such growth.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5076-1	Campbell Stanley and Evelyn M Butcher	South	South wide	Minimise intensification in Pakuranga, Howick, Botany and Ormiston/Flat Bush.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5116-1	Jacques Charroy	Central	Central wide	Rezone (e.g. to Terrace Housing and Apartment Buildings) to increase the housing stock close to the city centre ie. in the inner suburbs of Parnell, Mt Eden, Epsom, Mt Albert, Kingsland, Freemans Bay, Ponsonby, Grey Lynn and Arch Hill.	Residential	No	Area specific - Responded to in Evidence for Topic 081

5219-41	Hartwig Clasen	Central	Central wide	Rezone Royal Oak and Onehunga North Single House or Mixed Housing Suburban.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5219-42	Hartwig Clasen	Central	Central wide	Rezone the Greenwoods Corner area from Terrace Housing and Apartment Building to Single House or Mixed Use Suburban.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5219-43	Hartwig Clasen	Central	Central wide	Rezone stretches along Manukau Road near Greenwood Corner from Terrace Housing and Apartment Building to Mixed Housing.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5253-68	Kiwi Income Trust and Kiwi Property Holdings Limited	Central	Central wide	Amend planning map to extend the Metropolitan Centre Zoning over the adjacent rail corridor. [Sylvia Park and New Lynn]	Business	Yes	Area specific - Responded to in Evidence for Topic 081
5268-14	Louise A Graham	North and Islands	North wide	Zone more areas for Terrace Housing and Apartment Buildings along main arterial roads within the former North Shore City.	Residential	Yes	General Submission covered in Topic 080
5268-4	Louise A Graham	Central	Central wide	Rezone more areas for Terrace Housing and Apartment Buildings along main arterial roads within the former Auckland City.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5269-14	Robert J S Graham	North and Islands	North wide	Rezone more areas for Terrace Housing and Apartment Building along main arterial roads within the former the North Shore City area.	Residential	Yes	General Submission covered in Topic 080
5269-4	Robert J S Graham	Central	Central wide	Rezone more areas for Terrace Housing and Apartment Building along main arterial roads within the former Auckland City area.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

5277-154	The Urban Design Forum Zealand	West	West wide	Rezone land on Swanson Road, Henderson as shown in the submission [refer to page 17/104] from Light Industry to Mixed Use.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
5277-179	The Urban Design Forum Zealand	North and Islands	North wide	Rezone land on Sunset Road and Constellation Drive (Surrounding the Constellation Bus Station) as shown in the submission [refer to page 26/104] from General Business, Mixed Housing Urban and Mixed Housing Suburban to Light Industry and Terrace Housing and Apartment Buildings.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5277-218	The Urban Design Forum Zealand	South	South wide	Rezone land around Browns Road, Roscommon Road, Weymouth Road, Manurewa as shown in the submission [refer to page 40/104] from Single House to Mixed Housing Suburban [to remove Single House spot Zoning].	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5277-220	The Urban Design Forum Zealand	South	Auckland wide	Amend Zoning to ensure a consistent approach to address stormwater/flooding issues [referring to spot down zoning where flood risks are present]	Residential	Yes	General Submission covered in Topic 080
5277-366	The Urban Design Forum Zealand	Central	Central wide	Rezone land around Great North Road, Arch Hill as shown in the submission [refer to page 97/104] from Single House to Mixed Housing Urban and Terrace Housing and Apartment Buildings.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5277-382	The Urban Design Forum Zealand	West	West wide	Rezone land on Bollard Avenue, Batkin Road and Methuen Road, Avondale as shown in the submission [refer to page 100/104] from Single House to Mixed Housing Urban and Terrace Housing and Apartment Buildings.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

5280-250	The New Zealand Institute of Architects	South	South wide	Rezone various sites within the Otara-Papatoetoe Local Board area, as shown in the submission [refer to page 52/104] from Mixed Housing Suburban to Mixed Housing Urban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5280-256	The New Zealand Institute of Architects	South	South wide	Rezone land on Prochester Road and Great South Road, Papakura as shown in the submission [refer to page 55/104] from Mixed Housing Suburban and Mixed Housing Urban to Mixed Housing Urban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5280-332	The New Zealand Institute of Architects	Central	Central wide	Rezone land within the Tamaki Precinct, Glen Innes as shown in the submission [refer to page 82/104] from Mixed Housing Suburban to Mixed Housing Urban or Terrace Housing and Apartment Buildings.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5280-333	The New Zealand Institute of Architects	Central	Central wide	Rezone land within the Tamaki Precinct, Glen Innes as shown in the submission [refer to page 82/104] from Mixed Housing Suburban to Mixed Housing Urban or Terrace Housing and Apartment Buildings to reflect the intended building height controls.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5280-336	The New Zealand Institute of Architects	Central	Central wide	Rezone land on Line Road, Maybury Street and Point England Road, Glen Innes as shown in the submission [refer to page 83/104] from Mixed Housing Suburban to Terrace Housing and Apartment Buildings.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5280-369	The New Zealand Institute of Architects	Central	Central wide	Rezone land on Seccombes Road, Newmarket as shown in the submission [refer to page 97/104] from Single House to Mixed Housing Urban and Terrace Housing and Apartment Buildings.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

5294-349	Auckland International Airport Limited	South	South wide	Rezone land in the Puhinui Road and Cavendish Drive area, Manukau, and the Burrell Avenue area, Papatoetoe, shown on the plan attached to the submission as Map 4 from 'Single House' to 'Light Industrial'. Refer to details in submission at page 166/218.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
5347-31	Remuera Heritage	Central	Auckland wide	Rezone to delete libraries which are currently in business zones such as Remuera Library to Community zone	Business	Yes	General Submission covered in Topic 080
5396-1	West Harbour Esplanade Residents Group	West	West wide	Rezone properties adjacent to the Waitemata West Harbour Esplanade Reserves and associated developed harbour-side public walkways from Mixed Housing Suburban to Single House [Refer to Map, page 3/4 of submission].	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5427-39	PF Olsen Limited	Auckland-wide	Auckland wide	Rezone existing forestry within the Rural Conservation zone to Rural Production.			General Submission covered in Topic 080
5478-37	Generation Zero	Central	Auckland wide	Retain up-Zoning in areas around New Lynn, Avondale, Glen Innes, Panmure and Papatoetoe.	Rural	No	Area specific - Responded to in Evidence for Topic 081
5478-51	Generation Zero	Central	Central wide	Rezone the area along Great South Rd between Greenlane and Ellerslie from Light Industrial to Mixed Use.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
5518-2	Henry Perkins	South	South wide	Rezone area east of Chapel Road, both sides of Union Road (Howick), a small portion of Gills Road and west and east of Gossamer Drive (Pakuranga) from Mixed Housing Suburban to Single House [revert to Zoning under Draft Unitary Plan].	Residential	No	Area specific - Responded to in Evidence for Topic 081

5535-12	Frank Grgec	Central	Central wide	Rezone the area between Sandringham Road to the West and Mount Eden Road to the East, New North Road, Kingsland to the North and Balmoral Road, Balmoral to the South from Mixed Housing Urban and Mixed Use to a zone that will maintain the current intensity of development.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5535-2	Frank Grgec	Central	Central wide	Retain the Single House zone for all areas where the Special Character Overlay is applies in the immediate vicinity of Eden Park, Kingsland.	Residential	No	General Submission covered in Topic 080
5569-8	Emma Quantrill	Central	Central wide	Rezone the land along Remuera Road between the Remuera Town Centre and the Newmarket Metropolitan Centre from Single House to Terrace Housing and Apartment Building or Mixed Housing Urban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5601-3	Wayne R Ryburn	Central	Auckland wide	Rezone brownfield sites in the suburbs of Mt Roskill, Sandringham, Panmure, East Tamaki, Otara and Mangere to Terrace Housing and Apartment Buildings to provide for more inner city apartments around Newmarket and the CBD.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5686-2	Rita Steel	Central	Auckland wide	Retain Zoning for intensification in inner suburbs.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5703-14	Glen Frost	South	Auckland wide	Rezone Mixed Housing Urban properties that immediately adjoin a Single House zone to Mixed Housing Suburban, particularly in Hill Park, Manurewa.	Residential	Yes	General Submission covered in Topic 080

5716-3181	Auckland Council	South	South wide	Rezone sites within the Franklin area from Rural Coastal to either Rural Production or Mixed Rural to reflect the Coastal zone boundary in the Auckland Council District Plan Operative Franklin Section 2000. Retain the Mixed Use zone at Massey Road, Mangere and on the eastern side of Massey Road to Hain Ave, Mangere [Refer to Mangere-Otahuhu Local Board Views, Volume 26, page 13/103].	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
5716-3429	Auckland Council	South	South wide		Business	Yes	Area specific - Responded to in Evidence for Topic 081
5716-3526	Auckland Council	South	South wide	Rezone land zoned as Rural Coastal in the Franklin Area to be aligned with the Coastal zone in the operative Franklin Plan [Refer to Franklin Local Board Views, Volume 26, page 35/103].	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
5716-3527	Auckland Council	South	South wide	Rezone areas of Franklin that were zoned as Rural in the Franklin District Plan and are now zoned Rural Coastal to either Mixed Rural or Rural Production [Refer to Franklin Local Board Views, Volume 26, page 36/103].	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
5716-3590	Auckland Council	Central	Central wide	Retain the Single House zone as applied in Ellerslie [Refer to Orakei Local Board Views, Volume 26, page 52/103]. Rezone areas that directly abut the Terrace Housing and Apartment Buildings zone to either Mixed Housing Urban or Mixed Housing Suburban, particularly along the Remuera ridge line: Ascot Ave, Wairua Rd, Norana Ave and Armadale Rd; and in Mission Bay and Ellerslie [Refer to Orakei Local Board Views, Volume 26, pages 52 and 53/103].	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5716-3595	Auckland Council	Central	Auckland wide		Residential	Yes	Area specific - Responded to in Evidence for Topic 081

5729-6	Beryl J Lane	South	South wide	Rezone Pakuranga, Sunnyhills, Buckland Beach, Farm Cove and Half Moon Bay from Mixed Housing to Single House.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5791-63	Carter Holt Harvey Limited	South	Auckland wide	Rezone the area located in the vicinity of Bell Avenue through to Salesyard Road, as per map on page 32/32 of submission, from Light Industry to Heavy Industry.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
5852-1	Rodney (Roddy) Thompson	Central	Central wide	Retain Single House Zoning for some parts of the Auckland isthmus including McCullough Avenue, Fyvie Avenue, Smallfield Avenue, Scott Ave, Simmonds Ave, Mt Roskill as identified on plan included with submission pg 1/7. Only allow future upgrade after sufficient infrastructure, including stormwater and sewerage, is in place	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5857-1	Lisa Rimmer	Central	Central wide	Retain Single House Zoning for some parts of the Auckland Isthmus including McCullough Avenue, Fyvie Avenue, Smallfield Avenue, Scott Ave, Simmonds Ave, Mt Roskill as identified on plan included with submission pg 1/7. Only allow future upgrade after sufficient infrastructure, including stormwater and sewerage, is in place	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5860-1	Catherine McArdle	Central	Central wide	Retain Single House Zoning for some parts of the Auckland isthmus including McCullough Avenue, Fyvie Avenue, Smallfield Avenue, Scott Ave, Simmonds Ave, Mt Roskill as identified on plan included with submission pg 1/7. Only allow future upgrade after sufficient infrastructure, including stormwater and sewerage, is in place	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

5863-1	Seetha Kamineni	Central	Central wide	Retain Single House Zoning for some parts of the Auckland isthmus including McCullough Avenue, Fyvie Avenue, Smallfield Avenue, Scott Ave, Simmonds Ave, Mt Roskill as identified on plan included with submission pg 1/7. Only allow future upgrade after sufficient infrastructure, including stormwater and sewerage, is in place	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5884-24	Victoria J Park	Central	Central wide	Amend the application of Mixed Housing Suburban or Mixed Use zones within Balmoral Rd, west to Sandringham, North Kingsland, and East to Mt Eden Rd, and North to New North Road, Mt Eden and stage intensification after adequacy of infrastructure and demand is determined.	Residential	No	Area specific - Responded to in Evidence for Topic 081
5912-12	Mark and Karen Donnelly	Central	Central wide	Rezone area Sandringham Rd, Sandringham from Rossmay Terrace south (both sides) to Gribblehurst Rd from Mixed Housing Urban to Mixed Housing Suburban	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5912-16	Mark and Karen Donnelly	Central	Central wide	Rezone proposed Mixed Housing Urban and Mixed Use within the areas Balmoral Rd, west to Sandringham, North to Kingsland, east to Mt Eden Road, Mt Eden, and north to New North Road, instead applying a staged mechanism	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5923-10	Jann Hurley	South	South wide	Delete provisions that allow for urban sprawl along State highway 22 from Pukekohe toward Drury.	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
5923-15	Jann Hurley	Central	Central wide	Rezone areas within walking distance of the Auckland CBD (e.g. Ponsonby, Grey Lynn, Kingsland) to Mixed Housing Suburban.	Residential	Yes	General Submission covered in Topic 080

5929-1	Eden Neighbours' Association Incorporated	Park	Central	Central wide	Retain Single House zone between Balmoral Rd, Sandringham Rd, Mt Eden Road, Mt Eden and New North Rd/Mt Eden Rd north, Mt Eden.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5929-12	Eden Neighbours' Association Incorporated	Park	Central	Central wide	Rezone area Sandringham Rd, Sandringham from Rossmay Terrace south (both sides) to Gribblehirst Rd from Mixed Housing Urban to Mixed Housing Suburban	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5974-11	Matthew Searle		Central	Central wide	Rezone areas already zoned Mixed Housing Suburban within the area bounded by New North Road in the west, the city fringe in the north, SH20 in the south and Great South Road in the east to Mixed Housing Urban	Residential	No	Area specific - Responded to in Evidence for Topic 081
5989-10	Kelvin Hill		Central	Central wide	Reduce housing density to a minimum in those parts of the Western Springs / Morningside area affected by land stability.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
5989-6	Kelvin Hill		Central	Central wide	Rezone the shops along New North Road, Kingsland, and the corner of Western Springs Road, Kingsland, from Local Centre to Neighbourhood Centre zone.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
5993-6	Harsha Ravichandran		Central	Central wide	Rezone the central isthmus to Mixed Housing Urban or to Terrace Housing and Apartment Building zone	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6022-17	Kiwi Vision Consultants Limited	North and Islands	AUCKLAND WIDE		Retain the location of the Terrace Housing and Apartment Building zone along arterial roads (e.g. East Coast Road).	Residential	Yes	General Submission covered in Topic 080
6037-1	Connie F L and John W Kum	Central	Central wide		No specific decision sought, opposes Terrace Housing and Apartment Building zone in Epsom and Royal Oak. Concerns over Historic Heritage, Special Character and traffic congestion.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

6070-11	Tim Robinson	West	West wide	Retain Zoning across the Waitakere Local Board area. Rezone all land in the Mixed Housing Suburban zone to Mixed Housing Urban (MHU) zone and apply the new MHU zone to all residential sites with access off all main arterial and connecting road such as New North Road, Sandringham Road, Dominion Road, Mt Eden Road, Manukau Road, Great South Road, Pt Chevalier Road, Great North Road etc; and reduce the extent of the Single House zone accordingly. Refer to Figure 1 showing arterials and collectors where the MHU should be applied on page 26/92 of the submission. <i>Rezone all areas zoned Mixed Housing Suburban to Mixed Housing Urban</i>	Residential	No	General Submission covered in Topic 080
6099-4	Ockham Holdings Limited	Central	Central wide	Extend the Terrace Housing and Apartment Buildings (THAB) zone to cover all residential sites located with five minutes walking distance of all main arterials and connecting roads such as New North Road, Sandringham Road, Dominion Road, Mt Eden Road, Manukau Road, Great South Road, Pt Chevalier Road, Great North Road etc; and reduce the extent of the Mixed Housing Suburban and Single House zones accordingly. Refer to Figure 1 showing example of where the THAB zone should be applied on page 26/92 of the submission.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6099-6	Ockham Holdings Limited	Central	Central wide		Residential	Yes	Area specific - Responded to in Evidence for Topic 081

6130-18	Catherine Hill	Central	Central wide	Rezone areas that are zoned Terrace Housing and Apartment Buildings in Western Springs/Morningside to Mixed Housing Suburban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6130-23	Catherine Hill	Central	Central wide	Recognise that housing density should be kept to a minimum in areas affected by land stability and flooding issues (in Western Springs/Morningside).	Residential	Yes	General Submission covered in Topic 080
6130-8	Catherine Hill	Central	Central wide	Retain the Single House Zoning in Western Springs/Morningside.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6183-2	Stephen Havill	North and Islands	North wide	Rezone areas such as Barrys Point Road, Wairau Valley and North Harbour to reflect their mixed use and general business direction [as opposed to being zoned Light Industrial].	Business	Yes	Area specific - Responded to in Evidence for Topic 081
6192-1	Sonya J Forbes	North and Islands	North wide	Retain the zoning proposed from Takapuna to Devonport.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6198-12	James Hughes	Central	Central wide	Up-zone areas near railway stations and high frequency bus routes, particularly Newton, Morningside, Greenlane and Ellerslie	Residential	Yes	General Submission covered in Topic 080
6210-15	TransportBlog	Central	Central wide	Rezone areas zoned Mixed Housing Suburban in the area bounded by New North Road (west), the city fringe (north), State Highway 20 (south) and Great South Road (east), to Mixed Housing Urban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6214-27	Suzanne V and Alan Norcott	South	South wide	Rezone Otara, Hunters Plaza, Takanini, Papatoetoe and other areas close to motorways, hospitals, MIT and Manukau University Campus to increase the amount of intensive housing and apartments	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

6214-3	Suzanne V and Alan Norcott	South	South wide	Retain Single House Zoning in Northpark, Meadowlands, Somerville, Golflands, Dannemora, Whitford Rd from Chapel Road to Somerville Rd and all of Somerville Rd, Somerville	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6214-4	Suzanne V and Alan Norcott	South	South wide	Rezone Bucklands Beach, Half Moon Bay, Farm Cove and Sunny Hills to Single House with a minimum site size of 500m ² generally and 400m ² for townhouses	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6214-6	Suzanne V and Alan Norcott	South	South wide	Rezone the eastern side of Pakuranga Rd around Williams Ave, Pakuranga from Terrace Housing and Apartment Buildings to [Mixed Housing Urban]. Rezone the large Terrace Housing and Apartment Building Zoning on the [western side] of Pakuranga Rd to Terrace Housing and Apartment Buildings and [Mixed Housing Urban]	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6221-15	Christine MacKenzie	Central	Central wide	Rezone the area of Balmoral Rd, west to Sandringham Rd, north to Kingsland, east to Mt Eden Rd, and north to New North Rd from Mixed Housing Urban and Mixed Use [submission does not specify alternative zone].	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6229-5	John E Abbott	Central	Central wide	Rezone the area in Mt Wellington bounded by Sylvia Park Road, Penrose Road, the railway line and Hamlins Hill from Light Industry to Heavy Industry.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
6239-2	Brett Mihaljevich	Central	Central wide	Rezone the land north of Great South Road from Terrace Housing and Apartment Buildings and Mixed Housing Urban to Mixed Housing Residential.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

6296-6	Mark Robinson	North and Islands	AUCKLAND WIDE	Rezone the area bounded by the North Western motorway, South Western motorway and Great South Road (particularly areas close to train lines and arterial roads), from Mixed Housing Suburban to Mixed Housing Urban.	Residential	No	Area specific - Responded to in Evidence for Topic 081
6352-3	Rhys Williams	Central	Central wide	Rezone properties along the Balmoral, New North, Sandringham, Dominion, Mt Eden and Mt Albert Road corridors to provide for more intensification.	Residential	No	Area specific - Responded to in Evidence for Topic 081
6352-5	Rhys Williams	Central	Central wide	Amend Zonings so that designated intensification areas are closer aligned to land values, with particular reference to central areas.	Residential	No	General Submission covered in Topic 080
6364-2	Sarah Gambitsis	Central	Central wide	Reduce the extent of the areas zoned Terrace Housing and Apartment Buildings around Royal Oak and Onehunga to half of the proposed area.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6379-13	Tom Ang	Central	Central wide	Rezone the area along the Great North Road ridge from Mixed Housing to Terrace Housing and Apartment Buildings where the parcel abuts land zoned Single House.	Residential	No	Area specific - Responded to in Evidence for Topic 081
6410-19	John E Sexton	South	South wide	Rezone sites affected by decision of [Franklin] Plan Change 14 so that extent of Rural Coastal zone is the same as decided in Plan Change 14.	Rural	No	Area specific - Responded to in Evidence for Topic 081
6417-2	Judith Frost	South	South wide	Rezone properties between 108 and 152 Great South Road, and between 12 and 16 Kelvyn Grove, and between 6 and 10 Hill Road, Manurewa from Mixed Housing Urban and Terrace Housing and Apartment Buildings to Mixed Use Suburban. [Infer submitter may be referring to Mixed Housing Suburban]	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

6419-25	Abhishek Reddy	Central	Central wide	Rezone to provide for 'much greater intensification' around Morningside, Ellerslie, Greenlane, Meadowbank and Orakei rail stations.	Residential	No	Area specific - Responded to in Evidence for Topic 081
6419-32	Abhishek Reddy	Central	Central wide	Rezone [parts of the] area between Grey Lynn and Grafton to remove the 'excessive Single House Zoning' [refer to page 6/6].	Residential	No	Area specific - Responded to in Evidence for Topic 081
6431-3	Kirk A Serpes	Central	Auckland wide	Rezone Light Industrial Land in Morningside, Takapuna, Greenlane to Ellerslie to Mixed Use.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
6444-102	Civic Trust Auckland	Central	Central wide	Retain Mixed Housing Urban, Mixed Housing suburban and Single House Zoning in Mount Eden, Three Kings and Balmoral as shown on the Urban Grid 32 map.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
6449-5	Madill and Smeed Limited / Halls Transport	South	South wide	Rezone as a Light Industry zone the portion of the railway reserve currently used in conjunction with the Submitters' freight depot at 1 Spartan Road and 15 Spartan Road, Takanini. Refer to submission - Figure 3, pg 4/13.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
6454-1	Angela da Silva	Central	Central wide	Allow high rise, high density housing in central Auckland areas i.e. Ponsonby, Newmarket, Kingsland, and Herne Bay as well as other centres.	Residential	No	General Submission covered in Topic 080
6469-4	Yudhvir Singh	Central	Auckland wide	Rezone the Light Industrial land in Morningside, Takapuna, Greenlane to Ellerslie to Mixed Use.	Business	No	Area specific - Responded to in Evidence for Topic 081

6476-4	Joe Singh	Central	Central wide	Rezone Light Industrial land in Morningside, and Greenlane to Eilerslie as Mixed Use. The Mixed Use zone should be 8 storeys as a general height with overlays to lower and raise this where appropriate.	Business	No	Area specific - Responded to in Evidence for Topic 081
6497-3	Luke Christensen	Central	Auckland wide	Rezone Light Industrial land in Morningside, Takapuna and Greenlane to Eilerslie to Mixed Use.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
6523-66	Federated Farmers of New Zealand	South	South wide	Amend the Rural Coastal zone in the former Franklin District to reflect the zone boundaries agreed as part of the Franklin Plan Change 14 process.	Rural	Yes	Area specific - Responded to in Evidence for Topic 081
6773-3	Sudhvir Singh	Central	Auckland wide	Rezone Morningside, Takapuna, Green and Eilerslie from Light Industry to Mixed Use, with overlays to adjust this where appropriate.	Business	No	Area specific - Responded to in Evidence for Topic 081
6826-2	Mark O'Kane and Family	South	Auckland wide	Review the proposed Zonings patterns surrounding existing centres, such as Papakura and particularly 520-536 Papakura-Clevedon Road, to enable a greater proportion of Auckland's required growth to occur in closer proximity to existing centres and areas with existing infrastructure.	Residential	Yes	General Submission covered in Topic 080
6849-2	Carla Sheldon	Central	Central wide	Provide for intensification in Westmere, Grey Lynn and Ponsonby rather than Point Chevalier.	Residential	No	Area specific - Responded to in Evidence for Topic 081
6927-12	Greg Nikoloff	Central	Central wide	Rezone the areas zoned Mixed Housing Suburban within the area bounded by New North Road in the west, the city fringe in the north, SH20 in the south and Great South Road in the east from Mixed Housing Suburban to Mixed Housing Urban	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

6942-13	Tet V Lee	Central	Central wide	Rezone the area bounded by Great South Road, City fringe, New North Road and SH20 from Mixed Housing Suburban to Mixed Housing Urban	Residential	No	Area specific - Responded to in Evidence for Topic 081
7051-13	Ora Taiao: New Zealand Climate Health Council	Central	Central wide	Rezone the area bounded by New North Road, the city fringe, SH20 and Great South Road, from Mixed Housing Suburban to Mixed Housing Urban.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
7098-3	David Madsen	South	Auckland wide	Rezone housing within 500m of train stations, particularly in relation to Pukekohe to Terrace Housing and Apartment Buildings. Refer to map attached to submission for reZoning around Pukekohe train station.	Residential	No	General Submission covered in Topic 080
7123-2	Lennart Nout	Central	Central wide	Rezone for more Terrace Housing and Apartment Buildings zone on the Isthmus.	Residential	No	General Submission covered in Topic 080
7143-2	Scott Gamble	Central	Auckland wide	Rezone transport nodes, corridors, Morningside, New Lynn, Newton to Mixed Housing Urban	Business	No	Area specific - Responded to in Evidence for Topic 081
7291-16	John Colebrook	Central	Central wide	Reject the increased intensification provisions in the Mixed Housing Urban and Mixed Use zones within Balmoral Rd, west to Sandringham Rd, north to Kingsland, east to Mt Eden Rd, and north to New North Rd. Amend by applying a staging mechanism based on an independent verification of infrastructure capability and a proven shortage of land that is ready to be developed.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
7357-6	Ho Yin Anthony Leung	Central	Central wide	Rezone the Central Isthmus to Mixed Housing or Terrace Housing and Apartment Buildings.	Residential	Yes	General Submission covered in Topic 080

7403-5	Denise A Tonkin	Central	Central wide	Rezone the Maungakiekie - Tamaki area so that there is less mixed and high density housing	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
7404-5	Allen R Tonkin	Central	Central wide	Rezone the Maungakiekie- Tamaki area so that there is less mixed and high density housing.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
7407-12	Wendy Hughes	Central	Central wide	Rezone from the Mixed Housing Urban and Mixed Use zones to a less intensive Zoning within the area of Balmoral Road, West to Sandringham Road, North to Kingsland, East to Mt Eden Road, and North to New North Road.	Residential	No	Area specific - Responded to in Evidence for Topic 081
7610-1	Doug and Christine Fenwick	South	South wide	Rezone all parts of Pakuranga, Pakaranga Sunnyhills, Buckland Beach Farm Cove and Half Moon Bay, from mixed housing [height in relation to boundary], to a less intensive Zoning such as Single House.	Residential	No	Area specific - Responded to in Evidence for Topic 081
807-1	Margaret Allen	West	West wide	Avoid infill housing on congested roads in New Lynn, Avondale and Glen Eden.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
8465-12	Niko Kloeten	South	South wide	Rezone more land in Franklin to allow more industrial development, particularly in Pukekohe.	Business	Yes	Area specific - Responded to in Evidence for Topic 081
8483-20	Maureen Forrester	South	South wide	Rezone to reduce amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	Yes	Area specific - Responded to in Evidence for Topic 081

852-125	ACI Operations New Zealand Limited (O-I New Zealand)	Central	Central wide	Rezone the sites adjacent to 752 Great South Road, Penrose, from Light Industry to Heavy Industry. [p 6/29 vol 5]	Business	Yes	Area specific - Responded to in Evidence for Topic 081
8576-18	Doreen A Phipps	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8577-2	Frances Murphy	South	Auckland wide	Reject intensification, particularly Mixed Housing zone at Pakuranga, Sunnyhills, Bucklands Beach, Farm Cove and Half Moon Bay	Residential	No	Area specific - Responded to in Evidence for Topic 081
8594-2	David J Stewart	South	Auckland wide	Reject intensification, particularly Mixed Housing zone at Pakuranga, Sunnyhills, Bucklands Beach, Farm Cove and Half Moon Bay	Residential	No	Area specific - Responded to in Evidence for Topic 081
8600-2	Sharon L Stewart	South	Auckland wide	Reject intensification, particularly Mixed Housing zone at Pakuranga, Sunnyhills, Bucklands Beach, Farm Cove and Half Moon Bay	Residential	No	Area specific - Responded to in Evidence for Topic 081
8604-2	Thomas C J Stewart	South	Auckland wide	Reject intensification, particularly Mixed Housing zone at Pakuranga, Sunnyhills, Bucklands Beach, Farm Cove and Half Moon Bay	Residential	No	Area specific - Responded to in Evidence for Topic 081
8608-2	Wayne Charlton	South	Auckland wide	Reject intensification, particularly Mixed Housing zone at Pakuranga, Sunnyhills, Bucklands Beach, Farm Cove and Half Moon Bay	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
8610-14	Sheree N Howard	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081

8612-13	Colin Howard	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
8616-16	Leonard T Deverson	South	South wide	Rezone to reduce the amount of Mixed Housing Urban and Mixed Housing Suburban in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8619-20	Ross Forrester	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
8620-20	Janice and Tony Rampling	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
8621-12	Yvonne McLeod	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8626-18	June Barton	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board	Residential	No	Area specific - Responded to in Evidence for Topic 081
8629-18	Kelvin Barton	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081

8631-19	Grazia Casey	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8635-19	Susan Devereux	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8638-18	Margaret McMyh	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8655-22	Brian M King	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8660-8	Neville W Rider	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8664-14	Charles and Jane Hurst	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081
8666-20	Peter Moffat	South	South wide	Rezone to reduce the amount of Mixed Housing Urban, Mixed Housing Suburban and Terrace Housing and Apartment Buildings Zoning in Howick Local Board area	Residential	No	Area specific - Responded to in Evidence for Topic 081

8676-2	Christine Morris-Eyton	South	Auckland wide	Reject intensification, particularly Mixed Housing zone at Pakuranga, Sunnyhills, Bucklands Beach, Farm Cove and Half Moon Bay	Residential	No	Area specific - Responded to in Evidence for Topic 081
8857-14	Georgianne Griffiths	Central	Central wide	Rezone areas zoned Mixed Housing Suburban bounded by New North Rd in the west, city fringe in the north, State Highway 20 in the south, and Great South Rd in the east, to Mixed Housing Urban	Residential	No	Area specific - Responded to in Evidence for Topic 081
8943-11	Birkenhead Residents Association Incorporated	North and Islands	North wide	Provide for residential intensification at Wairau Valley and Smales Farm.	Residential	No	Area specific - Responded to in Evidence for Topic 081
8971-12	Pukekohe Business Association	Auckland-wide	Auckland wide	Rezone Special Purpose and Residential land to 'commercial' so that [Business Improvement District] programmes are not detrimentally affected.	Business	No	General Submission covered in Topic 080
9092-5	Chris Davidson	Central	Central wide	Expand the area of Mixed Housing Urban, particularly near the city centre.	Residential	No	General Submission covered in Topic 080
9128-2	Robert P Blows	South	South wide	Rezone residential areas in Ramarama to a zone where lot sizes down to 2000m ² are permitted.	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
9374-1	Vishal Chandra	Central	Central wide	Rezone properties in Town Centres and transport corridors to a zone which allows for high density [infer - Panmure Town Centre, particularly Bridge Street, Panmure].	Residential	Yes	Area specific - Responded to in Evidence for Topic 081
939-1	Harold Waite	Central	Central wide	Reduce extent of Mixed Housing zone in Puketapapa, Albert, and Eden Board areas	Residential	No	Area specific - Responded to in Evidence for Topic 081

ATTACHMENT F

Rezoning and Precincts – Auckland Council Response to Directions Set Out in Procedural Minute No. 6 and IHP Conference Outcomes Report Dated 24 March 2015

Attachment 4: Identification of Themes (Only Applies To Rezoning Submissions)

Below is a table which outlines the theme and a description:

Theme	Theme description
Rural Urban Boundary (RUB) and rezoning	Submissions that will impact on the RUB or are spatially located adjacent to the proposed RUB line.
Future Urban Zone (FUZ) and rezoning	Submissions on FUZ.
Rural and coastal towns and villages (serviced)	Rezoning submissions that relate to a rural or coastal town/village. This theme can incorporate multiple zones.
Rural – Countryside Living (CL)	Rezoning submissions that seek change from Rural to Countryside Living. This should include points seeking to change from CL to Large Lot where they have not been included in the RUB theme.
Rural and Coastal Settlement zone	Rezoning submissions that relate to any sites/areas zoned as, or proposed to be zoned as Rural and Coastal Settlement. <i>Note: Only be identified for Unserviced villages.</i>
Rural – Other	Submissions that seek to change a rural zone other than Countryside Living.
Large Lot	Rezoning submissions that seek a change to a Large Lot zone (from any zone).
Rural to Urban (not in or close to the RUB)	Submissions on rural sites outside/away from the RUB seeking an urban zone.
Centres Hierarchy	Submissions that seek to change the centres hierarchy.
Centres/Terrace Housing Apartment Buildings (THAB)/Mixed Use Expansion/ Contraction	Submissions that seek to either expand or contract an existing centre, THAB or mixed use zone.
Heavy Industry Zone (HIZ) and Light Industry Zone (LIZ)	Submissions that seek to change from Heavy Industry zone to Light Industry zone or vice versa.
Business to other Business Zone (excludes mixed use and centres zones)	Submissions that seek to change from one business zone to another business zone. <i>Note: this does not include centres and mixed use zones.</i>
Any residential properties subject to a key overlay	Submissions on land subject to a key overlay that has an impact on the underlying zone such as: <ul style="list-style-type: none"> - Volcanic Viewshafts Height Sensitive Areas - Electricity Transmission Corridor - Special Character - Flooding.
Mixed Housing Urban/Mixed Housing Suburban/Single House Expansion/Contraction	Submissions that seek to either expand or contract Mixed Housing Urban, Mixed Housing Suburban, Single House zones.
THAB Isolated or new areas	Rezoning submissions that seek to either expand or contract an area zoned THAB which is not located around a centre or adjacent to new areas of THAB.
Spot zoning	Submissions which are seeking a change to a zone that:

Theme	Theme description
	<ul style="list-style-type: none"> - Is spatially isolated and not contiguous with the surrounding zone; and/or - Seeks to change an existing land use on the site which is inconsistent with the proposed zoning.
Errors	Submission which are clearly seeking to correct an error in the Proposed Auckland Unitary Plan.
WRHA	Rezoning submissions relating to land within the Waitakere Ranges Heritage Area (WRHA).
Combined rezoning and precinct submissions	Any submission requests for a rezoning that also fall under a precinct with precinct submissions.
Residential to other use	Submissions seeking to change to residential zone to another zone (not already specified above).
Special Purpose	Submissions on Special Purpose zones – these should be dealt on the individual special purpose zone base.
Public Open Space	Submissions on Public Open Space zones – these should be dealt with together.
Coastal	Submissions on Coastal zones – these should be dealt with together.

BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991 and the Local Government (Auckland Transitional Provisions) Act 2010

AND

IN THE MATTER of Topics 051-054 Centre Zones, Business Park and Industries Zones, Business Activities and Business Controls

AND

IN THE MATTER of the submissions and further submissions set out in the Parties and Issues Report

**STATEMENT OF PRIMARY EVIDENCE OF TREVOR STEWART MACKIE
ON BEHALF OF AUCKLAND COUNCIL (URBAN DESIGN PLANNING – HEIGHT LIMITS)
27 JULY 2015**

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1. SUMMARY

1.1. My name is Trevor Stewart Mackie. I hold the position of Senior Consultant Planner at Hill Young Cooper Limited. I have been engaged by the Auckland Council to provide urban design and planning evidence in relation to height and height-in-relation-to-boundary (**HRB**) provisions for business zones.

1.2. Mediation has resulted in many of the provisions being agreed. There were also matters discussed at mediation on which the Council reserved its position or on which agreement could not be reached. I address these in my evidence.

1.3. Matters remaining in contention include the following:

- a. Zone-wide height controls for the Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business, Light Industry and Heavy Industry zones
- b. Zone-wide HRB controls for the centre zones and other business zones, including dimensional settings and whether these should also protect the amenity of some special purpose zones
- c. Additional Zone Height Control heights, which apply in all Town Centres and some Mixed Use zones, as well as in other zones.

1.4. Proposed amendments are in the marked-up version attached to the evidence of Mr Jeremy Wyatt. In relation to building height and HRB they can be summarised as follows:

- a. Business zones objectives and policies Introduction is amended to no longer refer to height controls previously developed through a precinct or master-planning exercise
- b. General objectives and policies enabling the Additional Zone Height Control are amended to protect residential zone amenity rather than residential activity amenity
- c. The height controls for Centres and other non-industrial business zones are amended by deleting the storey number control and replacing it with adjusted zone height limits and Additional zone height controls. The amended height controls include a component of 'occupiable height' and a component for roof forms within a total height limit
- d. HRB control is amended to apply from the far side of part of adjoining accessways, as it does for streets; to add some special purpose zones for

HRB protection; and to adjust the starting heights of HRB where the business site is not to the north of a public open space zone

- e. New Industry zone assessment criteria are introduced for development control infringements (including height and HRB), to distinguish Industry from other Business zones. The criteria focus on proximity to sensitive zones, operational requirements of industrial activities and the efficient use of industrial land for industrial purposes.

2. INTRODUCTION

2.1. My full name is Trevor Stewart Mackie. I hold the position of Senior Consultant Planner at Hill Young Cooper Limited. I have been in this position since November 2010.

2.2. I hold a Bachelor of Planning from the University of Auckland and Bachelor of Architecture (Hons) and Bachelor of Building Science from Victoria University of Wellington. I have more than 30 years of experience in architecture, urban design planning and resource management planning. Full details of my qualifications and relevant past experience are at **Attachment A** to this evidence.

2.3. I have been engaged by the Auckland Council to provide urban design and planning evidence in relation to the height and height-in-relation-to-boundary (**HRB**) development controls for business zones relating to Topic 054 Business Controls.

3. CODE OF CONDUCT

3.1. I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

4. SCOPE

4.1. I have been asked to provide urban design and planning evidence in relation to height and HRB for the business zones. In this evidence I address submissions in relation to building height and HRB in the following parts of the PAUP:

- a) D.3 Business zones introduction
- b) D.3.1 General objectives and policies for the centres and mixed use zones and the General Business and Business Park zone
- c) D.3.3 Metropolitan Centre zone

- d) D.3.4 Town Centre zone
- e) D.3.5 Local Centre zone
- f) D.3.6 Neighbourhood Centre zone
- g) D.3.7 Mixed Use zone
- h) D.3.8 General Business zone
- i) D.3.9 Business Park zone
- j) D.3.10 Light Industry zone
- k) D.3.11 Heavy Industry zone
- l) I.3.4.2 Building height rules
- m) I.3.4.3 HRB rules
- n) I.3.5.1 Building height rules for Industry zones
- o) I.3.5.2 HRB rules for Industry zones
- p) I.3.7.1.1 Development control infringement Matters of discretion
- q) I.3.7.2.1 and 1A Development control infringement Assessment criteria.

4.2. This evidence addresses height related provisions which generally apply across the business zones. I do not specifically address any site or area specific height submission points. These submission points have been considered in terms of whether the Additional Zone Height Control should be amended or applied, and are addressed separately in the evidence of Ms Hannah Thompson, Mr Hamish Scott and Ms Lee-Ann Lucas (Central Area), Mr Ross Moffatt (North Area) and Mr Douglas Sadlier (West and South Areas). In this evidence I do, however, set out the framework and approach that has been applied to the assessment of site specific height requests.

4.3. Zone-wide matters which remain in contention are:

- d. The height control for the Metropolitan Centre, Town Centre, Local Centre, Neighbourhood Centre, Mixed Use, General Business, Light Industry and Heavy Industry zones (there are no issues for the Business Park zone); and
- e. The HRB control for the centre zones and other business zones, including its dimensional settings, and whether it should also protect the amenity of some Special Purpose zones.

4.4. In this evidence I refer to Council's marked-up version of the plan provisions attached to the primary evidence of Mr Jeremy Wyatt. That document includes changes agreed at mediation and some additional changes where final agreement between all parties has not yet been reached.

5. PROPOSED AMENDMENTS OUTSIDE SCOPE OF SUBMISSIONS

5.1. In terms of zone-wide height limits, the submissions variously sought increases, retention and reductions. In terms of the HRB controls, the submissions variously sought greater protection of adjoining residential and public open space amenity, and less restrictive HRB controls. There is therefore considerable scope for amendments to the notified plan if required.

5.2. The one zone and location that I consider has the wrong height limit is Smales Farm Business Park in Takapuna. There is no submission from the Business Park or its owner entities seeking greater height. The site is required to accommodate a significant quantity of commercial floor space and employment and is not adjoining sites requiring amenity protection, being bounded by roads on all four sides. However, as with the other Business Park zoned sites, the standard zone height limit can be overridden by an Additional Zone Height Control or precinct plan. In my opinion the standard Business Park zone height limit can remain on Smales Farm Business Park and a greater precinct height limit can be considered, even if out of scope, within the Precinct topic hearings.

5.3. None of the amendments I propose are outside the scope of submissions, except the application of the HRB development control to Business zoned sites adjoining a Special Purpose – Maori Purpose zone.

6. CONSEQUENTIAL AMENDMENTS TO OTHER PARTS OF THE PAUP

6.1. In increasing the height development controls, including from 12.5m (and three storeys) to 13m (11m occupiable plus 2m for roof form), the special or historic character Town Centres could experience pressure for redevelopment and new development out of scale with the existing built character. This could take the form of four story development within a built context of one and two storey buildings. To control that influence I consider there should be a consequential amendment to the Historic Character overlay assessment criteria as set out at paragraph 10.49 of this evidence.

6.2. The Table 1A of the mediated version of provisions details changes to the height limits of the Additional Zone Height Control. These changes include identifying the

occupiable building height and height for roof form for each building scale, and total building heights increasing by between 0.5m and 2.5m. The changes to Table 1A mean there is a consequential change to every planning map that shows an Additional Zone Height Control e.g. 12.5m becomes 13m; 16.5m becomes 18m; 20.5m becomes 21m; 24.5m becomes 27m.

7. EXPERT EVALUATION / ASSESSMENT

Introduction

- 7.1.** The centres and other business zones are to have an urban future form, even where still surrounded by suburban residential development. The City Centre, Metropolitan Centres and Town Centres, and areas surrounding these centres, have been identified as the priority areas for commercial and residential growth. With appropriate height limits they have substantial capacity to accommodate growth and intensification, within an overall compact urban form.
- 7.2.** Height controls and HRB techniques are included in the legacy plans. The legacy plans have a range of settings across Auckland, including some areas without height limits. The PAUP approach is intended to achieve consistent treatment of areas prioritised for growth and intensification. It is not a rollover of legacy heights.
- 7.3.** There are urban design and planning principles for establishing appropriate height development controls. They seek to enable intensification and provide urban amenity, while managing the amenity of adjacent areas with residential or public open space zonings. The purpose of the height control includes managing the effects of building height, ensuring reasonable sunlight and daylight access to public open space (excluding streets) and nearby sites, managing visual dominance effects, and enabling design flexibility and intensification. It is also to provide variations to standard heights where character and amenity of particular areas warrants, and provides a transition in building scale to lower density zones. The purpose of the HRB control is to manage the effects of building height, at zone boundaries, to allow reasonable sunlight and daylight access to public open space (excluding streets) and neighbouring zones, and to manage visual dominance effects on neighbouring zones.
- 7.4.** A hierarchy of centres is proposed, with buildings of greater height and bulk in the City Centre and Metropolitan Centres, and less height as the catchments of the centres reduce, through Town, Local and Neighbourhood Centres. Building form, scale and general amenity will change through the hierarchy, and centre growth and intensification will be well-supported by infrastructure, particularly transport. Other

factors may influence the height limits and override the generic zone height controls. These include landscape, character and heritage overlays, and precincts that can respond to local area conditions.

- 7.5.** New buildings are a restricted discretionary activity in the business zones, excluding the Industry zones in which new buildings are permitted. Height limits, along with many other development controls, are therefore restricted discretionary and permitted activity standards respectively. This means they are set at a level which appropriately manages effects, and where the limits are exceeded, assessment criteria apply to manage the effects of the infringement.
- 7.6.** The combined development controls provide building envelopes that give an indication of the anticipated future built form of the business zones. In some instances it may be appropriate for the height limits to be exceeded and there may be local conditions or positive effects supporting greater height. This will be considered as a restricted discretionary activity.
- 7.7.** The PAUP includes the Additional Zone Height Control to provide for site or area specific exceptions to the height limits which generally apply across the business zones. The mechanism works by delineating a site or area on the planning maps and specifying a height limit. The heights specified in the Additional Zone Height Control override the applicable zone-wide height limits. This may be either an increase or decrease.
- 7.8.** Building height contributes to the streetscape in centres and other business areas and needs to ensure that development does not inappropriately detract from the amenities of surrounding residential areas. The building height limits and HRB development controls are interrelated for this purpose, and also act in conjunction with other development controls to establish a building envelope. The orientation of streets provides for sunlight access, at various times of the day, and the controls for building setbacks at upper floors assist in sunlight and daylight access to streets.
- 7.9.** The centres are focal points within networks of infrastructure for movement and access, and will be well-serviced to support their development capacity. The hierarchy of centres supports and is supported by these infrastructure networks, and building height and the mix and intensity of activity reflect that hierarchy. They are also community focal points and increasingly places to live as well as work and shop. This is their urban role.
- 7.10.** In urban design terms, the centres can seek to maximise the positive effects of development, as well as avoid, remedy and mitigate adverse effects. The

development controls and assessment criteria are designed to allow them to accommodate relatively large-scale and intensive development and to manage its effects.

Business zones (excluding Industry zones)

7.11. Within the hierarchy of centres, after the City Centre area, which is not the subject of this evidence, there are Metropolitan Centres, Town Centres, Local and Neighbourhood Centres. There are different height limits according to the centre's status in the hierarchy of centres. The various height limits are specified in development control I.3.4.2. Other height controls are in overlays and precinct provisions, for example the volcanic viewshafts. HRB is addressed in control I.3.4.3 and the application of the control also depends on the zoning.

7.12. Changes to control I.3.4.2 that were agreed or are proposed by the Council are set out in the provisions attached to the evidence of Mr Wyatt. They include the removal of the storey control, replacing it with an 'occupiable building height' and an allowance for a roof form. Minor changes to the limits are also proposed. In combination these changes are to provide flexibility to building design and form, ensuring a generous ground floor height is possible and there will not be an incentive to build only flat roofs. Where a Key Retail Frontage or General Commercial Frontage rule applies, a higher ground floor is required, so the height rule is amended to provide more occupiable building height and less allowance for roof form.

7.13. The Metropolitan Centres provide for the greatest mix and intensity of activities outside the City Centre, and a total building height limit of 72.5m, where not reduced or unlimited by the Additional Zone Height Control or precincts. Metropolitan Centres include Albany, Takapuna, Henderson, Westgate/Massey North, Henderson, New Lynn, Newmarket, Papakura, Sylvia Park, Manukau and Botany. Albany, Botany, Henderson, Manukau and New Lynn have the 72.5m height. Some of the Metropolitan Centres had areas with unlimited height under the operative district plan (although modified by HRB and other development controls in some cases), such as parts of Takapuna, Albany, Henderson and Manukau. However, despite there being no height limits, few very tall buildings have eventuated in these locations. Newmarket height controls are largely dealt with through the Additional Zone Height Control and the Newmarket 1 precinct provisions.

- 7.14.** The Town Centres include places such as Avondale, Browns Bay, Orewa, Ellerslie, Howick, Onehunga, Pukekohe and Remuera. There is no zone-wide height limit across these. Instead they have a range of height limits, implemented through the Additional Zone Height Control. The height limits reflect capacity for intensification, physical settings, character, heritage, precincts and, to a certain extent, proximity to residential areas and public open space, outstanding natural features, landscape and the coast. Following consideration of submissions and mediation applicable height limits range from the most common, 18 to 27m (five to eight storey), with some parts of town centres at 13m, and others at 32.5m. The Pakuranga height limit is 48.5m. The changes to the height measurement technique allow one to two additional storeys over the notified height controls. For example, a 24.5m and six storey Town Centre in the notified PAUP would now be a 27m height allowing up to eight storeys.
- 7.15.** At the next level, Local Centres have a total height limit of 18 m (16 m occupiable). Although this is only 1.5 m greater than in the notified PAUP, it would allow for a four to five storey building and a roof form. Estimated floor-to-floor heights of 3m, with a slightly higher ground floor, could provide a five storey building.
- 7.16.** Neighbourhood centres have a height limit of 13 m (11 m occupiable). As with the notified PAUP, this would allow for up to three storeys, and possibly four if on a sloping site.
- 7.17.** There are also Mixed Use zones, generally around centres but in some instances over extensive areas. These will contribute to the intensity and vitality of the centres, reflecting a mix of activities and providing appropriate amenity. The height limit is generally 18 m (16 m occupiable) or up to five storeys, although some adjacent to residential zones have a lower limit, and some have a higher limit through the Additional Zone Height Control.
- 7.18.** The Business Park zone has a particular office campus purpose but still provides a high level of urban amenity, and has a 20.5m height limit. The General Business zone also has a particular purpose, for out-of-centre business activities, and would have variable amenity levels depending on its location, with a height limit of 16.5 m.
- 7.19.** Changes to control I.3.4.3 'Height in relation to boundary' that were agreed or are proposed by the Council are set out in the provisions attached to the evidence of Mr Wyatt. These include: replacing the diagrams with a table and representative diagrams; exempting road frontage boundaries and up to 2.5m of adjoining entrance

strips and pedestrian accessways; and allowing a higher starting point for the HRB for the northern, eastern and western boundaries of business-zoned sites adjoining public open space zoned land.

7.20. The HRB control varies in relation to the neighbouring activity, with the most restrictive control (2.5m + 45°) applying on a boundary with the Single House or Mixed Housing Suburban zone. The control is 0.5m higher next to the Mixed Housing Urban zone and some special purpose zones, and higher again next to the Terrace Housing and Apartment Building zone. Where a business zone adjoins Public Open Space zoned land, the HRB has higher starting points for the Metropolitan Centre, Town Centre and Mixed Use zones than it does for the less intensive Local and Neighbourhood Centre and Business Park zones.

Industry

7.21. The Light and Heavy Industry zones have a lower level of amenity and provide for commercial and industrial business activities and associated building development. The Heavy Industry zone (**HIZ**) is mainly bounded by non-residential zones, such as the Light Industry zone (**LIZ**), partly to provide activity buffers from more sensitive activities, such as residential. New buildings are permitted, and height and HRB are permitted activity controls. Infringements of the height and HRB controls are restricted discretionary. The assessment criteria for development control infringements are focused on proximity to residential and public open space zones, and some special purpose zones, and on the operational requirements of industrial activities and efficient use of industrial land.

7.22. Development control I.3.5.1 sets the height limit at 20m. The purpose of the height rule is to manage the effects of building height, including visual dominance, and to allow reasonable sunlight and daylight access to public open space and residential zoned land. The 20m height limit is designed to allow for relatively utilitarian buildings and industrial operations.

7.23. The HRB development control I.3.5.2 for industrial land relates only to amenity protection for adjacent residential or public open space zoned land. Following consideration of the submissions and mediation, it should also relate to adjoining Maori Purpose and School special purpose zones.

7.24. It allows buildings up to 9.6m in height at the 5m yard distance from a boundary adjoining residential, public open space, or the listed special purpose zones, and rising at an 18° angle to the 20m zone standard height when 37m from the boundary. Building development complying with the development controls is a

permitted activity within the light and heavy industrial zones, unlike the other business zones. The HRB control setting is designed, in conjunction with a yard control and a landscape planting requirement, to manage the adverse effects of industrial building bulk dominance adjoining residential, public open space and some special purpose zoned land. The other business zones take a different approach, with a lower starting point and steeper gradient to their height in relation to boundary controls, as they are expected to provide a higher quality of design at the zone boundaries.

7.25. Other building scales and designs and landscape configurations may allow industrial development to infringe the development controls while appropriately avoiding, remedying or mitigating adverse effects on adjoining residential, public open space or special purpose zoned land. Defaulting to restricted discretionary activity status provides for an assessment of such proposals.

8. Statutory Tests

8.1. The general requirements and statutory tests are set out in the evidence of Mr Bonis. I agree with his summary and will not repeat it here. I address the matters that are particularly relevant to the height controls below.

Zone-wide height and HRB controls

8.2. When preparing its district plan the territorial authority must give effect to a national policy statement, New Zealand coastal policy statement or regional policy statement,¹ and shall have regard to any proposed regional policy statement.² This includes the RPS objectives and policies of B.2.2 Quality Built Environment and B.3.1 Enabling Economic Well-being – Commercial and Industrial Growth.

8.3. When preparing its district plan the territorial authority must also have regard to any management plans and strategies under any other Acts.³ Regard is had to the Auckland Plan, which proposed greater height limits in and around more centres, for intensification and growth, high quality design and compact urban form.

8.4. A district plan must⁴ also state its objectives, policies and the rules and may⁵ state other matters.

¹ RMA s 75(3)(a)-(c)

² RMA s 74(2)

³ RMA s 74(2)

⁴ RMA s 75(1)

⁵ RMA s 75(2)

8.5. When preparing or changing its district plan, a territorial authority now has obligations to prepare an evaluation report in accordance with s 32 and have particular regard to that report.⁶ A s 32 report was prepared for building heights.

Provisions⁷

8.6. The policies are to implement the objectives, and the rules are to implement the policies.⁸ In the centres and other business zones the zone-wide height and HRB rules, supported by the Additional Zone Height Control, implement policies on a hierarchy of centres: enabling increased housing densities to accommodate intensification and diversity; development design quality; positive contribution to visual quality and interest of public open space; mitigate adverse visual effects on residential, public open space and some special purpose zones; enable greater height in centres and mixed use zones where possible; and reduce height where appropriate to avoid significant adverse effects on character, landscape and amenity. Zone-wide height and HRB rules implement the policies on management of amenity effects in the Industry zones, while allowing substantial development potential for growth and intensification.

8.7. Each provision is to be examined, as to whether it is the most appropriate method for achieving the objectives of the regional and district plan, by:

- a. identifying other reasonably practicable options for achieving the objectives;⁹
- b. assessing the efficiency and effectiveness of the provisions in achieving the objectives, including¹⁰
- c. identifying and assessing the benefits and costs of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions, including opportunities for economic growth and employment that are anticipated to be provided or reduced;¹¹ and
- d. quantifying these benefits and costs where practicable;¹² and
- e. assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.¹³

⁶ RMA ss 74(1)(d) and (e)

⁷ Defined in s 32(6), for a proposed plan or change as the policies, rules or other methods that implement, or give effect to, the objectives of the proposed plan or change

⁸ RMA s 67(1)

⁹ RMA s 32(1)(b)(i)

¹⁰ RMA s 32(1)(b)(ii)

¹¹ RMA s 32(2)(a)

¹² RMA s 32(2)(b)

Rules

8.8. In making a rule, the local authority shall have regard to the actual or potential effect on the environment of activities including, in particular, any adverse effect.¹⁴ The rules relating to height and HRB in the centres and other Business zones and Industry zones are for maintenance and enhancement of amenity values and the quality of the environment.

Other statutes

8.9. The local authority may be required to comply with other statutes.

8.10. An assessment of the extent to which changes to the provisions relating to Topic 054 Business Controls – Height and Height-in-relation-to boundary controls in the Business zones meet the statutory tests outlined above is included in the Section 32AA Assessment included as Attachment B to my evidence.

Additional Zone Height Control

8.11. The PAUP includes the Additional Zone Height Control as a mechanism for providing site-specific height controls without including a list of exceptions in the zone-wide height rules. The mechanism works by delineating a site or area on the planning maps and specifying a height limit. The heights specified in the Additional Zone Height Control override the applicable zone-wide height control. As mentioned above, site and area specific height requests have been individually assessed by the relevant area planners.

8.12. In undertaking their assessments they have applied general and specific principles for assessing site-specific or area-specific height submissions. These principles are based on the relevant objectives and policies of the PAUP, anticipated effects associated with height, and other matters relevant to the statutory framework. The principles variously relate to strategic areas of importance, general assessment matters for sites and areas, and specifically those that relate to certain zones. The height may be controlled by a landscape overlay, for example Outstanding Natural Landscapes, Outstanding Natural Features, Extent of Volcanic Viewshafts, Blanket Height Sensitive Area and Auckland Museum Viewshaft overlays. An area may be subject to a special character or heritage overlay, for example Sites and Places of Significance/Value and Historic Heritage Place/Extent

¹³ RMA s 32(2)(c)

¹⁴ RMA s 68(3)

of Place. An area may be within a precinct or sub-precinct where height is addressed as part of that package of rules.

8.13. In general terms, height limits supported by the Council are consistent with the building form, scale and general amenity anticipated in the hierarchy of centres. Intensive development needs to be well-served by and support the transport network, including rapid and frequent public transport, and community infrastructure. The variations in height limit between the edges of a centre and its inner areas contribute to the amenity of nearby residential areas. The size and depth of some town centres can enable them to accommodate additional height without significant adverse effects, as can zones such as Mixed Use which enable transition from taller buildings in centres out to lower residential areas.

8.14. The Additional Zone Height Control applies to Town Centres, which have no standard height limit, and to some of the other business zones. The control applies to some areas of the Mixed Use Zone, where they are sufficiently removed from residential zones, or where aspects of local character and amenity would be adversely affected by greater height.

9. Section 32 Assessment

9.1. As outlined in the Auckland Unitary Plan Evaluation Report (**Evaluation Report**), the Council has focussed its section 32 assessment on the objectives and provisions within the PAUP that represent significant changes in approach from those within the current operative Auckland RMA policy statement and plans. Whilst the evaluation report applies to the entire Unitary Plan, the report targets the 50 topics where the provisions represent a significant policy shift from the current provisions.

9.2. The provisions in relation to height controls in business zones, have an evaluation report 'Section 32 Part 2.5 Building heights' which I rely upon in my evidence. In relation to the changes I have proposed to the notified provisions, I have assessed them in accordance with s32AA of the RMA.

9.3. The s. 32 evaluation must examine whether the height control provisions are the most appropriate way to achieve the objectives, in part by assessing their efficiency and effectiveness, including taking into account employment and economic growth opportunities. The objectives for centres and other business zones include development and business activity of a scale and form that provides for the community's economic needs, while managing adverse effects on the environment. The height controls for each zone and the Additional Zone Height control are

proposed as building height limits that will not have a significant adverse effect on the amenity of nearby residential and public open space zones. Additional height is a restricted discretionary activity, allowing an assessment and management of adverse effects.

10. Evaluation of Submissions and Proposed Amendments

Theme 1 – Height limit in centres and other business zones

General

Capacity

Submitter requests

- 10.1.** Patrick Fontein (6282-13) seeks that the PAUP recognise the need to up-zone the city fringe, especially around the City Rail Link stations, and introduce more Mixed Use and greater height within 3 – 5km of the City Centre. He considers that the PAUP provisions fall short of the intensification targets.

Discussion

- 10.2.** I have relied upon the evidence of Mr Peter Nunns and Mr Greg Akehurst on RPS Topic 013 Commercial and Industrial Growth, which assessed supply and demand of industrial and commercial land and floorspace in relation to Auckland Council modelling and capacity for growth studies. The strategy for growth and intensification focuses on accommodating business demand for floorspace by both intensifying commercial activities in and around existing centres and providing additional space for retail and commercial activities in close proximity to the centres on segments of designated growth corridors. Retail capacity is almost exclusively at ground level, and modelling has shown no shortfall in capacity for office floorspace. Existing industrial land is to be protected from inappropriate uses and all types of business land will be supplemented by the planned provision of new business land in suitable locations within Future Urban Zones, as that land is urbanised.
- 10.3.** Residential capacity within the metropolitan urban area is available through the Residential zones and also in the Centre zones (City Centre, Metropolitan, Town, Local and Neighbourhood Centres), and the Mixed Use zone. Residential is enabled at the first floor and above. I understand the densities and development controls for the Mixed Housing Suburban and Mixed Housing Urban zones are being re-assessed by Auckland Council, leading towards mediation and hearings on the Residential Topic. The report on the 013 Topic Urban Growth, *Residential Developable Capacity for Auckland*, by the 013 Expert Group, appears to include a

consensus that the residential growth model is now fit for purpose, in being able to assess different scenarios, and distinguish between plan-enabled and developable capacities. However, there are still concerns about its ability to respond to changing markets and housing preferences over time. It also omits effects of site amalgamation, which are highly-incentivised within the Terrace Housing and Apartment Building, Mixed Housing Urban and Mixed Housing Suburban zones.

Conclusion

- 10.4.** I consider the building heights being proposed, by the current marked-up version of the PAUP provisions, are appropriate, and that there is additional scope for greater height as a restricted discretionary activity, where adverse effects are managed.

Business zones objectives and policies Introduction D.3

Submitter requests

- 10.5.** Westfield (NZ) Limited (Scentre) (2968-230) submit that height controls previously developed through a precinct or master planning exercise are not attributes of the zones themselves, imply no re-consideration as part of the PAUP, and may no longer enable sufficient development to accommodate Auckland's population growth.¹⁵
- 10.6.** Board of Airline Representatives of NZ Incorporated (5128-34) seeks amendment of the Introduction to recognise limitations imposed by an airfield or airport related designation.
- 10.7.** DNZ Property Fund Limited et al (3863-82) seeks amendment of the Introduction to add Local Centres as being identified as priority areas for commercial and residential growth, alongside Metropolitan and Town Centres. Another submission seeks amendment of the Introduction to D.3 Business zones, to clarify that residential intensification is also provided for within and surrounding the Local Centre zone.¹⁶

Discussion

- 10.8.** The Introduction to D.3 Business zones objectives and policies recognises that some height controls have been developed from specific area planning processes. Many height controls from previous precinct plans are included in the PAUP provisions, where still considered relevant and appropriate, and changes

¹⁵ Westfield (New Zealand) Limited (Scentre) 2968-230

¹⁶ AMP Capital Investors NZ Limited and AMP Capital Property Portfolio Limited 4376-26

have been made to height controls where they are no longer considered appropriate. Changes agreed in mediation include the deletion of the sub-clause referring to 'height controls previously developed through a precinct or master-planning exercise.'

10.9. In my opinion the airfield and airport-initiated height limitations do not need to be included in the Introduction. Detailed height restriction diagrams for Kaipara Flats Airfield, North Shore Airfield, Auckland Gliding Club and Parakai Airfield are contained in the Infrastructure – Airport Approach Path overlay section of the PAUP J.1.1. Auckland Airport (AIA), Whenuapai Airbase and Ardmore Airport diagrams are contained in the designation section of the PAUP. All approach paths are also on the plan maps.

10.10. Local Centres are identified at a lower order than Town Centres in the centres hierarchy, as they are generally of less depth and primarily focused on local convenience needs. However they do have a height limit capable of accommodating five storey buildings. The Local Centre zone description and objectives have been amended to recognise their primary purpose but also to acknowledge that they should be an attractive place to live, work and visit, with a high amenity commercial, residential and community mix. Local Centres will accommodate some growth and intensification, although priority areas are identified as the City Centre, Metropolitan Centres and Town Centres, and the surrounding areas (Mixed Use, Terrace Housing and Apartment Building).

Conclusion

10.11. Following changes agreed in mediation, I do not consider the Introduction to D.3 Business zones objectives and policies should be amended further in relation to these submissions.

Storey control/roof form/occupiable height/floor-to-ceiling height, and height adjustments through mediation

Submitter requests

10.12. In relation to rule I.3.4.2, submissions on the business zones excluding industrial sought the deletion of the control over number of storeys within the given height limits. The submissions state that a storey control will create a uniform look to all buildings (i.e. with all windows, balconies, etc at the same height), as opposed to encouraging visual variety and innovation, and that it is unnecessary to control both

maximum height and number of storeys as it will add unnecessary complexity to a planning assessment. The submissions also assert that, within an effects-based approach, adverse effects are related to the total height of the building, not the number of storeys. The storey control was seen to significantly restrict the potential for intensification of commercial sites, in some instances not allowing retail at ground floor and residential above, despite complying with the height limit.¹⁷

10.13. Submissions on the business zones excluding industrial sought to amend the Purpose statement in the rules, to focus on adverse effects of building height, rather than on sunlight and daylight access or visual dominance, both of which are partly addressed by the HRB control, upper level building setback and urban design criteria. They consider that there is no valid reason to require reasonable sunlight and daylight access to the street at the expense of Mixed Use zone development potential and increased maximum height.¹⁸

10.14. Westfield (2968-266, 267) seeks that the positive effects of building height should be acknowledged. Height controls should not simply be a limiting factor, but an indication of where growth should occur. Westfield also seeks deletion of the reference to sunlight access to streets, public open space, the subject site and nearby sites. Property Council New Zealand seeks additional height for Key Retail and General Commercial frontages, to allow the required higher ground floor without affecting the overall number of storeys.

Discussion

10.15. In the notified PAUP the business zones had height limits expressed in metres and in number of storeys. The approach intended that a generous ground floor height could be provided, suitable for a range of activities including retail, and that there would not be an incentive to reduce upper floor ceiling heights to a minimum and use a flat roof in order to provide an additional storey. Through the submission and mediation processes the Council has revised its position, to delete the storey number control and to increase the height limits while specifying an 'occupiable' building height with an additional roof form allowance. The total building height has increased in some cases, by between 0.5m and 2.5m, to allow the desired number of storeys without cramping the ground floor height. The purpose of

¹⁷ Westfield (New Zealand) Limited (Scentre) 2968-268, Te Atatu Scenicview Limited 3391-31, CK Miracle Limited 3420-4, Roncon Pacific Limited 3433-5, Wardour Investments Limited 3681-31, JDP Investments Limited 3760-5, Westgate Partnership 4373-214, Ross Holdings Limited 4804-32, New Investments Limited 1354-2, Parnell Business Association (Parnell Inc.) 2016-14, AMP Capital Property Portfolio Limited et al 5883-84, Harvey Norman 5924-59, Alister Kitchen 6556-14, Summerset Group Holdings Limited 6650-12, Bong Joon Lee and Myung Sook Choi 6707-5

¹⁸ Fuego Limited 1332-15, B A Trustees Limited 2835-2, 5, 7

the roof form allowance is to allow flexibility in roof form design, rather than incentivise all buildings to a uniform height with flat roofs. The minimum floor-to-ceiling height for apartments has also been deleted, and the assessment criteria for infringement of the occupiable height control applies. These amendments may result in an additional one or two storeys than were originally intended, which is positive for accommodating intensification in centres. The overall adverse effects of building height are managed, and I do not consider that the new heights will create a proliferation of minimum height apartments or uniform height flat roofs.

10.16. Through mediation the Purpose statement has been modified to remove the references to sunlight and daylight access to streets and the subject site. The height limits can affect daylight and sunlight access to public open spaces and to neighbouring zones, and work in conjunction with other controls such as HRB, upper level building setback and assessment criteria to provide overall levels of amenity appropriate to the business zones and their surroundings. The Purpose statement has also been amended to clarify that greater height is enabled in areas identified for intensification.

10.17. Following the removal of the storey control, the height limits have been adjusted, including the introduction of a Table 1A into rule I.3.4.2 Building Height, detailing the changes to the height limits of the Additional Zone Height Control. These changes include identifying the occupiable building height and height for roof form for each building scale, and total building heights increasing by between 0.5m and 2.5m. The changes to Table 1A mean there is a consequential change to every planning map that shows an Additional Zone Height Control e.g. 12.5m becomes 13m; 16.5m becomes 18m; 20.5m becomes 21m; 24.5m becomes 27m.

Conclusion

10.18. The storey number control has been deleted and the zone height limits adjusted through mediation to the current proposed levels. The minimum floor to ceiling height control has also been deleted. The Purpose statement has also been amended to focus on building height effects. I support this position for the greater design flexibility that it provides, and for its focus on managing adverse effects of building height rather than the number of storeys, while enabling assessment of floor to floor heights in development control infringement assessment criteria.

Mixed Use/Town Centre/Local Centre height increases, Metro Centre/Town Centre 8-12 storey and ridgeline opportunities

Submitter requests

10.19. In relation to rule I.3.4.2, there were submissions seeking the retention of the business zone height limits¹⁹ and submissions seeking increases in the height limits across some or all zones. Increased height limits were sought to accommodate higher floor to ceiling heights. Generation Zero (5478-38) considered that the 4 storey height limits present economic issues for developers, as this scale of development does not provide enough units to cover costs of necessary services such as lifts and ventilation. An increase is needed to encourage more intensive development, especially considering height is limited in many places by volcanic viewshafts. Generation Zero sought increases in the height limits to 32.5m in the Mixed Use zone, retention of 16.5m and four storeys in the Local Centres and beyond four storeys in the Town Centres. Property Council New Zealand (6212-85) requested a five storey minimum in all business zones, submitting that four storeys is less economic, as development costs rise significantly after three storeys, as construction complexity increases, and this is only offset after around six storeys. Another submitter requested a reduction in the height limits to only allow three storeys in town and local centres across Auckland²⁰. Patrick Fontein (6282-14) sought height limits allowing for eight to twelve storey buildings in the Town and Metropolitan Centres, and for opportunities for taller buildings to be identified on ridgelines. Summerset Group (6650-127) requested provision for increased height following a more detailed analysis of areas.

10.20. Submissions sought that the Matters of discretion and Assessment criteria, in relation to infringements of the height and HRB development controls, should not include 'b. consistency with the planned future form and character of the area/zone,'²¹ as the future form and character would not be known.

10.21. Submissions sought that the Matters of discretion, for height and HRB amongst other development controls, should include 'avoidance of privacy impacts due to windows, glass doors, balconies or verandahs that overlook neighbouring zone properties'.²²

10.22. Westfield (Scentre)²³ seeks the introduction of 'the extent to which' in design and amenity assessment criteria, to provide for an evaluation rather than a direction.

¹⁹ Housing New Zealand 839-10269, New Zealand Fire Service Commission 867-71, Titirangi Residents and Ratepayers Assn 4855-7, Michael and Paulette Snowden 5881-16

²⁰ Adam and Zana Milina 9213-7

²¹ Westfield (NZ) Limited (Scentre) 2968-300, The National Trading Company of NZ Limited 2632-172

²² Weaver Hind Limited 5036-14, Miranda and Michael Lang 5492-15

²³ Westfield (NZ) Limited 2968-302

10.23. Submissions also support the retention of the Assessment criteria²⁴ and the prospect of additional height for corner sites.²⁵

Discussion

10.24. The height limits have been amended, following submissions and mediation. This is mainly to ensure that the centres can have buildings with non-residential activities at ground level, and a roof form. That was the original intent of the storey control, to set an allowed number of storeys and then a height dimension that would support those storeys, including a higher ground floor and one to two metres for designing a roof. The amendments could allow an additional storey in the Mixed Use, 18m Town Centres, Local Centres and Neighbourhood Centres (where not at the street frontage), without substantially increasing the height limits. I do not consider that a five storey building height limit is appropriate for the Neighbourhood Centre, which generally consists of a few shops within a residential area.

10.25. The Town Centres and some other commercial zoned land have customised height limits, set out in the Additional Zone Height Control. Some of those have also increased in response to submissions. They are shown on the maps attached to the evidence of Ms Hannah Thompson, Mr Hamish Scott and Ms Lee-Ann Lucas (Central Area), Mr Ross Moffatt (North Area) and Mr Douglas Sadlier (West and South Areas).

10.26. More detailed analysis of areas could yield greater opportunities for building height, and some of that occurs through the Additional Zone Height Control. It is also contemplated by the restricted discretionary activity status for building development exceeding the permitted activity development controls, where site and area assessments can be undertaken. The issue remains that taller buildings can have adverse effects on the amenity of adjacent properties. Additional height is most likely to be palatable when the buildings are further removed, or sited so as to minimise shading and overlooking of neighbours. It is acknowledged that residential activity and public open space adjacent to business areas will have larger buildings as neighbours, as the centres and business zones are designed for larger buildings. Amenity issues between zones are also addressed by other development controls such as the HRB and the building setback at upper levels, and by resource consent assessment of building development. The legacy plans allow for substantial development in business zones adjacent to residential zones, although in many

²⁴ Fulton Hogan 5776-86

²⁵ Les Mills Holdings Limited 5000-33

areas the current level of development is single storey. The Neighbourhood Centre zone can be applied to areas as small as a block of one to four shops.

10.27. The Matters of discretion, in relation to infringements of the height and HRB development controls, include 'b. consistency with the planned future form and character of the area/zone' as the business zones will change substantially in building scale and intensity. The proposed development controls indicate the future form and scale of development in the business areas.

10.28. The Matters of discretion, in relation to infringements of the height and HRB development controls, include 'effects of additional building scale on neighbouring sites...(sunlight access, dominance, visual amenity)'. In my opinion, privacy and overlooking are visual amenity issues and are within the scope of assessment of additional building height and HRB. That does not mean there will be no overlooking, as the context will be residential activity in close proximity to a Business zone, but that it is part of the visual amenity part of the assessment.

10.29. The Assessment criteria for development control infringements, of the height and HRB development controls, are stated as design and amenity outcomes sought encouraging development, rather than simply matters to be considered without guidance as to whether a greater or lesser extent is appropriate. I consider the current marked-up version is a better statement of the criteria.

Conclusion

10.30. The zone height limits have been adjusted through mediation to the current proposed levels. The height limits are restricted discretionary activity standards applied to new buildings. This means they are set at a level which anticipates a level of adverse effects. Beyond the height limit threshold an assessment is required to determine if the adverse effects are inappropriate, whether they have been adequately managed, and whether there are local conditions or positive effects supporting greater height. Restricted discretionary activity status provides for that assessment.

Roof projections

Submitter requests

10.31. Parnell Heritage Incorporated (3770-14) seek that maximum height limits include elevator bulkheads and other roof top projections in Town Centres. Elevator bulkheads and other rooftop projections can be as high as 2-3m, and if not provided

for these building components are considered to create unsightly roof profiles obscuring viewshafts and horizons.

Discussion

- 10.32.** The definition of 'height' addresses elevator bulkheads, and projections not more than 2m wide at 1.5m above the specified height. The design of these, to integrate into building form, is addressed in the assessment criteria (6.2.5.a.xvi 'Roof profiles should be designed as part of the overall building form and contribute to the architectural quality of the skyline as viewed from both ground level and the surrounding area').

Conclusion

- 10.33.** I do not consider the definition of height should be amended in relation to this submission, as there is a specific exemption for small roof projections and assessment criterion for roof form.

Metropolitan Centre unlimited height, increase height limit, reduce height limit, retain

Submitter requests

- 10.34.** Submissions sought deletion of the height control or unlimited height in the Metropolitan Centres²⁶. Reasons given are that: the taller the better, by increasing the number of residences and reducing the need for transport options with people living on or at their workplace; the PAUP has effectively down-zoned from existing Business 3 zone (inferred Takapuna), which will stifle development; we currently have one of the least densely populated cities, to grow we need to focus on building up, not out; we will not get the desired outcome for our city if we bow down to the anti-development and anti-progress lobby groups; and unlimited height is necessary for major satellite cities outside the CBD. Patrick Fontein (6282-7) seeks acknowledgement that the Metropolitan Centres have had their building height and development potential reduced, and considers that the PAUP falls short of the intensification targets.
- 10.35.** Louis Mayo (4797-99) is seeking a 96m (24 storey) height limit in the Metropolitan Centres. Cooper and Associates (6042-35) seek a 30 storey limit. Nationwide Properties Limited and Estate David Berryman (1125-1) seek a reduction in the height limit to 50m. Other submissions²⁷ seek retention of the notified provision for height, as the zone reflects the operative plan provisions which

²⁶ Gary Russell 2422-22, Sentinel Planning Limited 4132-37, Auckland Property Investors Assn 8969-10

²⁷ AMP 2575-49 and CSR Building Products 4865-8

enable a variety of activity supporting the transport network. Hartwig Clasen (5219-46) sought a reduction in height limits in the Metropolitan Centres except for Newmarket, to avoid high rise buildings affecting the character and living quality of Auckland.

Discussion

10.36. In introducing the 72.5m height limit there is a reduction for part of Takapuna, and for parts or all of other areas that had unlimited height in the legacy plans. Takapuna Area C (or Sub-precinct C) had theoretically unlimited height but was constrained by a floor area ratio (gross floor area limited to 3.5 times the area of the site), HRB controls applying from the nearest residential zone boundary, and could have a tower footprint of only 40% of its site area. The proposed Takapuna 1 precinct controls theoretically allow unlimited height but have a 6:1 FAR control. There are also constraints on height and resource consents for tall structures in other centres. There has been little uptake in the unlimited height provisions for Takapuna, Mangere, Manurewa, Otara, Pakuranga, Papatoetoe, Te Atatu North, Albany, Botany, Henderson, Manukau, Glen Eden and Highland Park. That is not a reason on its own to introduce a height limit, as there have been resource consent applications and a few taller buildings constructed. The PAUP does not have a floor area ratio control limiting development, and the height-in-relation-to-boundary control now only applies up to 30m from a residential or public open space zone boundary.

10.37. 72.5m as a zone-wide control is not particularly limiting in my opinion, considering greater height is a restricted discretionary activity. I consider it reasonable to assess potential effects of visual amenity, bulk dominance and shading from the upper parts of such taller buildings, individually as well as cumulatively as the centres grow, as well as landscape and landmark effects.

Conclusion

10.38. In my opinion the 72.5m height development control should be retained in Metropolitan Centres. In some cases it will be overridden by overlay or precinct height provisions, or by restricted activity resource consent for taller buildings.

Additional Zone Height Control on Town Centre and Mixed Use Zones – Policies 12 and 13

Submitter requests

10.39. Submissions sought changes to Policy 12 of D3.1 (General objectives and policies for the centres and mixed use zones and the General Business and

Business Park zone).²⁸ Policy 12 sets out policy direction for allowing greater height in identified locations within the centres and Mixed Use zones. The locations and their varied height limits are shown in the Additional Zone Height Controls map layer. Three submissions sought that Policy 12 be retained.²⁹

10.40. Submissions also sought changes to Policy 13 of D3.1 (General objectives and policies for the centres and mixed use zones and the General Business and Business Park zone). This policy is complementary to Policy 12, and provides for height limits to be reduced below the standard zone height, where there would be significant adverse effects at that standard height. Property Council New Zealand (6212-29) submits that the policy should only apply to areas which have significant values identified or scheduled in the PAUP, and that they should be weighed against the Policy 12 factors supporting increased building height. Board of Airline Representatives of NZ Incorporated (5128-36) seeks that potential penetration of an airport approach surface should also be a criteria for reducing a standard height limit. Housing New Zealand Corporation (839-10097) seeks deletion of Policy 13, submitting that the policy outcome is managed by other overlays and that the policy amounts to 'double-dipping' on height limits.

10.41. Adam and Zana Milina (9213-16) seek greater height for Town Centres that are far away from the city centre or Metropolitan Centres. This is in the context of their submission opposition to height in the Avondale Town Centre.

10.42. Gary Russell submits that the Policy 12 criteria for greater height should also include 'add to the specific cultural custom and norm of living style as benefits that ethnic community'. Housing New Zealand seeks deletion of the additional height criteria in Policy 12, although supporting the intent of the policy. Board of Airline Representatives of NZ Incorporated seeks that additional height 'does not protrude into airport approach surfaces' and that an approach surface would justify a lowering of the height limit.

Discussion

10.43. Specific cultural customs and norms of living style benefiting ethnic communities may be able to be accommodated by restricted discretionary resource consent, or by a precinct plan where an entire community is involved. The additional zone height controls do not allow protrusion into airport approach surfaces, which

²⁸ Gary Russell 2422-20, Board of Airline Representatives of NZ Incorporated 5128-35, Ports of Auckland Limited 5137-111, Housing New Zealand Corporation 839-10096

²⁹ Property Council New Zealand 6212-28, IB and GA Midgley 4778-36, Ross Holdings Limited 4804-15

are an overriding overlay. Height is managed in the PAUP to maintain strategic infrastructure such as the airport flight approach paths. For Housing New Zealand, the criteria in Policy 12 demonstrate the methodology applied to the Additional Zone Height Control, in particular for varying height limits in the Town Centres and Mixed Use zones, where additional height can be accommodated without significant adverse effects. Policy 13 is not 'double-dipping' on height limits, but identifying features, including historic character, landscape features and amenity, which may be adversely affected by buildings at the standard zone height, and which may not be supported by a specific overlay. The Additional Zone Height Control can map the height limits determined to support and protect those features. Where two or more different overlays apply to an area the more stringent controls would apply.

Conclusion

- 10.44.** The only change to Policy 12, agreed at mediation, is that effects on residential 'zones' are to be considered, rather than effects on residential 'activity'. The centres and Mixed Use zones will see an increasing mix of activities, with a substantially greater residential component. Changes to Policy 13, also agreed at mediation, include historic character and landscape features being 'identified'. I support these amendments to the policies, as clarifying how the Additional Zone Height Control is to be applied, in allowing greater height where effects are managed, and in reducing height limits where amenity could be adversely affected.

Town Centre increase height limit, reduce height limit, retain

Submitter requests

- 10.45.** Westfield (NZ) Limited (Scentre) (2968-252) seeks amendment of the Zone description Introduction to the Town Centre zone objectives and policies D3.4, to recognise that the height opportunity within centres will facilitate residential intensification, but must not compromise the ability for commercial and business growth to occur.
- 10.46.** Submissions were received seeking an increase in the Town Centre height limit to eight storeys³⁰ and to six storeys.³¹ Westfield (2968-269) seeks a standard 32.5m height limit and Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited (5566-44, 50) seek a maximum height of 31m for Town Centres, rather than the varying heights of the Additional Zone Height

³⁰ Kirk A Serpes 6431-6, Yudhvir Singh 6469-7, Joe Singh 6476-6, Luke Christensen 6497-6, Sudhvir Singh 6773-6

³¹ Auckland Property Investors Association Incorporated 8969-11

Control. Other submissions sought a reduction in height, both generally, citing Sentinel and Nautilus Apartments as ugly high-rise buildings,³² and specifically in Orewa.³³ The Orewa submission considered that seven to eight storeys of residential development was excessive. It cited an Environment Court decision from 2010 that considered the effects of the Nautilus apartment building, and established three storeys as appropriate for the Orewa Town Centre, with a possible additional two storeys if amenity effects are managed.

Discussion

10.47. The Zone description has changes agreed in mediation, which allow for intensification of office and residential at upper floors.

10.48. The Town Centre height limits vary across the centres, and in sub-precincts within the centres. They respond to their physical and landscape settings, future growth role and surrounding activity patterns. The most common height limits are 18 and 27m, with some areas at 13m and some at 32.5m. The Pakuranga height limit is 48.5m. The Additional Zone Height Control map shows the heights for each Town Centre. Although the storey control has been removed the height limits will produce varied building forms, and support buildings of between 3 and 14 storeys. In removing the storey control the height limits have all been adjusted to include an allowance of 2m for a roof form.

10.49. In increasing the height development controls, including from 12.5m (and three storeys) to 13m (11m occupiable plus 2m for roof form), the special or historic character Town Centres could experience pressure for redevelopment and new development out of scale with the existing built character. This could take the form of four story development within a built context of one and two storey buildings. To control that influence I consider there should be a consequential amendment to the Historic Character overlay assessment criteria, as follows:

“J.3.4.2 Restricted Discretionary Assessment Criteria

2a. Alterations and additions should:

2.a.ai. be considered against the relevant assessment criteria for this activity in the underlying zone, and the relevant height development control

3a. Developments should:

³² Stuart Stephen and Elizabeth M Palmer 6869-4

³³ Orewa Ratepayers and Residents Association Incorporated 2221-24

3.a.ii.A. be within the height development control for the underlying zone, and respond positively to existing storey heights within the historic character area.”

10.50. In order to communicate the height development control more clearly as an occupiable height threshold with additional allowance for roof form, I also consider the two height tables in the Business zone development controls should be re-formatted to read as such, combining to form the total height, as follows:

“Table 1

<u>Zone</u>	<u>Occupiable building height</u>	<u>Additional Height for roof form</u>	<u>Total building height</u>
<u>Metropolitan centre</u>	<u>72.5m</u>	=	<u>72.5m</u>
<u>Town Centre</u>			<u>As shown on the Additional Zone Height Control layer on the planning maps</u>
<u>Local centre</u>	<u>16m</u>	<u>2m</u>	<u>18m</u>
<u>Neighbourhood centre</u>	<u>11m</u>	<u>2m</u>	<u>13m</u>
<u>Mixed use</u>	<u>16m</u>	<u>2m</u>	<u>18m</u>
<u>General Business</u>	<u>16.5m</u>	=	<u>16.5m</u>
<u>Business Park</u>	<u>20.5m</u>	=	<u>20.5m</u>

Table 1A

Total building height on Additional Zone Height Control layer on the planning maps

<u>Occupiable building height</u>	<u>Additional Height for roof form</u>	<u>Total building height shown on Additional Zone Height Control layer on the planning maps</u>
<u>11m</u>	<u>2m</u>	<u>13m (currently 12.5m)</u>
<u>16m</u>	<u>2m</u>	<u>18m (currently 16.5m)</u>
<u>19</u>	<u>2m</u>	<u>21m (currently 20.5m)</u>
<u>25m</u>	<u>2m</u>	<u>27m (currently 24.5m)</u>
<u>Same as on the planning maps</u>	<u>NA</u>	<u>Exceeding 27m</u>

10.51. The changes to Table 1A mean there is a consequential change to every planning map that shows an Additional Zone Height Control e.g. 12.5m becomes 13m; 16.5m becomes 18m; 20.5m becomes 21m; 24.5m becomes 27m.

10.52. By introducing the concept of ‘occupiable height and allowance for roof form’, in providing greater overall height in the Town Centres, I consider that ‘occupiable height’ should also be included in the purpose statement for the development control and in the assessment criteria for infringement of development controls, as follows:

“1.3.4.2 Building height – Purpose

- Manage the effects of building height
- Allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility to provide variation and interest in building form when viewed from the street

1.3.7.2.1.vi. infringements of occupiable building height should not compromise:

- a roof form that provides variation and interest when viewed from the street
- storey heights that provide a good standard of amenity within the building, by contributing to a sense of space and allowing adequate sunlight and daylight access.”

10.53. The Town Centre zones are generally surrounded by the intensive Terraced Housing and Apartment Building zone and Mixed Use zone, which allow transitional heights between the taller centre buildings and the broader context of Mixed Housing residential zones. In some cases the proximity of Mixed Housing Suburban and Single House zones influences the height limit. Heritage character can also be a factor, both surrounding a centre and in the Town Centre buildings themselves.

10.54. The PAUP is proposing a potentially greater growth role for Orewa, but does include a number of Town Centre and Mixed Use sub-precincts to respond to the coastal setting and residential hinterland, ranging in height from 8.5m up to 27m.

10.55. Through consideration of submissions and mediation, the height limit has been raised in parts of two town centres, being parts of Te Atatu Town Centre (27m) and Highbury (32.5m). These are addressed in the evidence of the relevant area planners addressing site specific height requests.

Conclusion

10.56. The building height development controls have been amended through consideration of submissions and the mediation process. The amended Town Centre provisions are attached to the evidence of the relevant area planners, being the current position of the Council, and I support that position, with the additional amendments shown in paragraphs 9.49, 9.50 and 9.51 above.

Local Centre increase height limit, reduce height limit, retain

Submitter requests

10.57. Submissions were received seeking an increase in the Local Centre height limit to four storeys³⁴ and to 24.5m,³⁵ 32.5m,³⁶ 33m³⁷ and 8 – 12 storeys.³⁸ These state that height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not considered viable due to the requirement to put in lifts. Increased height limit would give effect to intensification objectives in PAUP, reflect the existing environment at some Local Centre locations, provide greater opportunity for a wider range of activities, and would reduce construction costs per unit.

10.58. A submission asks for clarification of the height limit for non-habitable business structures in the Waiuku Local Centre.³⁹

Discussion

10.59. The height limit has had the storey control removed, and is increased to a limit of 16m plus a 2m roof form component, for the Local Centre zone. That would allow a four to five storey building. In some areas there are other height controls overriding the generic height limit for the zone, and these are detailed in the Additional Zone Height Control and in overlays, and in the precinct provisions. The objectives and policies do not identify Local Centres for significant intensification, unlike the Metropolitan and Town Centres and the Mixed Use zones. The Local centres are generally in residential areas, and can be seen to be predominantly one or two storey development currently.

10.60. Waiuku Local Centre zone will have a height limit of 18m including the roof form. The height limit would apply to non-habitable business structures, although the definition of 'height' allows some exemptions, such as for small roof projections, chimneys and lift plant. Additional height above the height limit is a restricted discretionary activity.

Conclusion

10.61. The building height development controls have been amended through consideration of submissions and the mediation process. I support the current

³⁴ Kirk A Serpes 6431-5, Yudhvir Singh 6469-6, Joe Singh 6476-5, Luke Christensen 6497-5, Sudhvir Singh 6773-5

³⁵ B A Trustees Limited 2835-4

³⁶ Te Atatu Scenicview Limited 3391-32

³⁷ Louis Mayo 4797-100

³⁸ Cooper and Associates 6042-36

³⁹ Grant and Deborah Andrew and GDMK Properties Limited 6931-5

Council position on the appropriate height limit for the Local Centre zone, as set out in the marked-up version attached to Mr Wyatt's evidence, and subject to overlays and precincts that override the generic control.

Neighbourhood Centre increase height limit

Submitter requests

10.62. Submissions seek increased height limit in the Neighbourhood Centre zone to 21m (five storeys)⁴⁰ and 8 – 12 storeys.⁴¹ They consider that height limits are too low and will not be effective in achieving the outcomes of a compact city, and that four storey buildings are not considered viable due to the requirement to put in lifts.

Discussion

10.63. The height limit has had the storey control removed, and is increased to a limit of 11m plus a 2m roof form component. In some areas there are other height controls overriding the generic height limit for the zone, and these are detailed in the Additional Zone Height Control and in overlays, and in the precinct provisions.

Conclusion

10.64. The building height development controls have been amended through consideration of submissions and the mediation process. I support the current Council position on the appropriate height limit for the Neighbourhood Centre zone, as set out in the marked-up version attached to Mr Wyatt's evidence, and subject to overlays and precincts that override the generic control. I do not consider that a five storey building height limit is appropriate for the Neighbourhood Centre, which generally consists of a few shops within a residential area.

Mixed Use zone increase height limit, reduce height limit, retain

Submitter requests

10.65. Submitter requests include four storeys on arterials and five storeys on other roads (but retain height limit);⁴² six storeys;⁴³ eight storeys;⁴⁴ not specified but greater than PAUP;⁴⁵ 37metres / nine storeys;⁴⁶ and ten storeys.⁴⁷ Redwood Group

⁴⁰ Louis Mayo 4797-101

⁴¹ Cooper and Associates 6042-37

⁴² C. and R. Adams Trust 1004-6

⁴³ 2018-1 Marlene Sorby, 2835-1 B A Trustees Limited, 3194-69, Mansons TCLM Limited, 5569-16 Emma Quantrill, 6099-115 Ockham Holdings Limited

⁴⁴ 6431-4 Kirk A Serpes, 6469-5 Yudhvir Singh, 6497-4 Luke Christensen, 6773-4 Sudhvir Singh

⁴⁵ 4271-2 Maidstone Holdings (No.11) Trust, 5687-2 AW Macdonald Limited et al, 6356-88 Body Corporate 197887, 6650-126 Summerset Group Holdings Limited, 7357-5 Ho Yin Anthony Leung

Limited (5838-20) seek a general height limit of 24.5m for sites not directly adjacent to residentially zoned sites, and eight storeys for those parts of the zone that can accommodate additional height without creating over-dominance effects. Urban Auckland (5786-4) seeks greater height in business and Mixed Use zones particularly along transport corridors. A number of submissions on the Mixed Use zone seek increased height close to quality public transport.⁴⁸ Submission points from Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited (5566) request a 35m height limit, for specified sites and for the whole of the Mixed Use zone. The individual site requests are addressed in the evidence of the relevant area planners. Overall, the submitters considered the height limit is too restrictive and that it may lead to poor development outcomes in some cases, due to the cost per unit being too high to make development viable, particularly considering the costs of lifts. It was submitted that four storeys does not give effect to the PAUP aim of reducing the strain on city infrastructure and visual provisions in the PAUP are sufficient to provide for street-friendly architecture even at six storeys.

10.66. Some submitters considered that the PAUP height limit is also inconsistent with Plan Change 196, specifically the Newmarket Growth Area identified, which provided for 21m and 27m depending on location.

10.67. It was submitted that four storeys is not appropriate for the Mixed Use zone as it does not distinguish it from the Terraced Housing and Apartment Building zone. It was submitted that as underground parking is an expected urban design outcome of the Mixed Use zone this will unnecessarily restrict development scale. A six storey limit was submitted to be more appropriate as development of such a scale spreads fixed land and foundation costs over more units, which would enhance economic viability.

10.68. The submissions consider that the PAUP does not rezone enough land within the urban boundary to ensure it is consistent with the Auckland Plan and proposed RPS, and that development controls will need to change to meet the 70% urban target. PAUP needs to respond to major public transport investment being undertaken, including electrification, new frequent bus network, Central Rail Link and busways, allowing greater intensification close to frequent public transport

⁴⁶ Louis Mayo 4797-102

⁴⁷ J Mead 4330-2

⁴⁸ Christina Robertson 6264-10, Northern Investors Trust 4758-10, Greg Nikoloff 6927-7

infrastructure. Other submissions also seek amendment of the height limits for the Mixed Use zone to reflect their location close to high quality public transport infrastructure.⁴⁹

10.69. Submissions were also received seeking the retention or a reduction in the height limit for the Mixed Use zone. In terms of the latter, these sought a reduction to 12.5m or three storeys, and considered that buildings of 16.5m height will be over-dominant, prevent sunlight penetration and create excessive shading. It was submitted that the 12.5m height proposed by the submissions would be more compatible with the existing historic character of Mt Eden, and the ability to build a structure of four storeys as of right is totally out of character with the surrounding residential environment.⁵⁰ Submissions seeking retention of the notified PAUP height limit considered that they give greater flexibility for development potential for the submitter site (care centre and housing for the disabled), particularly as it enables a higher stud height. These provisions will facilitate the future residential and/or commercial use of sites and enable development of a scale and form that is appropriate for the surrounding community.⁵¹

Discussion

10.70. The height limit has had the storey control removed, and is increased to a limit of 16m plus a 2m roof form component. That would allow up to a five storey mixed use building. In some areas there are other height controls overriding the generic height limit for the zone, and these are detailed in the Additional Zone Height Control and in overlays, and in the precinct provisions. The Additional Zone Height Control reduces the height limit in some locations and increases it in others, depending on the physical context, potential amenity effects and future planned form of the area. Additional height is also possible as a restricted discretionary activity, where adverse effects can be managed.

10.71. The ten or so storey height limits requested (32.5 and 35m) would in my opinion create an intensity and scale more appropriate to a Town Centre zone, and would then require a more complex and deliberate mix of activities and supporting

⁴⁹ Harsha Ravichandran 5993-5, Georgianne Griffiths 8857-11, TransportBlog 6210-10, Urban Auckland 5786-4, Ora Taiao: The NZ Climate and Health Council 7051-8, Ho Yin Anthony Leung 7357-5

⁵⁰ 3413-15 Mount Eden Planning Group Incorporated, 5024-2 Mollyrobs Trust, 5036-7 Weaver Hind Limited, 5492-9 Miranda and Michael Lang, 5810-8 Wendy Cook

⁵¹ Advance Properties Group Limited 2193-5, Ranfurly Care Society Incorporated 3288-3, Body Corporate 197887 6356-86, Ngati Whatua Orakei Whai Rawa Limited 883-*179

infrastructure. The resource consent process (restricted discretionary) is appropriate to consider the effects of additional height.

10.72. The issue of capacity of the PAUP zones and their provisions, to accommodate projected growth, is the subject of other evidence on business activity, including retail, commercial and industrial. Retail activities are mainly at ground level, and there appears to be no shortfall in capacity to provide commercial floorspace. Industry will require protection of land for their activities, in terms of land supply and against reverse sensitivity, and additional industrial land will be required. I rely on that evidence that there is no requirement to up-zone business land, for business activities, beyond the adjusted height limits of the current Council position, which overall represents a substantial increase on the bulk and height provisions of the operative legacy plans and the height of existing building development in the centres and other business zones. The height development controls are set at levels that enable substantially larger buildings in almost all zones, and in conjunction with greater coverage and only limited use of floor area ratios will support a more intensive urban form, allowing for innovation and greater choice of residential and business location.

10.73. Locations near rapid and frequent public transport were considered for intensive development zones and many have been applied, particularly around centres. However, some areas are not considered suitable for such intensification without resolving other substantial constraints, such as floodplains. That is not to say they could not be intensively developed, but that highly-fragmented land ownership may make those constraints difficult to resolve. Landowners of multiple or amalgamated sites may be able re-develop comprehensively, where multiple smallholdings could not.

Conclusion

10.74. The building height development controls have been amended through consideration of submissions and the mediation process. I support the current Council position on the appropriate height limit for the Mixed Use zone, as set out in the marked-up version attached to Mr Wyatt's evidence, and subject to overlays and precincts that override the generic control.

General Business zone

Submitter requests

10.75. A submission seeks an increase in the General Business zone height limit to 20.5m, as there is currently no height limit on the Manukau Centre land.⁵² The submitter also seeks the rezoning of their land at 2 – 5 Ryan Place in Manukau from Light Industry to General Business (separate re-zoning Topic).

10.76. Other submissions support the retention of the proposed height limit, but would also support a higher limit.⁵³ Two submissions support the retention of the notified height limit.⁵⁴

Discussion

10.77. The height limit for the General Business zone has not changed through the mediation process, however the storey control has been removed. The zone is designed for a specific purpose, being business activities that may not be appropriate for, or are unable to locate in centres, such as light industrial to limited office, large format retail and trade suppliers. I consider that the height limit proposed is appropriate for the locations and activities proposed. Additional height would require a restricted discretionary activity resource consent.

Conclusion

10.78. The marked-up version of the Business provisions shows the Council current position and I support that position.

Business Park zone

Submitter requests

10.79. Louis Mayo (4797-104) supports the proposed 20.5m height limit for the Business Park zone.

Discussion

10.80. Through the mediation process the storey control has been deleted, including from the Business Park zone. The height limit remains at 20.5m. The Central Park Business Park in Penrose has a precinct allowing building heights ranging from 19.8 to 67.9m, and the precinct provisions would override the generic Business Park zone height limits. The other Business Park zones have precinct plans but do not have specific height limits overriding the generic height limit. The one Business Park zone location that I consider has the wrong height limit is Smales Farm Business Park in Takapuna. There is no submission from the Business Park or its owner

⁵² A M Finnigan and Ellis Gould Tinos Trustee Limited 123-2

⁵³ Harvey Norman 5924-60, 61, Body Corporate 197887 6356-87

⁵⁴ Louis Mayo 4797-103, North Harbour Business Association 6354-15

entities seeking at least the height allowed in the operative plan, which included an incentive height component for additional areas of landscaping and provided some variation in building height across the site. The site is required to accommodate a significant quantity of commercial floor space and employment and is not adjoining sites requiring amenity protection, being bounded by roads on all four sides.

Conclusion

- 10.81.** The marked-up version of the Business provisions shows the Council current position on height controls in the Business Park zone, and as modified by precincts, and I support that position. In my opinion the Smales 1 Precinct should have a greater height limit than the standard 20.5m of the Business Park zone. The matter of an appropriate height should be considered within the Precinct Topic.

Light and Heavy Industry zones

Submitter requests

- 10.82.** Submissions were received on Policy 6 of the Heavy Industry zone, seeking that adverse effects of industrial building location, height and bulk on Public Open Space (not streets) and Residential zones be avoided, remedied or mitigated, rather than controlled⁵⁵.
- 10.83.** Submissions were received to the Building height control of 20m within the Heavy and Light Industry zones rule I.3.5.1, seeking an increased building height, a decreased height and eight submission points seeking to retain the control as notified. Some also sought that 20m is an appropriate limit for the Light Industry zone but that the Heavy Industry zone was further removed from sensitive activities and often required greater height for operational purposes and industrial processes.
- 10.84.** Reasons provided to increase the building height control included that:
- a. There should be no height limit as per the Auckland District Plan (Manukau Section).⁵⁶
 - b. An increase in the height would enable the efficient and effective development of Heavy Industry zoned land and the PAUP affords sufficient protection to surrounding Residential and Public Open Spaced zoned land.⁵⁷

⁵⁵ Poultry Industry Association of NZ and Egg Producers Federation of NZ 4495-106, Progressive Enterprises Limited 5723-175, Contact Energy Limited 6084-44, Mighty River Power Limited 836-93

⁵⁶ Onehunga Business Association Incorporated, 2555-39, Wiri Business Association Incorporated, 2466-44, Mahunga Drive Business Association Incorporated, 1602-48, Greater East Tamaki Business Association Incorporated, 2004-40, Rosebank Business Association Incorporated, 3031-39

⁵⁷ Port of Tauranga Limited, 1689-19

- c. Industrial activities commonly require higher buildings to accommodate industrial processes and equipment such as dryers and smoke stacks. Restricting height could limit the ability to use the land efficiently.⁵⁸
- d. In order to provide additional opportunities for intensification and business growth within the industrial zones, the 20m building height should be deleted or, in the alternative increased to 35 metres. Many of the submitter's existing sites have no building height control.⁵⁹

10.85. A number of site specific requests were also received seeking amendment of the Building height control in the Industry zones. Those submissions are addressed in the area planning evidence. Some are also related to rezoning requests and specific viewshaft height controls. Nine submission points sought to retain the Industry zone maximum building height control as notified.⁶⁰

Discussion

10.86. Policy 6 of the Heavy Industry zone has been changed, by agreement through mediation, to refer to 'manage' adverse amenity effects, which in the language of the PAUP includes 'avoid, remedy or mitigate'. The policy also now refers to Public Open Space zones, rather than the broader 'public open space', which would have included streets.

10.87. The height limit for the Light and Heavy Industry zones has not changed through the mediation process, and remains at 20m. I consider that the height limit proposed is generally appropriate for the locations and activities proposed. Additional height would require a restricted discretionary activity resource consent. From mediation, the assessment criteria for assessing greater height include proximity to residential, public open space zones and some special purpose zones, and also the operational requirements of industrial activities and the efficient use of land for industrial activities. Those criteria would allow considerable scope for greater height away from Residential and Public Open Space zoned land, and where operational and industrial processes require a particular height. It is anticipated that some industries will require greater height than 20m, such as for warehousing, silos and industrial processes. The height control is a permitted activity threshold at which the effects of additional height can be assessed.

⁵⁸ Madill and Smeed Limited / Halls Transport, 6449-6

⁵⁹ KLC Property Limited, 5011-7, Quadrant Properties Limited, 4820-2, Chalmers Properties Limited, 2260-8

⁶⁰ Atlas Concrete Limited, 3705-149, 3792-149, 4843-149, Ross Holdings Limited, 4804-380, Fulton Hogan Limited, 5776-80, North Harbour Business Association 6354-16, 6354-17, Summerset Group Holdings Limited 6650-136, Contact Energy Limited 6084-5

10.88. The definition of height specifically excludes some structures, such as cooling towers, chimneys and conveyors. While there may be visual amenity benefits to lower smokestack structures, air quality protection will require appropriate heights of discharge.

Conclusion

10.89. The marked-up version of the Business provisions shows the Council current position on Industry zone height control and I support that position.

Bonus height – Affordable Housing

10.90. Bonus height is being proposed in certain zones for development that includes an affordable housing component. This is to be considered in Topic 061 Retirement and Affordable Housing, but is relevant to consideration of appropriate height limits in business zones. The affordable housing height bonus would be applied as a non-notified restricted discretionary resource consent, and considered as a positive effect in the balance of effects of additional height.

Theme 2 – Height-in-relation-to-boundary (HRB) control in centres and other business zones

General

10.91. Through consideration of submissions and mediation, the HRB control has been is proposed to be amended and clarified in the following ways:

- a. It is applied to boundaries adjoining public open space zones rather than all public open space (it does not apply to a road frontage)⁶¹
- b. It applies from the far side of an adjoining street. It also applies from the far side of an adjoining entrance strip, access site or pedestrian accessway, or from 2.5m away from the subject site boundary where the adjoining entrance strip, access site or pedestrian accessway is wider than 2.5m⁶²
- c. It does not apply at a Business to Business zone boundary, except at the Metropolitan Centre and Town Centre zone boundaries with Mixed Use and General Business zones⁶³

⁶¹ Fuego Limited 1332-12, B A Trustees 2835-15

⁶² Fuego Limited 1332-23 B A Trustees, Horoeka Trust 2687-1

⁶³ Sentinel Planning Limited 4132-38

- d. At the northern boundary of a Town Centre and Mixed Use zoned site adjoining a Public Open Space zoned site the HRB has a lower starting height (8.5m) than its other boundaries (16.5m). At the northern boundary of a Local Centre, Neighbourhood Centre and Business Park zoned site adjoining a Public Open Space zoned site the HRB has a lower starting height (4.5m) than its other boundaries (8.5m). In the PAUP as notified the northern boundary of a Metropolitan Centre site adjoining a Public Open Space zoned site had a lower starting height (8.5m) than its other boundaries (16.5m). The differentiation of boundary orientations recognises the public open space amenity of its northern aspect, and the decreased likelihood of building bulk dominance where development looks East, West or North over public open space⁶⁴
- e. The diagrams detailing the various HRB controls are replaced by a table and representative diagram⁶⁵
- f. Development control infringement assessment criteria have replaced 'the planned future form and quality of the surrounding area/character of the area/zone' with 'contribution to growth and intensification outcomes'.⁶⁶

Submitter requests

- 10.92.** Submissions requested amending the HRB control between Business zones and Residential/Public Open Space zones to have a greater starting height or a steeper angle, to allow more intensive development, particularly in centres.⁶⁷
- 10.93.** Other submissions seek retention of the HRB control as notified⁶⁸, or greater protection for the amenity of residential and public open space, with a standard HRB control of 2m + 45° on all Business zoned sites adjoining Residential or Public Open Space zoned land,⁶⁹ or 2.5m + 30°. ⁷⁰ Five submissions from independent and integrated school providers seek a HRB control for business zoned sites adjoining the Special Purpose – School zone, to avoid visual dominance and shading of

⁶⁴ I B and G A Midgley 4778-87, Ross Holdings Limited 4804-33

⁶⁵ The Urban Design Forum New Zealand 5277-95, The NZ Institute of Architects 5280-93, Emilia Kabazamalova 7205-10

⁶⁶ The National Trading Company of NZ Limited 2632-174, The Warehouse Limited 2748-109, 111, Westfield (NZ) Limited (Scentre) 2968-300

⁶⁷ Sentinel Planning Limited 4132-39

⁶⁸ Ockham Holdings Limited, Richard and Deborah Peers 3251-3

⁶⁹ Quadrant Properties Limited 4820-4

⁷⁰ Miranda and Michael Lang 5492-10

schools⁷¹ and one sought a HRB control where adjoining a Special Purpose - Places of Worship zone if created.⁷² The latter submissions were opposed at mediation by DNZ Property (with respect to schools) and by Kiwi Property Group, DNZ Property, AMP, National Trading Company and Samson Corporation Limited and Sterling Nominees Limited (with respect to places of worship).

Discussion

10.94. Following consideration of submissions and mediation, the HRB controls have been amended to apply less strictly where the business centre and Mixed Use and Business Park zones adjoin Public Open Space to the North or East or West, but maintained at the notified dimensions for the southern boundaries.

Conclusion

10.95. The building HRB development controls have been amended through consideration of submissions and the mediation process. I support the current Council position on the marked-up version, as set out in the attachments to Mr Wyatt's evidence, and subject to overlays and precincts that override the generic controls.

Purpose of the rule

Submitter requests

10.96. Submissions sought amendments to the Purpose statement of the HRB development control. Specifically, these sought to clarify that sunlight and daylight access to streets, and to residential zones generally, were not protected by the HRB control, which is directed at Public Open Space zoned land and Residential land, and some Special Purpose zoned land, where it adjoins Business zoned land. Protection of streets from visual dominance of business developments was also not considered to be a purpose of the HRB control.⁷³

10.97. A submission considered that there is no valid reason to require 'reasonable sunlight and daylight access' at the expense of development potential.⁷⁴

Discussion

⁷¹ Saint Kentigern Trust Board 5228-47, Diocesan School for Girls 5224-46, The NZ Seventh-day Adventist Schools Association Limited 5235-40, King's College 5249-44, The Roman Catholic Bishop of the Diocese of Auckland 5256-48

⁷² The Roman Catholic Bishop of the Diocese of Auckland 5256-49

⁷³ Fuego Limited 1332-12, 23, Mehmed Investments Limited 3761-14, Westfield (New Zealand) Limited (Scentre) 2968-364

⁷⁴ B A Trustees Limited 2835-15

10.98. The Purpose statement has been amended through mediation, particularly to remove the references to street amenity, which is provided by other development controls and the assessment criteria for new development. However, the HRB control does have the purpose of protection of reasonable amenity to adjoining residential, public open space and Special Purpose – School or Maori Purpose land.

Conclusion

10.99. The Purpose statement for the HRB has been amended through consideration of submissions and the mediation process. I support the current Council position.

HRB amendment by zone

Submitter requests

10.100. Submissions on the Mixed Use and Local Centre zones seek an alternative HRB control, of 8m + 15° or the Number 4 daylight indicator from the legacy Auckland Central District Plan.⁷⁵

10.101. Other submissions on the Mixed Use zone support the HRB protecting amenity of the Mixed Housing Suburban zone,⁷⁶ or seek that the angle be reduced from 45° to 30° where adjoining a residential zone.⁷⁷ The HRB on a Mixed Use site is requested to be 8m + 45° (rather than 60°) when adjoining the Terraced Housing and Apartment Building zone.⁷⁸ Two submissions requested that there be a HRB control between business sites if they adjoin a residential zone, to avoid a continuous wall of building.⁷⁹

10.102. A submission supported the HRB control in Local Centres.⁸⁰ Another submission on Local Centres was unclear but appeared to be seeking a 2.5m + 45° HRB from the far side of a road, which would have no effect across a 20m wide road.⁸¹

Discussion

10.103. The Number 4 daylight indicator in the legacy Plan is part of a range of 'daylight over and daylight around' development controls. It allows tall, slender

⁷⁵ Fuego Limited 1332-20, B A Trustees Limited 2835-14, Mehmed Investments Limited 3761-11,12

⁷⁶ Garry and Grace Brown 1804-3

⁷⁷ Pamela Ingram Architect Limited 3695-5, Mollyrobs Trust 5024-3, Weaver Hind Limited 5036-8

⁷⁸ Northcote Residents' Association 7349-17

⁷⁹ Weaver Hind Limited 5036-9, Miranda and Michael Lang 5492-11

⁸⁰ Ormiston Joint Venture Limited 3963-19

⁸¹ Fuego Limited 1332-9

buildings to be set back from boundaries with a wedge of daylight access protected for adjoining properties. Apart from the taller part of the building it is effectively a $2\text{m} + 15^\circ$ HRB from the boundary. It encourages a 'teardrop' or 'diamond' shape footprint rather than a building parallel to the site boundary, and apart from the tower it keeps building down to one or two storeys over the remainder of the site. At least one of the submissions relates to an existing building that is sited at an angle to its boundary with a residential zone. I do not consider this a generally appropriate urban form, but where used within a range of combined 'daylight over and daylight around' options it can produce a varied built form similar to the FAR control. An allocated overall bulk of building and floorspace can take a low height and broad footprint, or step back from boundaries and build higher. The eastern side of Symonds Street, between Wellesley street and Grafton Bridge, shows this type of urban form, including examples of the extreme teardrop floor-plates. In principle it can also produce a podium with set-back tower form, that can address the street at lower levels and allow light between buildings at upper levels. The PAUP development controls will achieve this by other and more efficient means, such as set-backs, tower dimensions and separations.

10.104. $8\text{m} + 15^\circ$ is close to the proposed HRB control for the Light and Heavy Industry zones in the PAUP ($8\text{m} + 18^\circ$). It allows three storey buildings near the boundary, rising to the full 20m height of the zone when 37m away from the boundary. That HRB is designed, along with a boundary landscaping yard, to protect residential and public open space land from the dominance of utilitarian industrial buildings. In the Local Centres and Mixed Use zones the buildings can be 18m or taller, and assessment criteria can assist in managing bulk dominance and other amenity effects. I consider that the proposed HRB in the Council marked-up version will support more intensive development on the business zoned sites and better protect the amenity of adjoining residential and public open space land.

10.105. I do not support reducing the HRB angle from 45° to 30° . 45° allows the building to increase in height at the same rate as its distance from the boundary, above the 2.5 or 3m starting point at the boundary. The HRB control is assisted by assessment criteria for new development (restricted discretionary activity) in its management of effects on adjoining land.

Conclusion

10.106. The HRB control has been amended through consideration of submissions and the mediation process. I support the current Council position.

HRB in Light and Heavy Industry zones

Submitter requests

- 10.107.** Submissions on the HRB in Light and Heavy Industry zones seek a range of relief, from greater protection of adjoining residential land,⁸² additional protection for Special Purpose – School zones⁸³ and retention of the HRB control as notified⁸⁴, through to half the height of the adjoining zone plus 35°⁸⁵, 2m + 45°⁸⁶, 4.5m + 45°⁸⁷, 5m + 45°, or no HRB control at all for boundaries with Public Open Space that was originally vested for stormwater purposes.⁸⁸
- 10.108.** The submissions seeking a steeper recession angle consider that the HRB control is onerous on industrial land, with buildings needing to be more than 30 metres from the boundary before they can attain the full height of the zone. Submissions consider the HRB control is disproportionate to the effects on adjoining [residential and open space] environments and has not been properly justified in terms of why the building bulk and location effects, particularly shading and dominance require different treatment to other business zones.⁸⁹ They propose a 2.5m + 45° HRB.
- 10.109.** Submissions from Atlas Concrete and Graham Collie⁹⁰ seek that the matters of discretion and assessment criteria for development control infringements be amended to clarify which matters apply to the Business or Industry zones only.

Discussion

- 10.110.** The Industry zone HRB is designed, along with a 3m boundary landscaping yard, to protect residential and public open space land from the dominance of utilitarian industrial buildings. In the Local Centres and Mixed Use zones the buildings can be of a similar overall height, but the steeper HRB angle is assisted by assessment criteria in managing bulk dominance and other amenity effects.

⁸² Denise and Allen Tonkin 6670-1, Denise A Tonkin 7403-1, Allen R Tonkin 7404-1, Southpark Corporation Limited 3625-11

⁸³ Saint Kentigern Trust Board 5228-48, Diocesan School for Girls 5224-47, The NZ Seventh-day Adventist Schools Association Limited 5235-41, King's College 5249-45, The Roman Catholic Bishop of the Diocese of Auckland 5256-49

⁸⁴ Atlas Concrete Limited (Silverdale) 3705-150, Janine Bell 3765-15, Atlas Concrete Limited (Kumeu) 3792-150

⁸⁵ Ross Holdings Limited 4804-39, Summerset Group Holdings Limited 6650-128

⁸⁶ Stevenson Group Limited 3682-192, Samson Corporation Limited and Sterling Nominees Limited 6247-15

⁸⁷ Southpark Corporation Limited 3625-20, Fulton Hogan Limited 5776-81

⁸⁸ Drinkrow Industrial Estate 4320-13

⁸⁹ Quadrant Properties Limited 4820-3, KLC Property Limited 5011-8,9

⁹⁰ Atlas Concrete Limited (Silverdale) 3705-161, Atlas Concrete Limited (Mount Wellington; Kumeu; Warkworth; Rosedale; Wairau Road Milford; Mount Rex), Graham Collie 5845-21

- 10.111.** The Industry zone HRB is a permitted activity development control and a restricted discretionary resource consent is required for infringements. Building development complying with the development controls is a permitted activity. In the higher amenity centre and other business zones new development requires a restricted discretionary activity resource consent. At a distance of 5m, from a boundary adjoining a residential or public open space zoned site, an industrial building or structure is permitted at 9.6m height (three storey equivalent), rising to the full 20m zone height when 37m from the boundary. An industrial building would have a similar bulk dominance effect as a –two to three storey building at the boundary, three to four storey building 10m away, four storey building at 20m away (width of a house site) and five to six storey building at the height limit of 20m when 37m or further from the boundary.
- 10.112.** Alternatives could have included increased building setbacks from the boundary, although that may have resulted in more yard activities and carparking near the boundary, design control by resource consent, or a stepping height limit that may have reduced flexibility of building design. The building heights proposed for the higher amenity Special Purpose – School and Special Purpose - Tertiary Education zones (or Tertiary Education Precinct), of 18 and 24m respectively, only apply when the buildings are further than 20 m from residential or public open space zone boundaries.
- 10.113.** Where land is vested in the Council for stormwater purposes, it eventually is given a zoning that will allow the stormwater purpose but may also reflect other characteristics, such as ecology and conservation values and suitability for passive and active recreation activities. A recreation or Public Open Space zone is most likely, although the PAUP also has a proposed Green Infrastructure Zone. The HRB controls do not apply to a boundary adjoining a Green Infrastructure zoned site. There is no land in Auckland with that zoning at present, although it is intended to be a structure planning instrument. In my opinion, if land has been vested for stormwater purposes then a restricted discretionary resource consent to infringe the HRB control should be able to consider the efficient use of industrial land for industrial activities. The example given by the submitter, of a Public Open Space – Conservation zone, could involve the conservation values of the land being unaffected by building bulk on adjoining Industry zoned land.
- 10.114.** The matters for discretion and assessment criteria for development control infringements have been amended in the current marked-up version, to separate the assessment criteria that apply to Industry zones. They have also been amended

through mediation, to include the operational requirements of industrial activities and the efficient use of industrial land for industrial activities.

Conclusion

- 10.115.** I consider that there are potential amenity impacts from industrial buildings adjacent to residential and open space zones. The proposed HRB control is in my opinion an appropriate permitted activity control, in conjunction with the 3m landscape planting component of the 5m rear or side yard adjoining the residential or public open space zone boundary. Larger and more bulky buildings and structures could be accommodated, by means of restricted discretionary resource consent, where the adverse cross-boundary amenity effects can be managed in other ways.

Site-specific HRB

Submitter requests

- 10.116.** Auckland 2040 Incorporated (1473-90) seeks amendment of the development controls to require all developments in Takapuna 1 Precinct, Sub-precinct A to comply with the HRB.
- 10.117.** Benzian Trustees as Trustee of the Pacific Equities #2 Trust (1983-1) seeks amendments to the HRB in relation to 17 Putney Way, Manukau Centre.
- 10.118.** The Strand Trust (4307-1) seeks amendment of the HRB control to recognise that a different rule applies under the Browns Bay Precinct Plan to buildings with a frontage to Beachfront Lane.

Discussion

- 10.119.** The Takapuna 1 Precinct provisions do not override the Metropolitan Centre HRB controls.
- 10.120.** 17 Putney Way is located across the road from Hayman Park, in Manukau Centre. The road (Davies Avenue) is approximately 32m wide. Under the proposed HRB (16.5m + 45°) the building at 17 Putney Way could be 48.5m high. There is a building consented for the site at 44m high.
- 10.121.** The Browns Bay Precinct HRB rule overrides the Town Centre HRB rule for the site frontage to Beachfront Lane. However, for the southern boundary of 55 Clyde Road, adjoining Public Open Space zoned land there is no precinct HRB rule and the Town Centre HRB control applies.

Conclusion

10.122. No changes are required in relation to these site-specific HRB submissions.

11. CONCLUSION

11.1. Overall I consider that the development controls for height and height-in-relation-to-boundary in the business zones, in combination with other development controls of the PAUP, as amended provide the most appropriate method for managing growth and intensification, and effects on adjoining residential and public open space zoned land. In my opinion, the combination of these rules is the most appropriate means of achieving the objectives of the centres and other business zones, the sustainable management purpose of the RMA, implementing the policies of the RPS and contributing to Auckland's economic, social and cultural well-being.

Trevor Stewart Mackie

27 July 2015

ATTACHMENTS

- A Curriculum Vitae**
- B Section 32AA Height and HRB in Business Zones**
- C1 Summary of Decisions Requested for Building Height in Business zones**
- C2 Summary of Decisions Requested for HRB in Business zones**

ATTACHMENT A

Trevor Stewart Mackie BTP, BBSc, BArch (Hons)

Senior Consultant Planner

I am a Senior Consultant Planner with Hill Young Cooper Ltd, a resource management, environmental policy and planning consultancy, based in Auckland and Wellington. I have a Bachelor of Town Planning degree from University of Auckland, and Bachelor of Architecture (Hons) and Bachelor of Building Science degrees from Victoria University of Wellington. I have more than 30 years experience in architecture, urban design planning and resource management planning including five years in an architectural consultancy, four years from 1990 as Urban Design Planner and seven years as Senior Urban Design Planner for North Shore City Council. From December 2000 to October 2010 I was Manager of Environmental Policy and Planning and Group Manager City Environment for North Shore City Council.

Prior to joining HYC in 2010, I provided planning advice and managed the spatial and land use planning for North Shore City, including urban growth management, structure planning, intensification strategies, and urban design. Much of my work has involved integration of land use planning with transportation planning and other significant infrastructure. It ranges from a strategic level of sustainable development and regional context, through area and corridor planning, natural environments and infrastructure planning, district plan changes and designations, design guidelines and development liaison for significant projects. In urban design planning I have developed urban design policy, designed business and residential development controls, and undertaken urban design, building design and visual impact assessments.

I represented North Shore City on the Regional Policy Steering Group, supporting the Regional Sustainable Development Forum and the preparation of One Plan, Auckland Sustainability Framework, Growth Strategy Review, the Regional Future Land Use and Transport Scenario Study and the New Planning Framework.

District Planning, Plan Changes, Review

- Review of draft Unitary Plan to support Ministerial Briefing on key points, Ministry for the Environment, 2013
- Policy responses to business feedback for industrial areas and preparation of Hibiscus and Bays Local Board feedback in the draft Auckland Unitary Plan, Auckland Council, 2013
- Ruakaka Racecourse plan change, Whangarei District Council and Whangarei Racing Club, 2011 - 2015
- Stormwater Provisions including for Riparian Margins for the Unitary Plan, Stormwater Unit Auckland Council, 2012
- Development Bonus Sustainability Guidelines, Kapiti Coast District Council, 2012
- Preliminary Residential Codes for draft Unitary Plan, Auckland Council, 2012
- Peer Review Coastal and Natural Heritage plan changes, Kapiti Coast District Council, 2012
- Business Workstream Unitary Plan – mentoring and strategic review, Auckland Council, 2012

- Air Quality Plan Change Scoping, Environment Bay of Plenty, 2011
- Plan Exclusions – advising on areas/topics able to be excluded from Unitary Plan, Auckland Council, 2011
- Drury South Business Project – private plan change receiving and initial processing, Auckland Council, 2011.

Hearings and evidence

- Powell Street Residential Development – evidence at Environment Court appeal hearing, Auckland Council, 2013
- Long Bay Structure Plan – evidence at Environment Court appeal hearing, North Shore City Council, 2007
- Planning evidence for North Shore network discharge consents, North Shore City Council 2007
- Bunnings Great North Road Resource Consent – Hearings Commissioner for Auckland Council, 2013
- Greenlane Ryman Retirement Village – Hearings Commissioner for Auckland Council, 2014
- Enabling economic well-being – evidence at PAUP hearings for RPS, 2014
- Significant Infrastructure and Energy – evidence at PAUP hearings for RPS, 2014
- Social Infrastructure – evidence at PAUP hearings, 2015
- Viewshafts – evidence at PAUP hearings, 2015

Designations, Notices of Requirement, Outline Plan of Works

- Friend of Submitters – Puhoi to Warkworth Road of National Significance, EPA, 2014
- Submissions summary for Tukituki Catchment Plan Change, EPA, 2013
- Wairau Road Widening – planning for land acquisition, Auckland Transport, 2013
- Designation of Auckland Roads – consenting strategy, Auckland Transport, 2012.

Strategic planning

- Quay Park Land Use Study, Auckland Council, 2012
- Satellites and Greenfields –Development Strategy, Auckland Council, 2012
- Assessment of Vaughans Road Extension, Auckland Transport, 2012.

Research

- Natural Hazard Case Studies, Ministry for the Environment, 2014
- RMA Impacts on Business and Communities, Ministry for the Environment, 2013
- Facing Hard Choices (in plan-making), Ministry for the Environment, 2013
- Economic impacts mainstreet bypass options, Clutha District Council, 2011
- Biodiversity Plans Research, Ministry for Environment, 2011.

Attachment B Section 32AA Height in Business zones	Alternative 1 – Height control as in notified PAUP	Alternative 2 – Height control as proposed to be amended as follows: .Purpose- exclude daylight and sunlight access to streets and the subject site; manage rather than avoid visual dominance effects; enable design flexibility; enable greater height in areas identified for intensification .Number of storeys height control deleted; heights adjusted to allow roof forms
Appropriateness	.Appropriate technique and settings drafted to meet the Proposed Auckland Unitary Plan objectives .The zone height controls and additional zone height control overlays are supplemented or overridden by precinct and specific overlay height controls	.More appropriate to meet objectives .The control does not deal directly with daylight and sunlight access to streets .‘Managing’ effects is more appropriate for rules and restricted discretionary activities .Centres and Mixed Use zones are a priority for intensification in compact urban form .Height control measure allows greater design flexibility
Effectiveness	.Effective in achieving objectives .Height is one of the key development controls that can stimulate investment and enable growth	.Increased design flexibility
Efficiency	.Efficient technique with as-of-right development envelope, and options for increased height by alternative locations and by restricted discretionary process .Taking into account employment and economic growth opportunities, the objectives for centres and other business zones include development and business activity of a scale and form that provides for the community’s economic needs, while managing adverse effects on the environment.	.Efficient technique with as-of-right development envelope, and options for increased height by alternative locations and by restricted discretionary process .Taking into account employment and economic growth opportunities, the objectives for centres and other business zones include development and business activity of a scale and form that provides for the community’s economic needs, while managing adverse effects on the environment.
Costs	.Costs balanced between landowners development rights constrained and adjacent land amenity protected.	.No change, possibly additional storeys created but overall height effects similar
Benefits	.Control provides as-of-right certainty of minimum building envelope heights, scope for additional height where effects managed .There is a ‘future-proofing’ for growth, even if the opportunities are not taken up immediately	.Control provides as-of-right certainty of minimum building envelope heights, scope for additional height where effects managed
Risks – Adequacy of information and risks of not acting	.Sufficient information available .Awareness of risks of not controlling height of buildings	.Sufficient information available .Awareness of risks of not controlling height of buildings
Conclusion		Preferred amended version, with increased design flexibility

Attachment B – Section 32AA Height and HRB in Business zones

Attachment B Section 32AA HRB in Business zones	Alternative 1 – HRB control as in notified PAUP	Alternative 2 – HRB control as proposed to be amended as follows: .Purpose- exclude daylight and sunlight access to streets and the subject site; manage rather than avoid visual dominance effects; revise diagrams and table; Apply HRB from far side of entrance strips/accessways; increased development possible to East, West and South of Public Open Space; Apply HRB at boundary with some Special Purpose zones (Maori Purpose, School)
Appropriateness	.Appropriate technique and settings drafted to meet the Proposed Unitary Plan objectives	.More appropriate to meet objectives .The control does not deal directly with daylight and sunlight access to streets .‘Managing’ effects is more appropriate for rules and restricted discretionary activities .Amenity of residential and public open space protected rather than driveways .Additional development possible where less bulk dominance effects .Amenity of certain Special Purpose zones better protected
Effectiveness	.Effective in achieving objectives	.Increased design flexibility from refining HRB control
Efficiency	.Efficient technique with as-of-right development envelope, and low cost options for increased height process	.Efficient technique with as-of-right development envelope, and low cost options for increased height process
Costs	.Costs balanced between landowners development rights constrained and adjacent land amenity protected	.Amendments apply additional cost to landowners adjacent to certain Special Purpose zones (Maori Purpose and Schools) .Increased development and design flexibility possible where visual dominance effects managed
Benefits	.As-of-right certainty of minimum building envelope HRB, scope for additional height where effects managed	.As-of-right certainty of minimum building envelope HRB, scope for additional height where effects managed .Additional development scope where business zone is not to the North of a Public Open Space zone
Risks – Adequacy of information and risks of not acting	.Sufficient information available .Awareness of risks of building bulk effects on amenity and visual dominance of residential and public open space	.Sufficient information available .Awareness of risks of building bulk effects on amenity and visual dominance of residential and public open space
Conclusion		Preferred amended version, with increased design and development flexibility

ATTACHMENT C1 HEIGHT IN BUSINESS ZONES

Sub#/Point	Name	Subtopic	Summary	Code 1	Reasons (from submission)
1004-6	FM Trustees 504 Limited and C. and R. Adams Trust	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.2 Building height, for the Mixed Use zone so that the building height in storeys is 4 storeys on arterial roads, and 5 storeys on other roads. Retain 16.5m height limit	4.02 Building Height	16.5m height limit does not give much flexibility as to how development is achievable within the MU zone. Allowing an extra storey on roads other than arterials is consistent with PAUP obs+pols for intensification
1036-3	Shaun Wilkinson	I3.5 Development controls Light and Heavy Industry zones	Limit the maximum height limit at Warkworth to three storeys and then only allow this height on Woodcocks Rd from State Highway 1 up to the end of the industrial area on the southern side of the road as well as Glenmore and Morrison Drives and in the Hudson Rd area	5.1 Height	The proposed height limits would allow buildings that distort the look and feel of Warkworth. Warkworth is essentially a rural service centre and should be treated as such and not an Auckland inner city suburb.
1125-1	Nationwide Properties Limited and Estate David Berryman	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Reduce maximum building height in Suburban centres from 72.5m to 50m.	4.02 Building Height	As per summary
123-2	A M Finnigan and Ellis Gould Tinos Trustee Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height limit for the General Business zone from 16.5m to 20.5m	4.02 Building Height	There is no height limit for the sites (2 and 5 Ryan Place, Manukau City) under the operative plan (submitter seeks rezoning to GB as well).
1332-14	Fuego Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend to increase the Business Local Centre maximum height to at least 24.5 m with no building height in storeys control, with particular regard to 2 Barrington Avenue, Grey Lynn.	4.02 Building Height	The 16.5m height limit in combination with other DC's will not allow redevelopment to happen for land economic, site characteristics, site size, frontage etc reasons. With regard to 24.5m limit, there is no valid reason to require "reasonable sunlight and daylight access to the street" if it compromises dev. potential. Visual dominance addressed by HRB, upper level setback and UD control rules in the plan
1332-15	Fuego Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend to read 'to manage any adverse effects of building height'. [Infer 4.2 Building height].	4.02 Building Height	Inferred based on reasons that submitter wants all other point in the purpose statement removed, doesn't support recognition of sunlight/daylight access or visual dominance (addressed by HRB)
1473-90	Auckland 2040 Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Development control 4.3 'Height in relation to boundary' to require all developments in Takapuna 1, sub-precinct A to comply with this control.	4.03 HRB	Takapuna beach, reserve and commercial area are vulnerable to effects of shading and dominance caused by excessively tall buildings. HRB specified in 3.3.4.3 (business zones) required to reduce these effects. [Unsure why this has been raised as Takapuna 1 Precinct does not override Metro Centre HRB controls]
1602-48	Mahunga Drive Business Association Incorporated	I3.5 Development controls Light and Heavy Industry zones	Amend development controls 5.1 Building height, so that there are no building height limits in the Heavy Industry zone, amend clause (1) as follows: "Building must not exceed 20m in height in Light Industry zones, but may be unlimited in height in Heavy Industry zones."	5.1 Height	There should be no height limit in either the LI or HI zones, as per the Manukau District Plan (Rule 14.11.1). Submitter expects that buildings over 20m in LI zone will be rare.
1615-2	The Strand Bodies Corporate	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.1 'Building height' to read: Buildings must not exceed 20m in height <u>except for land located on Lot 1 DP 315246 which is also subject to the View Protection Plane for Dilworth Terrace under Rule I.4.4.4.6</u>	5.1 Height	As per summary
1689-19	Port of Tauranga Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.1 to increase the maximum height limit relating to the Heavy Industry Zone.	5.1 Height	Seek to enable efficient and effective development of HI zoned land. PAUP affords sufficient protection to surrounding residential and open spaced zoned land.

2004-40	Greater East Tamaki Business Association Incorporated	I3.5 Development controls Light and Heavy Industry zones	Amend controls 5.1(1) Building height, so that there are no building height limits in the Heavy Industry zone, amend as follows: 'Building must not exceed 20m in height in <u>Light Industry zones, but may be unlimited in height in Heavy Industry zones.</u> '	5.1 Height	There should be no height limit in either the LI or HI zones, as per the Manukau District Plan (Rule 14.11.1). Submitter expects that buildings over 20m in LI zone will be rare.
2018-1	Marlene Sorby	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase building height in the Mixed Use zone to six storeys.	4.02 Building Height	development viable, particularly the costs of lifts. 4 storeys does not give effect to PAUP's aim of reducing the strain on city infrastructure. Visual provisions in the PAUP are sufficient to provide for street friendly architecture even at 6 storeys.
2-1	Greg Tesar	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Accept the plan, but prefer heights in Orewa town centre to be increased beyond 6 storeys.	4.02 Building Height	As per summary, not expanded upon
2260-8	Chalmers Properties Limited	I3.5 Development controls Light and Heavy Industry zones	Amend development control 5.1 'Building height', to increase the height limit from 20m.	5.1 Height	Greater height can be accommodated in this zone with potential effects on adjacent residential areas being appropriately managed by development controls at the interface between industrial and residential zones.
2422-20	Gary Russell	D3 Business Zones / D3.1 General objectives and policies	Add to Policy 12: 'In identified locations within the centres and Mixed Use zone, enable greater building height than the standard zone height, having regard to whether the greater height: <u>(e) adds to the specific cultural custom and norm of living style as benefits that ethnic community.</u> '	D3.1 Policies	As per summary
2444-10	Argosy Property Limited	I3.5 Development controls Light and Heavy Industry zones	Amend development control 5.1 'Building height', to increase the height limit from 20m	5.1 Height	20m does not provide for industrial development and building design flexibility. Industry zones are not applied to areas with lower levels of amenity, and as such are not sensitive to the effects of building bulk such as shadowing and dominance.
2466-44	Wiri Business Association Incorporated	I3.5 Development controls Light and Heavy Industry zones	Amend development controls 5.1(1) Building height, so that there are no building height limits in the Heavy Industry zone, amend as follows: 'Building must not exceed 20m in height in <u>Light Industry zones, but may be unlimited in height in Heavy Industry zones.</u> '	5.1 Height	There should be no height limit in either the LI or HI zones, as per the Manukau District Plan (Rule 14.11.1). Submitter expects that buildings over 20m in LI zone will be rare.
2555-39	Onehunga Business Association Incorporated	I3.5 Development controls Light and Heavy Industry zones	Amend development controls 5.1(1) Building height, so that there are no building height limits in the Heavy Industry zone, amend as follows: 'Building must not exceed 20m in height in <u>Light Industry zones, but may be unlimited in height in Heavy Industry zones.</u> '	5.1 Height	There should be no height limit in either the LI or HI zones, as per the Manukau District Plan (Rule 14.11.1). Submitter expects that buildings over 20m in LI zone will be rare.
2575-49	AMP Capital Property Portfolio Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain the [maximum building] height [development control] in Table 1 for the Metropolitan Centre zone at 72.5m and 18 storeys.	4.02 Building Height	This height is appropriate for the Metropolitan Centres
2575-54	AMP Capital Property Portfolio Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend the assessment criteria to provide a clear list of matters that start at the general matters and move to the specific matters.	7.2 Assessment Criteria	As per summary
2632-172	The National Trading Company of New Zealand Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend the Assessment development control infringements, Matters of discretion 7.1(1)(b), as follows: 'consistency with the planned future form and character of the area/zone.'	7.1 Matters of Discretion	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.

2632-173	The National Trading Company of New Zealand Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Delete the Assessment Development control infringements criterion 7.2(1)(a)(i) which is about avoiding significant height infringements.	7.2 Assessment Criteria	This criterion is not based on potential effects.
2632-174	The National Trading Company of New Zealand Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Delete the Assessment Development control infringements criterion 7.2(1)(b) which is about the effects on planned future form and character.	7.2 Assessment Criteria	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2748-109	The Warehouse Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Development Control Infringements Assessment criteria 7.1.1(b), as follows: 'consistency with the planned future form and character of the area/zone.'	7.1 Matters of Discretion	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2748-110	The Warehouse Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Development control infringements Assessment criteria 7.2.1(a)(i), by deleting it, as follows: ' Significant height infringements should be avoided. '	7.2 Assessment Criteria	This criterion is not based on potential effects.
2748-111	The Warehouse Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Development control infringements Assessment criteria 7.2.1(b), by deleting it as follows: ' Effects on the planned future form and character of the area/zone (i) Buildings need to demonstrate that the bulk or height does not detract from the planned future character of the surrounding area; when located in the Metropolitan or Town centre zones, the infringement is consistent with the Business zones, Policy 3.3.1 or 3.4.1. '	7.2 Assessment Criteria	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2820-11	Susan Peace	D3 Business Zones / D3.1 General objectives and policies	Encourage shopping areas to locate in low lying areas away from ridgelines	D3.1G	Where centres are on a ridgeline high buildings destroy vistas as the ridge height accentuates this bulk and causes more shadowing.
2835-1	B A Trustees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to increase the height limit for the Mixed Use zone to at least 24.5m with no building height in storeys control.	4.02 Building Height	Particular reference to 524 Parnell Rd. MU zone should enable greater height than adjacent THAB zoning (17.5m). There is no reason to require reasonable sunlight and daylight access to the street. Visual domination controlled by HRB controls. Isthmus plan enables 15m / 5 stories at 3m per floor, effectively downzoning dev potential.
2835-2	B A Trustees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the purpose of Rule 4.2 Building Height to read: 'to manage any adverse effects of building height'.	4.02 Building Height	Specific reference to 524 Parnell Road, Parnell, where additional height will not have adverse effects. Also seeks deletion of remainder of purpose statement, on the basis that there is no valid reason to require reasonable sunlight and daylight access to the street at the expense of appropriate mixed use zone development potential and increased maximum height. Visual dominance effects will be controlled by the HRB, upper level building setback and urban design control rules in the PAUP.
2835-4	B A Trustees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to increase the height limit for the Local Centre zone to at least 24.5m with no building height in storeys control.	4.02 Building Height	Particular reference to 548 Great North Road, Grey Lynn. Height limit of 12.5m is effectively down zoning from operative isthmus plan due to 4.5m minimum height for ground floor. Site should have more height given its zoning as LC, site characteristics, land economics, and council's desire for greater urban intensification.

2835-5	B A Trustees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the purpose of Rule 4.2 Building Height to read: "to manage any adverse effects of building height", particularly in relation to height in Local Centres.	4.02 Building Height	Also seeks deletion of remainder of purpose statement, on the basis that there is no valid reason to require reasonable sunlight and daylight access to the street at the expense of appropriate mixed use zone development potential and increased maximum height. Visual dominance effects will be controlled by the HRB, upper level building setback and urban design control rules in the PAUP.
2835-7	B A Trustees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the purpose of Rule 4.2 to read: "to manage any adverse effects of building height".	4.02 Building Height	Same point and reasons as 2835-5
2968-230	Westfield (New Zealand) Limited	D3 Business Zones / D3.1 General objectives and policies	Amend Introduction, paragraph 8, first bullet point, to remove reference to previously developed controls, as follows; 'The different attributes include:... height controls previously developed through a precinct or master planning exercise .'. [7/72 vol 3]	D3.11	Previously developed controls are not attributes of the zones themselves, and referring to previous documents implies that a decision has already been made and cannot be reconsidered as part of the PAUP process. Previous height controls may no longer enable sufficient development to accommodate Auckland's population growth.
2968-252	Westfield (New Zealand) Limited	D3.4 Town Centre zone	Amend Introduction, paragraph three, sentence two, as follows; ' increased The height <u>opportunity</u> within the centres will facilitate increased <u>intensification, and office- and residential living opportunities (at upper floors), but will not compromise the function of the Centres as a location for commercial activities, or limit the opportunities for particular activities, such as retail, to expand outward where it is appropriate to do so.</u> '. [13/72 vol 3]	3.4D	Opportunities for residential intensification must not compromise the ability for commercial and business growth to occur and the introduction should recognise this.
2968-266	Westfield (New Zealand) Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.2 Building height first bullet point to enable greater height, as follows; ' Purpose:...manage the effects of building height and enable greater height in areas identified for substantial growth...'. [16/72 vol 3]	4.02 Building Height	Seeks that positive effects of building height should be acknowledged. Building heights should not simply be a limiting factor, but an indication of where growth should occur
2968-267	Westfield (New Zealand) Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.2 Building height, second bullet point, so that the purpose of building height to allow for sunlight access is deleted, as follows; ' allow reasonable sunlight and daylight access to streets, public open space, the subject site and nearby sites ...'. [16/72 vol 3]	4.02 Building Height	Seeks to delete point on basis that associated setback controls have no urban design justification and will not necessarily ensure the highest quality outcome.
2968-268	Westfield (New Zealand) Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.2(1) and (3) and Table 1 so that the control on storeys is deleted. A height control in metres is sufficient to manage the effects of building height. See submission for proposed changes. [17/72 vol 3]	4.02 Building Height	A height control is sufficient to manage the effects of building height. A storey control will create a uniform look to all buildings (i.e. with all windows, balconies etc at the same height), as opposed to encouraging visual variety and innovation.
2968-300	Westfield (New Zealand) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1(1)(b) Matter of discretion for Building height and height in relation to boundary as follows; ' consistency with the planned future form and character of the area/zone. '. [35/72 vol 3]	7.1 Matters of Discretion	See 2968-278
2968-302	Westfield (New Zealand) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.2(1)(a) and (b) Assessment criteria so that the criteria aid the interpretation of the matters of control /discretion and are not drafted as standards to be met. See submission for proposed changes. [35/72 vol 3]	7.2 Assessment Criteria	Do not give effect to North Shore District Plan Change 30.

3031-39	Rosebank Business Association Incorporated	I3.5 Development controls Light and Heavy Industry zones	Amend development controls 5.1(1) Building height, so that there are no building height limits in the Heavy Industry zone, as follows: 'Building must not exceed 20m in height in Light Industry zones, but may be unlimited in height in Heavy Industry zones.'	5.1 Height	There should be no height limit in either the LI or HI zones, as per the Manukau District Plan (Rule 14.11.1). Submitter expects that buildings over 20m in LI zone will be rare.
3288-3	Ranfurly Care Society Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain 16.5m and 4 storey height limit in Mixed Use zone	4.02 Building Height	This gives greater flexibility for development potential for submitters site - care centre and housing for the disabled, particularly as it enables a higher stud height.
3391-31	Te Atatu Scenicview Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.2 Building Height Table 1 by removing the column 'maximum number of storeys' and relying on maximum heights only.	4.02 Building Height	Unnecessary to control both maximum height and number of storeys as it will add unnecessary complexity to a planning assessment. In an effects-based approach, adverse effects are related to the total height of the building, not the number of storeys.
3391-32	Te Atatu Scenicview Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.2 maximum height from 16.5m to 32.5m for Local Centres.	4.02 Building Height	Increased height limit gives effect to intensification objectives in PAUP, reflects the existing environment at corner of Te Atatu Rd and Gunner Drive (6 storeys buildings), provides greater opportunity for a wider range of activities, and would reduce construction costs per unit.
3413-15	Mount Eden Planning Group Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.2 Building Height for Mixed Use zones from 16.5m to 12.5m	4.02 Building Height	Building of 16.5m height will be over-dominant, prevent sunlight penetration and create excessive shading. 12.5m height more compatible with existing historic character of Mt Eden.
3420-4	CK Miiracle Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete storey height control from rural 4.2 Building Height.	4.02 Building Height	The storey control significantly restricts the potential for intensification of commercial sites. In some instances may not allow retail at ground floor and residential above whilst complying with height limit.
3433-5	Roncon Pacific Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete storey control from rule 4.2 Building height.	4.02 Building Height	Storey control restricts development potential as more storeys could fit within the maximum height. With regard to the Mixed Use zone, the submitter would be able to accommodate 9 floors under the 24.5m height limit (4m ground + 2.55m res) rather than the 6 storey limit
3466-3	Darryl King	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain maximum height limits in town centres.	4.02 Building Height	As per summary
3602-6	Crotty Family Trust	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Add an additional rule under 'Development Control Infringements' to classify any activity that infringes one of the development controls in 4.1.1 as a restricted discretionary activities, and subject to the normal notification tests under the RMA.	4.01 Development Control Infringements	In respect to interface between business and residential zoned land, it is inappropriate the the PAUP provides for development control infringes as a RD status which is proposed to be non-notified.
3681-31	Wardour Investments Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 'Building Height', Table 1 by the removal the column 'Maximum number of storeys' and rely on Maximum Heights only; should be applied to all development control rules/tables in the PAUP that seek to control height.	4.02 Building Height	Unnecessary to control both maximum height and number of storeys as it will add unnecessary complexity to a planning assessment. In an effects-based approach, adverse effects are related to the total height of the building, not the number of storeys.
3681-32	Wardour Investments Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.2 'Building Height' by increasing the building height to accommodate demand for higher stud heights in office accomodation and in the specific case of the Mixed Use Zone, amend Table 1 to provide for 20m height in the Mixed Use zone.	4.02 Building Height	Need to provide for additional floors to meet market demand, whilst still providing for high-stud floor levels.
3682-191	Stevenson Group Limited	I3.5 Development controls Light and Heavy Industry zones	Amend 5.1 so that the maximum height in the Heavy Industry zone is 25m [currently 20m]. [p 62/111 vol 3]	5.1 Height	20m may be appropriate for LI zone, but not HI zone. Taller structures (e.g. silos) are often required for heavy industrial activities, and HI zones are usually some distance from sensitive activities, which allows for the visual effects of tall structure to be mitigated.

3705-149	Atlas Concrete Limited (Silverdale)	I3.5 Development controls Light and Heavy Industry zones	Retain building height of 20m.	5.1 Height	Allows for more optimum use of land than the operative plan
3705-161	Atlas Concrete Limited (Silverdale)	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend the development control infringement matters of discretion and assessment criteria to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.
3760-5	JDP Investments Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete the storey control component of Development control 4.2 Building height.	4.02 Building Height	Storey control restricts development potential as more storeys could fit within the maximum height. The TC zoning in Onehunga allows for 6 storeys / 24.5m, however using a 4m ground floor and 3m upper floors, 6 storeys is 19m, 5.5m lower than height limit. An additional level of development could be obtained without a storey limit.
3765-13	Janine Bell	I3.5 Development controls Light and Heavy Industry zones	Amend Development control 5.1 Building height to reduce the maximum height of buildings in the Light Industry zone to 12.5m where sites face or adjoin residential zoned sites.	5.1 Height	Proposed height no appropriate in areas adjoining and facing residentially zoned land, particularly in areas where the proposed residential height limit is substantially lower. In Te Atatu Peninsula the adjacent residential zones in Totara Road, Bayside Avenue and Justin Place are in MHS zone, which permits 8m compared to 20m LI height. This could result in buildings that dominate the surrounding neighbourhood.
3770-14	Parnell Heritage Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Require maximum heights to include elevator bulkheads and other roof top projections in Town Centres.	4.02 Building Height	Elevator bulkheads and other rooftop projections can be as high as 2-3m, if not provided for these building components can create unsightly roof profiles obscuring viewshafts and horizons.
3787-98	Atlas Concrete Limited (Mount Wellington)	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend matters of discretion and assessment criteria for development control infringement to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.
3792-149	Atlas Concrete Limited (Kumeu)	I3.5 Development controls Light and Heavy Industry zones	Retain Control 5(1) 'building height' of 20m.	5.1 Height	Allows for more optimum use of land than the operative plan
3792-161	Atlas Concrete Limited (Kumeu)	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend matters of discretion and assessment criteria for development control infringement to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.
3857-4	Elizabeth K Carroll	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the provisions [of the Local Centre zone] to ensure there are not 4 to 6 story buildings on the street front of small shopping centres.	4.02 Building Height	Proposed 4-6 storeys would change the feel of small shopping areas.
3863-82	DNZ Property Fund Limited et al	D3 Business Zones / D3.1 General objectives and policies	Amend Introduction, paragraph 10, as follows; The city centre, metropolitan centres, and town and local centres, and areas surrounding these centres, have been identified as the priority areas for commercial and residential growth. In and around some of these <u>centres areas</u> it is appropriate to enable greater heights from the standard zone height, to enable growth to occur. '. [p 21/87 vol 2]	D3.11	Residential intensification is also provided for within and surrounding the LC zones.
3867-1	Lucy McKegg and Philip Rogers	I3.5 Development controls Light and Heavy Industry zones	Amend the Light Industry zone rules so 15m buildings cannot be built in the Leon Leicester Drive area, Mount Wellington.	5.1 Height	There [are] already high (15m) structures very close to our boundary and we do not want additional structures of similar height to impact our quality of living even if it is housing rather than industrial. Seek that controls consider the impact on neighbouring properties and their livelihood. This was not done at the Leon Leicester Drive development.

3963-18	Ormiston Joint Venture Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain 4.2 Building height provision for 16.5m/4 storey building height for Local Centre.	4.02 Building Height	Supports as it enables an appropriate scale of development that will achieve LC zone policies.
3964-2	Suzanne Pincevic	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Recognise that Northcote's 6-storey Town Centre zoning will detract from the centre's village and cultural character, overshadow neighbouring properties, and result in severe adverse effects on the local community and neighbouring streets (including Northcote Road, Raleigh Road and Exmouth Road).	4.02 Building Height	As per summary
4132-37	Sentinel Planning Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 'Building height' from 72.5m (18 storeys) to unlimited with associated design controls.	4.02 Building Height	PAUP has effectively downzoned from existing Business 3 zone, which will stifle development.
4271-2	Maidstone Holdings (No.11) Trust	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height limit of the Mixed Use zone to provide for heights greater than 16.5m/4 storeys.	4.02 Building Height	199 Great North Rd has not been included within the additional zone height overlay [applied nearby]
4307-20	The Strand Trust	I3.5 Development controls Light and Heavy Industry zones	Add an additional height control of 20m for 80 Lunn Avenue, Mount Wellington.	4.02 Building Height	
4373-214	Westgate Partnership	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building height by removing the second column of Table 1 and rely on Building height in metres only.	4.02 Building Height	In an effects-based approach to urban design considerations, any adverse effects are related to the total height of the building, not the number of storeys.
4376-26	AMP Capital Investors New Zealand Limited and AMP Capital Property Portfolio Limited	D3 Business Zones / D3.1 General objectives and policies	Amend the Introduction, ninth paragraph, to clarify that residential intensification is also provided for within and surrounding the Local Centre zone, as follows: 'The city centre, metropolitan centres, and town and local centres , and areas surrounding these centres, have been identified as the priority areas for commercial and residential growth. In and around some of these <u>centres areas</u> it is appropriate to enable greater heights from the standard zone height, to enable growth to occur.'	D3.11	Residential intensification is also provided for within and surrounding the LC zones.
4495-106	Poultry Industry Association of New Zealand and Egg Producers Federation of New Zealand	D3.11 Heavy Industry zone	Amend Policy 6 to read: '6. Control building location, height and bulk so that it does not adversely affect <u>adverse effects on</u> amenity in adjoining streets, Public Open Space and Residential zones <u>are avoided, remedied or mitigated.</u> Particular consideration...'	3.11 Policies	It is important that the use and development of industrial land, which is seen as a scarce resource in the RPS, is not overly constrained. PIANZ consider proposed amendment will more appropriately balance effective use of industrial land will the need to manage environmental effects.
4640-8	Mount Eden Society Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Mt Eden Village Centre to have a height limit of 8m and maximum two storeys.	4.02 Building Height	As per summary
4758-10	Northern Investors Trust	D3 Business Zones / D3.1 General objectives and policies	Add a new zone, named 'Mixed Use Transport Node' which provides for higher levels of development in terms of both height and floor area ratio. See submission for specific amendments [page 14/16 of the submission].	D3.1G	Within this zone allow higher levels of development in terms of both height and FAR. Further consideration will need to given to Mixed Use Transport Node edges and their interaction and impact on neighbouring zones at the boundaries.
4778-36	I B and G A Midgley	D3 Business Zones / D3.1 General objectives and policies	Retain Policy 12.	D3.1 Policies	The policy encourages site specific design and assessment and the efficient use of land.

4792-80	MLW Adams Family Trust	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.2, Assessment criteria by deleting: 'in addition to the criteria in clause 2.3 of the general provisions'	7.2 Assessment Criteria	Editorial refinement to reflect 4792-79
4797-100	Louis Mayo	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the building height for the Local Centre zone to 33metres/8 storeys.	4.02 Building Height	Height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not viable due to the requirement to put in lifts.
4797-101	Louis Mayo	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the building height for the Neighbourhood Centre zone to 21metres/5 storeys.	4.02 Building Height	Height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not viable due to the requirement to put in lifts.
4797-102	Louis Mayo	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the building height for the Mixed Use zone to 37metres/9 storeys.	4.02 Building Height	Height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not viable due to the requirement to put in lifts.
4797-103	Louis Mayo	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain the building height for the General Business zone to 16.5metres/4 storeys.	4.02 Building Height	Height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not viable due to the requirement to put in lifts.
4797-104	Louis Mayo	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain the building height for the Business Park zone to 20.5metres/5 storeys.	4.02 Building Height	Height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not viable due to the requirement to put in lifts.
4797-99	Louis Mayo	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the building height for the Metropolitan Centre zone to 96metres/24 storeys.	4.02 Building Height	Height limits are too low and will not be effective in achieving the outcomes of a compact city. Four storey buildings are not viable due to the requirement to put in lifts.
4804-15	Ross Holdings Limited	D3 Business Zones / D3.1 General objectives and policies	Retain Policy 12 that 'encourages site specific design and assessment and the efficient use of land'.	D3.1 Policies	The policy encourages site specific design and assessment and the efficient use of land.
4804-32	Ross Holdings Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Table 1 in Rule 4.2 'Building height' to delete the 'maximum number of storeys' and rely on maximum height only.	4.02 Building Height	Unnecessary to control both maximum height and number of storeys as it will add unnecessary complexity to a planning assessment. In an effects-based approach, adverse effects are related to the total height of the building, not the number of storeys. This should be reallocated to cross plan matters relating to height in storeys and metres
4804-38	Ross Holdings Limited	I3.5 Development controls Light and Heavy Industry zones	Retain Rule 5.1 'Building height' (1) that provides a maximum building height limit of 20m in the Light Industry zone.	5.1 Height	As per summary
4820-1	Quadrant Properties Limited	I3.5 Development controls Light and Heavy Industry zones	Delete rule 5.1 'Maximum building height' for the industrial zones.	5.1 Height	In order to provide additional opportunities for intensification and business growth within the industrial zones, the 20m maximum height should be deleted or, in the alternative increased to 35 metres. Many of submitter's existing sites have no maximum height control.
4820-2	Quadrant Properties Limited	I3.5 Development controls Light and Heavy Industry zones	Amend rule 5.1 [Building height] to increase the maximum building height for the industrial zones from 20m to 35m.	5.1 Height	In order to provide additional opportunities for intensification and business growth within the industrial zones, the 20m maximum height should be deleted or, in the alternative increased to 35 metres. Many of submitter's existing sites have no maximum height control.
4823-49	Stephen Davis	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Development control 4.2 "Building Height" to allow for 5 or 5 storeys for the Mixed Use zone and have a lower limit applied through Additional Zone Height Overlay only in areas where the zone transitions to a Single House/Mixed Housing zone or 2-3 storey centre zone.	4.02 Building Height	4 storeys is an awkward height, not quite tall enough to really get economies of scale out of mid-rise construction.

4843-149	Atlas Concrete Limited (Warkworth)	I3.5 Development controls Light and Heavy Industry zones	Retain Control 5.1 'building height' of 20m.	5.1 Height	Allows for more optimum use of land than the operative plan
4843-162	Atlas Concrete Limited (Warkworth)	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend development control infringement Matters of discretion and Assessment criteria to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.
4855-7	Titirangi Ratepayers and Residents Association	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain proposed height of buildings in the business zones.	4.02 Building Height	For the west the building heights provides clarification, rather than having no height limit in the metropolitan centres.
4857-35	McDonalds Restaurants (NZ) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7 Assessment - Development control infringements so that the assessment criteria read as evaluative tools rather than directives.	7.2 Assessment Criteria	Generally supports criteria at 3.7, however many of the criteria are worded likely policies which render them less effective in an evaluation exercise.
4865-8	CSR Building Products (New Zealand) Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain Rule 4.2 Building height, which provides for an 18 storey / 72.5m height limit in the Metropolitan Centre zone.	4.02 Building Height	As per summary, zone reflects the operative plan provisions which enable a variety of activity supporting the transport.
4868-32	DB Breweries Limited	I3.5 Development controls Light and Heavy Industry zones	Add an additional zone height control overlay of 35.0m over the DB Breweries site at the corner of Great South Road & Bairds Road Papatoetoe	4.02 Building Height	
5000-32	Les Mills Holdings Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.2(3) Building Height to read: "3. If the site is subject to the Additional Zone Height Control overlay, buildings must not exceed the height in a metres, as shown on the planning maps <u>and comply with the Minimum floor to floor/ceiling height control in 4.8 below.</u> and b. storeys calculated so that the first 4.5m of height shown on the planning.	4.02 Building Height	Res development typically has a storey height of 3m. Lower minimum floor height would provide more flexibility and enable additional residential floors to be provided compared to a building of the same height occupied by commercial activities. This should be reallocated to cross plan matters relating to height in storeys and metres
5000-33	Les Mills Holdings Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Retain 7.2(1)(a)(iv) Assessment criteria about additional height on corner sites.	7.2 Assessment Criteria	It is appropriate to enable additional height and bulk on corner sites particularly where the setback controls will impact on at least two facades.
5011-7	KLC Property Limited	I3.5 Development controls Light and Heavy Industry zones	Delete the maximum building height, or increase it to 35m.	5.1 Height	In order to provide additional opportunities for intensification and business growth within the industrial zones, the 20m maximum height should be deleted or, in the alternative increased to 35 metres. Many of submitter's existing sites have no maximum height control.
5024-2	Mollyrobs Trust	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule Building Height 4.2 (1) to reduce the height from 16.5m (4 storeys) to 12.5metres (3 storeys) in the mixed use zone.	4.02 Building Height	The ability to build a structure of 4 storeys as of right is totally out of character with the surrounding residential environment.
5036-7	Weaver Hind Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule Building Height 4.2 Table 1 - to reduce the height from 16.m (4 storeys) to 12.5metre (3 storeys) in Business mixed use	4.02 Building Height	Given the proximity of the MU zone to residential areas, the ability to building 4 storeys as of right is considered to be out of character with the surrounding environment
5128-34	Board of Airline Representatives of New Zealand Incorporated	D3 Business Zones / D3.1 General objectives and policies	Amend the introduction, paragraph 8 last bullet point to read: 'Height controls previously developed through a precinct, master planning exercise <u>or limitations imposed by an airfield or airport related designation.</u> '	D3.11	It is appropriate to refer to the variation in height controls throughout the PAUP. However, the list of reasons for the varying approaches to height controls should also refer to limitations imposed by an airfield or airport related designation.

5128-35	Board of Airline Representatives of New Zealand Incorporated	D3 Business Zones / D3.1 General objectives and policies	Amend Policy 12 to read: 'In identified locations within the centres and Mixed Use zones, enable greater building height than the standard zone height, having regard to whether the greater height:... <u>e. does not protrude into airport approach surfaces.</u> '	D3.1 Policies	As per 5128-34, seeks reference to height limitations imposed by airport approach surface designations.
5128-36	Board of Airline Representatives of New Zealand Incorporated	D3 Business Zones / D3.1 General objectives and policies	Amend Policy 13 to read: 'In identified locations within the centres and Mixed Use zone, reduce building height below the standard zone height, where the standard zone height would <u>penetrate the airport approach surfaces</u> or have significant adverse effects on historic character, landscape features, amenity or the prevailing character and context.'	D3.1 Policies	As per 5128-34, seeks reference to height limitations imposed by airport approach surface designations.
5137-111	Ports of Auckland Limited	D3 Business Zones / D3.1 General objectives and policies	Exclude Policies 2, 3, 4, 5, 6, 7, 9, 10, 11, 12 and 13 from applying to activities on land in the Port Precinct.	D3.1G	Policy 12 Port has its own specific considerations in terms of building height that must be taken into account. Policy 13 POA is a working port that does not contain any areas with historic character or landscape values.
5219-46	Hartwig Clasen	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the development control to reduce the maximum height limits in the Metropolitan Centres, except for Newmarket.	4.02 Building Height	As a result of high rises, Auckland will be in danger of losing much of its character and living quality.
5478-38	Generation Zero	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.2 Building Height' so the Mixed Use zone has a height of 32.5m or 8 storeys, Local Centre a height of 4 storeys or 16.5m; Town Centres with a height limit of 3 storeys should be increased to 4 storeys. Increase specific Town Centre heights from between 16.5-24.5m (4-6 storeys) to 32.5m or 8 storeys [Refer to page 31/33 of submission].	4.02 Building Height	The 4 storey height limits present economic issues for developers, as this scale of development does not provide enough units to cover costs of necessary services such as lifts and ventilation. Increase needed to encourage more intensive development, especially considering height is limited in many places by Volcanic Viewshafts
5492-15	Miranda and Michael Lang	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Matter of discretion 7.1(1) by adding: "c. Avoidance of privacy due to windows, glass doors, balconies or verandas that overlook neighbouring residential zone properties."	7.1 Matters of Discretion	Seek amendment to address the potential visual impacts on neighbouring residential properties where windows, doors balconies or verandas overlook these properties.
5492-9	Miranda and Michael Lang	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Reduce the height in the Mixed Use zone from 16.5m / 4 storeys to 12.5m / 3 storeys.	4.02 Building Height	4 storeys considered out of scale with existing residential development
5566-1	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 47 Parnell Rise, Parnell.	4.02 Building Height	Site is close to central city, PT and motorways [inferred appropriate for greater intensity of development / residents]
5566-12	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 511 Parnell Rd, Parnell.	4.02 Building Height	Site is close to central city, PT and motorways [inferred appropriate for greater intensity of development / residents]

5566-18	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 127-133 Manukau Rd, Epsom	4.02 Building Height	Site is within walking distance to Newmarket and well serviced by PT [inferred appropriate for greater intensity of development / residents]
5566-22	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 58 Market Rd, Epsom.	4.02 Building Height	Site is almost immediately alongside Remuera rail station, very close to PT along Great South Rd, within walking distance of Great South Rd/Market Rd shops. [inferred appropriate for greater intensity of development / residents]
5566-25	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 19-23 Kalmia St, Ellerslie.	4.02 Building Height	Site is within walking distance to Ellerslie town centre, 0.1km from closest rail station, and well served by several bus routes along Main Highway. [inferred appropriate for greater intensity of development / residents]
5566-27	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 63-95 Ireland Rd, Panmure.	4.02 Building Height	Site is within walking distance to Panmure town centre and local amenities e.g. Panmure Basin. Close to PT, 0.04km away from rail station.
5566-30	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 31m for sites in the General Business zone and delete all storey controls in relation to 1-7 Sylvia Park Rd, Mt Wellington.	4.02 Building Height	[rezone site from LI to GB as well]. In a high amenity area, the site has direct connections to SH1 and well serviced by PT with nearest rail station 0.7km away. 31m height will allow reasonable use of the site.
5566-33	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 13-21 Sylvia Park Rd, Mt Wellington.	4.02 Building Height	[rezone site from LI to MU as well]. The site is within a high amenity area, has direct connections to SH1 and is well serviced by PT with nearest rail station 0.7km away. 35m height will allow reasonable use of the site.
5566-36	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 7 Felix St, Penrose.	4.02 Building Height	Site well served by PT with rail station 0.3km away, 35m considered necessary for reasonable use of the site.
5566-40	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 43 Galway St, Onehunga.	4.02 Building Height	[rezone site from LI to MU as well]. The site is well served by PT with rail station 0.2km away.
5566-44	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2(3) Building Height and Additional Height Control Overlay to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 265-271 West Coast Rd, Glen Eden.	4.02 Building Height	Site is close to PT with rail station 0.1km away, 31m will allow reasonable use of the site.
5566-47	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 293 West Coast Rd, Glen Eden.	4.02 Building Height	Site is close to PT with rail station 0.1km away, 35m will allow reasonable use of the site.

5566-50	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2(3) Building Height and Additional Height Control Overlay to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 953-975 New North Rd, Mt Albert.	4.02 Building Height	Site is close to Mt Albert Town Centre and public transport with rail station 0.1km away.
5566-7	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 53-61 Parnell Rise, Parnell.	4.02 Building Height	Site is close to central city, PT and motorways [inferred appropriate for greater intensity of development / residents]
5566-70	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 22B Willcott St, Mt Albert.	4.02 Building Height	Site is close to Mt Albert Town Centre and public transport with rail station 0.1km away.
5566-76	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 632 New North Rd, Mt Albert.	4.02 Building Height	Site is close to Mt Albert Town Centre, Kingsland and St Luke's, and public transport with rail station 0.1km away.
5566-79	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 1 Gordon Rd, Morningside.	4.02 Building Height	Site is close to Mt Albert Town Centre, Kingsland and St Luke's, and public transport with rail station 0.1km away.
5566-82	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 32-36 Normanby Rd, Mt Eden.	4.02 Building Height	Site is close to Newmarket, Newton, Mt Eden Village and CBD, with good PT access - rail station 0.3km away.
5569-16	Emma Quantrill	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the maximum height in the Mixed Use zone from 16.5m / 4 storeys to 24m / 6 storeys.	4.02 Building Height	The height limit is too restrictive and may lead to poor development outcomes in some cases.
5595-85	Atlas Concrete Limited (Rosedale)	13.6 - 13.9 Assessment & 13.10 Special information requirements	Amend development control infringement matters of discretion and assessment criteria to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.
5599-70	Atlas Concrete Limited (Wairau Road Milford)	13.6 - 13.9 Assessment & 13.10 Special information requirements	Amend development control infringement matters of discretion and assessment criteria to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.
5612-83	Atlas Concrete Limited (Mount Rex)	13.6 - 13.9 Assessment & 13.10 Special information requirements	Amend development control infringement matters of discretion and assessment criteria to clarify which matters apply to Business or Industrial zones only.	7.1 Matters of Discretion	Some matters are nonsensical as they presume the same level of amenity in Industrial and Business zones.

5716-3579	Auckland Council	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain 12.5m/3 storeys height limit in Ellerslie around the main highway area [Refer to Orakei Local Board Views, Volume 26, page 50/103].	4.02 Building Height	As per summary
5723-175	Progressive Enterprises Limited	D3.11 Heavy Industry zone	Amend Policy 6 as follows: 'Control <u>Manage</u> building location, height and bulk so that it does not adversely affect amenity in adjoining streets, Public Open Space and Residential zones. Particular consideration will be given to potential visual effects, dominance, loss of privacy and shading.'	3.11 Policies	See 5723-170
5776-80	Fulton Hogan Limited	I3.5 Development controls Light and Heavy Industry zones	Retain Rule 5.1 that allows buildings 20m in height.	5.1 Height	As per summary
5776-86	Fulton Hogan Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Retain 7. Assessment - Development control infringements.	7.1 Matters of Discretion	As per summary
5786-4	Urban Auckland	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the Business and Mixed Use zones to allow greater height particularly along transport corridors of Auckland's ridge lines (including Jervois Road, Ponsonby Road, K' Road, Remuera Road, and Great South Road)	4.02 Building Height	These are prime zones to take intensification, allowing the pressure to accommodate more people to come off surrounding low-rise suburban or character areas.
5810-8	Wendy Cook	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the maximum permitted height of the Mixed Use zone to 12.5m	4.02 Building Height	As per summary, submitter supports Mount Eden Planning Group Inc.
5838-20	Redwood Group Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the Mixed Use zone provisions to apply a general height limit of 24.5m/6 storeys for all sites not directly adjacent to residentially zoned sites. Also investigate and apply an 8 storey height limit to those parts of the zone that can accommodate additional height without creating over dominance effects.	4.02 Building Height	The 16.5m/4 storey height limit compromises the economic feasibility of projects and often represents an inefficient use of land. Large parts of the MU zone are remote from the interface with residential zones. The MU provides an excellent opportunity to encourage apartment living on the fringe of centres.
5845-21	Graham Collie	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1 Matters of discretion (1)-(8) to narrow down matters of discretion for industrial zones and distinguish from business zones.	7.1 Matters of Discretion	Not all matters are equally relevant to all the zones
5881-16	Michael and Paulette Snowden	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain Rule 4.2 (Building Height)	4.02 Building Height	The additional height will provide greater flexibility for buildings and support the future intensification of business and residential activities within this mixed use environment
5883-84	AMP Capital Property Portfolio Limited et al	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building height, Table 1 by deleting the second column and using height in metres only.	4.02 Building Height	Controls on the number of storeys will add unnecessary complexity to a planning assessment. In an effects-based approach to urban design considerations, any adverse effects are related to the total height of the building, not the number of storeys. Context analysis required for most developments is more likely to result in positive outcomes than controls on storeys
5924-59	Harvey Norman	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building height, Table 1 by deleting the second column and using height in metres only.	4.02 Building Height	Unnecessary to control both maximum height and number of storeys as it will add unnecessary complexity to a planning assessment. In an effects-based approach, adverse effects are related to the total height of the building, not the number of storeys.

5924-60	Harvey Norman	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain Rule 4.2 Building height for the General Business zone being 16.5m.	4.02 Building Height	As per summary
5924-61	Harvey Norman	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building height so that height in the General Business zone is increased.	4.02 Building Height	As per summary
5979-14	The Auckland District Council of Social Services	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain the permitted heights for each category of town centres.	4.02 Building Height	Submitter is supportive of intensification around town centres and transport nodes
5993-5	Harsha Ravichandran	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend height limits for Mixed Use to reflect their locations close to high quality public transport infrastructure	4.02 Building Height	As per summary
6042-34	Cooper and Associates	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Review development control 4.2 'Building height' in relation to certain areas (e.g. Newmarket) and provide the ability to more intensely develop these areas.	4.02 Building Height	Most of the areas where [business] zonings have been placed are dominated by small plots of land or existing development where value is driven by rental return and the existing built infrastructure. To facilitate the ability to redevelop these sites a greater level of intensification will be required.
6042-35	Cooper and Associates	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.2 'Building height' to increase the high limit to 30 stories (or unlimited) in Metropolitan Centres (from 18 stories).	4.02 Building Height	See 6042-34
6042-36	Cooper and Associates	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.2 'Building height' to increase the high limit to 8-12 stories in Local Centres (from 4 stories).	4.02 Building Height	See 6042-34
6042-37	Cooper and Associates	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.2 'Building height' to increase the high limit to 8-12 stories in Neighbourhood Centres (from 3 stories).	4.02 Building Height	See 6042-34
6084-44	Contact Energy Limited	D3.11 Heavy Industry zone	Amend policy 6 (relating to control of building location, height and bulk) to be consistent with the RMA, which anticipates that 'adverse effects' on the environment will be 'avoided, remedied or mitigated'. Refer to the full submission for suggested wording [page 26/36].	3.11 Policies	As per summary
6084-5	Contact Energy Limited	I3.5 Development controls Light and Heavy Industry zones	Retain the absence of an 'Additional Zone Height Control' overlay at the Otahuhu Power Station site (located adjacent to State Highway 1 and the Tamaki River, Otara). Refer to the full submission for a map of the site in Attachment A [page 34/36].		
6099-115	Ockham Holdings Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Table 1 rule 4.2 [Building height] to increase building heights in the Mixed Use zone from 16.5m (4 storeys) to 24.5m (6 storeys)	4.02 Building Height	4 storeys is not appropriate for MU zone as it does not distinguish it from THAB. Considering underground carparking is an expected UD outcome of the MU zone this unnecessarily restrict development scale. 6 storey limit is more appropriate as dev. of such a scale spreads fixed land & foundation costs over more units. This will enhance economic viability.
6099-128	Ockham Holdings Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend rule 7 [Assessment - Development control infringements] to be less prescriptive and more pithy to make the plan more user friendly.	7.2 Assessment Criteria	Consistency of approach'

6101-2	Susan Song	D3.7 Mixed Use zone	Retain the zone description in relation to location and the flexibility of building heights as it pertains to 2 Northcote Road and 64 Taharoto Road, Takapuna [inferred]. Refer to pages 5-6/16 of the submission for details.	3.7D	Supports application of MU on submitter's site.
6147-114	Ngati Paoa Iwi Trust Board	I3.5 Development controls Light and Heavy Industry zones	Provide for an additional height overlay at 71 Grafton Road, Grafton [zoned as Light Industry] to amend the height limit from 20m to 7 storeys.	4.02 Building Height	
6210-10	TransportBlog	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Recognise that some areas zoned Mixed Use should have a significantly higher height limits to reflect their location close to high quality public transport infrastructure (e.g. Morningside and Newton).	4.02 Building Height	MU zoned areas near strategically significant existing or proposed rail stations are more suitable for high density development. Enabling higher development densities in parts of the MU zone will enable best value to be achieved from significant investment in projects like the CRL.
6212-28	Property Council New Zealand	D3 Business Zones / D3.1 General objectives and policies	Retain policy 12 [which includes circumstances where greater building heights should be enabled within centres and the Mixed Use zone].	D3.1 Policies	Policy 12 is in accordance with achieving intensification and density objectives and adopts a balanced approach.
6212-29	Property Council New Zealand	D3 Business Zones / D3.1 General objectives and policies	Amend policy 13 to provide that building heights should only be reduced where the standard height would have significant adverse effects on historic character, landscape features, amenity etc. which are scheduled or identified in the PAUP. In addition, heights should only be lowered after taking into account the factors listed in Policy 12 [which provides circumstances where building heights may be increased].	D3.1 Policies	As per summary
6212-85	Property Council New Zealand	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.2 [Building height] to allow a maximum building height of at least 5+ storeys in all the business zones.	4.02 Building Height	4 stories is less economic as development costs rise significantly after 3 stories, as construction goes from basic to complex and this is only offset after around 6 stories.
6247-46	Samson Corporation Limited and Sterling Nominees Limited	I3.5 Development controls Light and Heavy Industry zones	Amend the maximum permitted height of Boston Road, between Khyber Pass and Nugent Street, Grafton from 20 metres to 24.5 metres	4.02 Building Height	
6247-46	Samson Corporation Limited and Sterling Nominees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the maximum permitted height of boston Road, between Khyber Pass and Nugent Street, Grafton from 20m to 24.5m	4.02 Building Height	
6264-10	Christina Robertson	D3.7 Mixed Use zone	Increase the height within the Mixed Use zone close to quality public transport.		Some MU zones (such as Morningside, Newton and Ellerslie) that are close to quality PT links should have significantly higher height limits to reflect their potential for PT uptake. Morningside, for example, is close to two train stations and two main roads with frequent buses. Greater density should be allowed in order to take advantage of these PT links. In general, more intensification along PT corridors should be favoured.
6282-13	Patrick Fontein	D3 Business Zones / D3.1 General objectives and policies	Recognise the need to up zone the city fringe especially around the City Rail Loop stations and introduce more Mixed Use and greater height within 3-5km of the CBD.	D3.1G	As per summary
6282-14	Patrick Fontein	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend metro and town centres to increase height, example of 30 storeys in Takapuna is cited. Review town centre development economics to increase height to 8-12 levels and identify ridge-line development opportunities.	4.02 Building Height	As per summary
6282-7	Patrick Fontein	D3.3 Metropolitan Centre zone	Acknowledge that metropolitan centres have had their building height and development potential reduced.	3.3G	As per summary. Submitter seeking to demonstrate that PAUP falls short of intensification targets.

6354-15	North Harbour Business Association	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain building height controls, [infer, Rule 4.2 Building height, being 16.5 metres and 4 storeys] in the General Business zone, refer submission page 9/12.	4.02 Building Height	As per summary
6354-16	North Harbour Business Association	I3.5 Development controls Light and Heavy Industry zones	Retain building height controls, [infer, Rule 5.1 Building height, being 20 metres] in the Light Industry zone, refer submission page 9/12.	5.1 Height	As per summary
6354-17	North Harbour Business Association	I3.5 Development controls Light and Heavy Industry zones	Retain building height controls, [infer, Rule 5.1 Building height, being 20 metres] in the Heavy Industry zone, refer submission page 9/12.	5.1 Height	As per summary
6356-85	Body Corporate 197887	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 Building height, Table 1 by deleting the second column and using height in metres only.	4.02 Building Height	[Controlling no. of storeys] will add unnecessary complexity to a planning assessment. In an effects based approach, any adverse effects of the height of a building are related to its height, not the number of storeys.
6356-86	Body Corporate 197887	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain Rule 4.2 Building height for the Mixed Use zone being 16.5m.	4.02 Building Height	As per summary, support maximum height in MU and GB zones but would also support a higher limit.
6356-87	Body Corporate 197887	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain Rule 4.2 Building height for the General Business zone being 16.5m.	4.02 Building Height	As per summary, support maximum height in MU and GB zones but would also support a higher limit.
6356-88	Body Corporate 197887	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	[Amend] Rule 4.2 Building height for the Mixed Use zone to be increased.	4.02 Building Height	As per summary, support maximum height in MU and GB zones but would also support a higher limit.
6356-89	Body Corporate 197887	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	[Amend] Rule 4.2 Building height for the General Business zone to be increased.	4.02 Building Height	As per summary, support maximum height in MU and GB zones but would also support a higher limit.
6431-4	Kirk A Serpes	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend maximum height controls in the Mixed Use zone to 8 stories with overlays to lower and raise this where appropriate.	4.02 Building Height	As per summary
6431-5	Kirk A Serpes	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend maximum height control for local centres to 4 storeys.	4.02 Building Height	As per summary
6431-6	Kirk A Serpes	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend maximum height control for most Town Centres to be 8 storeys.	4.02 Building Height	As per summary
6449-6	Madill and Smeed Limited / Halls Transport	I3.5 Development controls Light and Heavy Industry zones	Increase the proposed 20m maximum building height (Rule 5.1) to the height limit that currently applies under the Operative Plan.	5.1 Height	Industrial activities commonly require higher buildings to accommodate industrial processes and equipment such as dryers and smoke stacks. Restricting height could limit the ability to use the land efficiently. PAUP has failed to demonstrate that benefits of the approach will outweigh the costs.
6469-5	Yudhvir Singh	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Require a maximum height limit of 8 storeys in the Mixed Used zone.	4.02 Building Height	As per summary
6469-6	Yudhvir Singh	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Require a maximum height limit of 4 storeys in the Local Centre zone.	4.02 Building Height	As per summary
6469-7	Yudhvir Singh	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Require a maximum height limit of 8 storeys in the Town Centre zone.	4.02 Building Height	As per summary

6476-5	Joe Singh	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase Local Centre heights to 4 storeys.	4.02 Building Height	As per summary
6476-6	Joe Singh	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase heights in most Town Centres to 8 stories.	4.02 Building Height	As per summary
6497-4	Luke Christensen	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the general height limit in the Mixed Use zone to 8 storeys and use overlays used to lower and raise the height limit where appropriate.	4.02 Building Height	The PAUP does not rezone enough land within the urban boundary to ensure it is consistent with the Auckland Plan and proposed RPS. Development controls will need to change to meet the 70% urban target. PAUP needs to respond to major PT investment being undertaken including electrification, new frequent bus network, CRL and busways.
6497-5	Luke Christensen	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain the height limit for Local Centres as 4 storeys.	4.02 Building Height	See 6497-4
6497-6	Luke Christensen	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height limit for most Town Centres to 8 storeys.	4.02 Building Height	See 6497-4
6556-14	Alister Kitchen	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete the storey component of rule 4.2 Building Height.	4.02 Building Height	The current MU zone (legacy plan) can accommodate 5 floors in many situations. PAUP rules - storey component greatly reduces potential for residential dwellings. This runs counter to the purpose of the PAUP. Rule already covered by minimum floor to floor height.
6588-3	Carter Auckland Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 1(1) 'Development control infringements' so that in the metropolitan centre zone the development control infringements that trigger this rule are limited to: (a) Height (b) Height in relation to boundary (c) Tower separation (d) Yards.	4.01 Development Control Infringements	[Seeks to limit scope of controls in Metro zone where three or more infringements trigger D status]. The metropolitan centre zone is the most intensive area, and RD status appropriate to manage development. D status should only apply where three or more controls that explicitly protect the adjoining neighbour's property rights outside the zone are breached.
6650-124	Summerset Group Holdings Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Table 1 under Rule 4.2 'Building height' by removing the column 'Maximum number of storeys'.	4.02 Building Height	Controls on the number of storeys will add unnecessary complexity to a planning assessment. In an effects-based approach to urban design considerations, any adverse effects are related to the total height of the building, not the number of storeys.
6650-126	Summerset Group Holdings Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 'Building Height' to provide for greater height limits in some Mixed Use areas.	4.02 Building Height	Greater height limits are likely able to be supported in some MU areas
6650-127	Summerset Group Holdings Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.2 to provide for increased heights following a more detailed analysis of areas.	4.02 Building Height	As per summary
6650-136	Summerset Group Holdings Limited	13.5 Development controls Light and Heavy Industry zones	Retain Rule 5.1 'Building height'.	5.1 Height	As per summary
6707-5	Bong Joon Lee and Myung Sook Choi	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete storey component of 4.2 'Building height'.	4.02 Building Height	Storey control significantly restricts the ability of sites to intensify. The control does not allow a building with retail/commercial at ground floor and residential above to be built within the height limit within the zone. Potentially an additional level of development could be attained if there was no storey control.
6773-4	Sudhvir Singh	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height limit in the Mixed Use zone to 8 storeys.	4.02 Building Height	The PAUP does not go far enough in encouraging high quality intensification around transport nodes. To meet the 70% target development controls will need to change to encourage density.
6773-5	Sudhvir Singh	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height limit in Local Centre zone to 4 storeys.	4.02 Building Height	See 6773-4

6773-6	Sudhvir Singh	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height limit in most Town Centres to 8 storeys [no specifics given on which Town Centres].	4.02 Building Height	See 6773-4
6852-22	Ellerslie Residents Association	I3.5 Development controls Light and Heavy Industry zones	Allow a maximum permitted height of 12 storeys for the land between Cawley Street and the Ellerslie Panmure Highway, Ellerslie, gradually moving down to three storeys consistent with the adjacent Terrace Housing and Apartment Zone	4.02 Building Height	
6869-4	Stuart Stephen and Elizabeth M Palmer	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Reduce the height limit for town centres (e.g. Takapuna, Orewa).	4.02 Building Height	Cites Sentinel Apartments and Nautilus as example of ugly high rise buildings
6927-7	Greg Nikoloff	D3.7 Mixed Use zone	Recognise some areas zoned for Mixed use development should have a significantly higher height limit to reflect their location close to high quality public transport infrastructure (e.g. Morningside, Newton)	3.7G	Some areas zoned for MU should have a significantly higher height limit to reflect their location close to high quality PT infrastructure.
6931-5	Grant and Deborah Andrew and GDMK Properties Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend to clarify what the maximum height is for non-habitable business structures in the Local Centre zone in Waiuku.	4.02 Building Height	As per summary
7051-8	OraTaiao: The New Zealand Climate and Health Council	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the height limits in some areas zoned for Mixed Use development located close to high quality public transport, e.g. Morningside and Newton.	4.02 Building Height	Increased height limit needed to support intensification around PT stops.
7349-17	Northcote Residents' Association	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Development Control 4.3 'height-to-boundary' to replace the 60 degrees from 8m with 45 degrees.	4.03 HRB	As per summary
7357-5	Ho Yin Anthony Leung	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the maximum building height in the Mixed Use zone.	4.02 Building Height	Seek to relax height rules to reflect location close to PT infrastructure and allow for more efficient use of land, particularly considering intensification focus of PAUP.
836-93	Mighty River Power Limited	D3.11 Heavy Industry zone	Amend policy 6 to read: 'Control building location, height and bulk so that adverse effects on the amenity in adjoining streets, Public Open Space and Residential zones, are avoided, remedied or mitigated. Particular...'	3.11 Policies	See 836-91
839-10096	Housing New Zealand Corporation	D3 Business Zones / D3.1 General objectives and policies	Delete sub-clauses (a) - (d) in Policy 12.	D3.1 Policies	HNZ supports the intent of the policy, however sub-clauses not required by virtue of specific areas being identified in the PAUP as being suitable for additional building height.
839-10097	Housing New Zealand Corporation	D3 Business Zones / D3.1 General objectives and policies	Delete Policy 13.	D3.1 Policies	HNZ opposes the intent of this policy and seeks that it be deleted in full. The outcome sought from this policy is managed by overlays relating to historic heritage and natural heritage. Such provisions should be contained with the relevant overlay provisions, rather than 'double-dipping' by seeking to manage through both zone and overlay.
839-10269	Housing New Zealand Corporation	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain rule 4.2 Building height.	4.02 Building Height	Retain provision in full
867-71	New Zealand Fire Service Commission	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain (do not reduce) the height limits in development control 4.2 'Building height', Table 1.	4.02 Building Height	The roof of appliance bays for fire stations needs to be 6m. This can be accommodated within all proposed height limits. Onsite towers for drying hoses are generally around 12-15m tall, RD status for height infringement is appropriate for these activities.
883-179	Ngati Whatua Orakei Whai Rawa Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain Rule 4.2 Height, being 16.5 metres and 4 storeys in the Mixed Use zone [refer submission page 27/69 vol.4]	4.02 Building Height	These provisions will facilitate the future residential and/or commercial use of the site and enable development of a scale and form that is appropriate for the surrounding community

8857-11	Georgianne Griffiths	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the height limit in areas of Mixed Use zone located close to high quality public transport infrastructure eg Morningside and Newton	4.02 Building Height	Some areas zoned for MU should have a significantly higher height limit to reflect their location close to high quality PT infrastructure.
8969-10	Auckland Property Investors Association Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete maximum building heights for Metropolitan centres.	4.02 Building Height	We currently have one of the least densely populated cities, to grow we need to focus on building out, not up. We will not get the desired outcome for our city if we bow down to the anti-development and anti-progress lobby groups.
8969-11	Auckland Property Investors Association Incorporated	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the maximum height limit in Town Centres to 6 storeys (20.5m).	4.02 Building Height	See 8969-10
9213-16	Adam and Zana Milina	D3.4 Town Centre zone	Amend the provisions to allow town centres that are far away from the CBD or Metropolitan Centres to have increased density and possibly increased height.	3.4G	As per summary - stated in context of opposing height in Avondale TC.
9213-6	Adam and Zana Milina	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the maximum building height rule from 18 storeys to unlimited height for the Metropolitan Centre zone.	4.02 Building Height	18 storeys may limit the future development of these centres which have the potential to become mini-CBD's. This would reduce the huge investment in CBD focused transport solutions as people would not need to travel as much if they lived, worked and played in Metro centres.
9213-7	Adam and Zana Milina	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the maximum building height rules for town centres and local centres to a consistent maximum of 3 storeys across all of Auckland.	4.02 Building Height	There doesn't seem to be the need for high intensity development in the short to medium term if we focus on the Metro areas and CBD for growth. TC's should be hubs for the local community, and we should not destroy the way Auckland feels and looks by allowing 4-8 stories all over Auckland. We choose to live in Auckland for its village feel and green and natural landscape.

ATTACHMENT C2 HEIGHT-IN-RELATION-TO-BOUNDARY SDR

Sub#/ Point	Name	Subtopic	Summary	Code 2	Reasons (from submission)
1473-90	Auckland 2040 Incorporated	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Development control 4.3 'Height in relation to boundary' to require all developments in Takapuna 1, sub-precinct A to comply with this control.	4.3R	Takapuna beach, reserve and commercial area are vulnerable to effects of shading and dominance caused by excessively tall buildings. HRB specified in 3.3.4.3 (business zones) required to reduce these effects. [Unsure why this has been raised as Takapuna 1 Precinct does not override Metro Centre HRB controls]
2687-1	Horoeka Trust	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.3 Height in relation to boundary Table 2 'Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along the Single House or the Mixed Housing Suburban zone boundary' to measure building height from the farthest boundary of the legal right of way, pedestrian access way or access lot, not the site boundary for Mixed Use zone.	4.3R	As per summary, not expanded upon
1332-20	Fuego Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the Mixed Use height in relation to boundary control to be consistent with the No. 4 bulk in relation to boundary daylight indicators angle plane from the City of Auckland Isthmus and Central Area district plans.	4.3R	Submitter seeks 8m plus 15 degrees HRB in MU zone to enable greater intensification, more efficient use of land, more intensification away from sensitive residential areas.
1332-9	Fuego Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Business Local Centre height in relation to boundary control from 4.5m and 45 degrees to also require 2.5m and 45 degree height in relation to boundary from the far side of the road.	4.3R	Increased HRB will enable greater intensification, more efficient use of land, more intensification away from sensitive residential areas.
1983-1	Benzian Trustees as Trustee of the Pacific Equities #2 Trust	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.3 'Height in relation to boundary' to allow for 20m on the southern, western or eastern boundary.	4.3R	With particular reference to 17 Putney Way, Manukau City, the effects of the building on Hayman park [i.e. shading and dominance] are limited as the site is located southeast of the park. A 11 storey / 44.5m building has been consented to on the site.
2835-14	B A Trustees Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.3 "Height in relation to boundary" to: "Increase the Business local centre's 8m plus 15 degrees height in relation to boundary control to be consistent with No.4 bulk in relation to boundary daylight indicators angle plane from the City of Auckland Isthmus and Central Area district plans."	4.3R	Particular reference to 584 Great North Rd. 1) Increased HRB will promote intensification 2) Increased HRB Better use of land resources 3) Increased HRB will still enable reasonable sunlight and daylight access 4) Visual domination will be addressed by upper level building setback and UD controls
3761-11	Mehmed Investments Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the Mixed Use zone rule 3 'Height in relation to boundary' to 8m plus 15 degrees to be consistent with the No. 4 bulk in relation to boundary daylight indicators angle plane in the Auckland City Council Isthmus and Central Area sections of the District Plan.	4.3R	1) Increased HRB will promote intensification 2) Increased HRB Better use of land resources 3) Increased HRB will still enable reasonable sunlight and daylight access 4) Visual domination will be addressed by upper level building setback and UD controls
3761-12	Mehmed Investments Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Increase the Mixed Use 'Building in relation to boundary' to 8m plus 15 degrees for 314 and 320 Lincoln Road, Henderson. Alternatively, this could be a site and locality specific development control. [Refer to pg. 24/26 Vol 3 of the submission for details].	4.3L	1) Increased HRB will promote intensification 2) Increased HRB Better use of land resources 3) Increased HRB will still enable reasonable sunlight and daylight access 4) Visual domination will be addressed by upper level building setback and UD controls

3695-5	Pamela Ingram Architect Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height in relation to boundary control in the Mixed Use zone where it adjoins the Residential Single House zone to 2.5M and 30 degrees. Refer to pages 6 & 9/10 for details.	4.3R	Proposed 2.5m / 45 degree HRB not sufficient for addressing visual dominance effects on neighbouring residential zones - in particular living areas / outdoor living areas in these adjoining zones
1332-12	Fuego Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.3 Height in relation to boundary to read 'to manage any adverse effects of building height.'	4.3R	There is no valid planning / resource management reason to optimise sunlight to streets as stated in the purpose of the rule. Visual dominance not an issue either
5845-21	Graham Collie	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1 Matters of discretion (1)-(8) to narrow down matters of discretion for industrial zones and distinguish from business zones.	7.1G	Not all matters are equally relevant to all the zones
1332-23	Fuego Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.3 Height in relation to boundary to read 'to manage any adverse effects of building height'.	4.3R	There is no valid planning / resource management reason to optimise sunlight to streets as stated in the purpose of the rule. Visual dominance not an issue either
2632-172	The National Trading Company of New Zealand Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend the Assessment development control infringements, Matters of discretion 7.1(1)(b), as follows: 'consistency with the planned future form and character of the area/zone.'	7.1R1	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2632-174	The National Trading Company of New Zealand Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Delete the Assessment Development control infringements criterion 7.2(1)(b) which is about the effects on planned future form and character.	7.2R1	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2748-109	The Warehouse Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Development Control Infringements Assessment criteria 7.1.1(b), as follows: 'consistency with the planned future form and character of the area/zone.'	7.1R1	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2748-111	The Warehouse Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Development control infringements Assessment criteria 7.2.1(b), by deleting it as follows: ' Effects on the planned future form and character of the area/zone (i) Buildings need to demonstrate that the bulk or height does not detract from the planned future character of the surrounding area; when located in the Metropolitan or Town centre zones, the infringement is consistent with the Business zones, Policy 3.3.1 or 3.4.1. '	7.2R1	It is unclear how an applicant for resource consent can identify the 'planned future' form and character of an area.
2968-300	Westfield (New Zealand) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1(1)(b) Matter of discretion for Building height and height in relation to boundary as follows; ' b. consistency with the planned future form and character of the area/zone. ' [35/72 vol 3]	7.1R1	See 2968-278
2968-301	Westfield (New Zealand) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1(2)(b) Matter of discretion as follows; ' b. effects on historic heritage and historic character buildings and notable trees. ' [35/72 vol 3]	7.1R2	Effects on historic heritage, historic character buildings and notable trees do not relate to the intent of this development control. These are protected elsewhere in the plan.
2835-15	B A Trustees Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the purpose of Rule 4.3 "Height in relation to boundary" to read: "to manage any adverse effects of building height",	4.3R	There is no valid reason to require 'reasonable sunlight and daylight access' at the expense of development potential.

5036-14	Weaver Hind Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1.1 Matters of discretion to include - c. Avoidance of privacy impacts due to windows, glass doors, balconies or verandahs that overlook neighbouring zone properties.	7.1R1	Seek amendment to address the potential visual impacts on neighbouring residential properties where windows, doors balconies or verandas overlook these properties.
3625-11	Southpark Corporation Limited	I3.5 Development controls Light and Heavy Industry zones	Retain Rule 5.2 (Height in relation to boundary).	5.2R	Appropriate for managing shading and dominance effects along the common boundary of the adjoining residential site.
3625-20	Southpark Corporation Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.2 (Height in relation to boundary) to read: '- Buildings must not project beyond a 18 degree recession plane measured from a point 8m vertically above ground level along the residential or public open space boundary; and - Buildings must not project beyond a 45 degree recession plane measured from a point 4.5m vertically above ground level along the public open space boundary.'	5.2R	HRB control is unnecessarily restrictive. Seek HRB from General Business zone instead.
2968-364	Westfield (New Zealand) Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend 4.3 Height in relation to boundary, Purpose, as follows; ' Purpose:... - manage the effects of building height...- allow reasonable sunlight and daylight access to streets, public open space, the subject site and nearby sites. [18/72 vol 3]	4.3R	The height in relation to boundary provisions to not purport to control daylight access to streets and as such, reference to streets should be deleted from the purpose.
3761-14	Mehmed Investments Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the purpose of the rule [infer rule I3.4.3 Mixed Use zone, Height in relation to boundary] to read ' <u>to manage the any adverse</u> effects of building height', with particular reference to 320 Lincoln Road, Henderson.	4.3L	There is no valid planning / resource management reason to optimise sunlight to streets as stated in the purpose of the rule. Visual dominance not an issue either
1804-3	Garry and Grace Brown	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain 4.3 Height in Relation to Boundary provision - being 2.5m plus 45 degrees on the boundary with land zoned Mixed Housing Suburban.	4.3R	Supports HRB to protect the adjacent MHS zone from visual domination and loss of sunlight and daylight.
3682-192	Stevenson Group Limited	I3.5 Development controls Light and Heavy Industry zones	Amend 5.2 Height in relation to boundary as follows; '...buildings must not project beyond a 48 <u>45</u> degree recession plane measured from a point & 2m vertically above ground level along the residential or public open space boundary. '. [p 62/111 vol 3]	5.2R	HRB is unreasonable. For example a 15m high warehouse would have to be located 17.5m from a POS zone boundary, and a 20m buildings would have to be 30m from the POS boundary. Proposed amendment is considered more reasonable and would require 13m and 18m boundaries respectively for the above scenarios.
3251-3	Richard and Deborah Peers	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain rule 4.3 (Height in relation to Boundary)	4.3R	Support control to maintain open character and privacy between sites, and create an appropriate intensity of development.
3705-150	Atlas Concrete Limited (Silverdale)	I3.5 Development controls Light and Heavy Industry zones	Retain height in relation to boundary Table 6 Figures 20 and 20a.	5.2R	Clarifies where to measure HRB. No longer applies where site is adjacent to a Rural zone
5492-15	Miranda and Michael Lang	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Matter of discretion 7.1(1) by adding: "c. Avoidance of privacy due to windows, glass doors, balconies or verandas that overlook neighbouring residential zone properties."	7.1R1	Seek amendment to address the potential visual impacts on neighbouring residential properties where windows, doors balconies or verandas overlook these properties.
3765-15	Janine Bell	I3.5 Development controls Light and Heavy Industry zones	Retain Development control 5.2 Height in relation to boundary.	5.2R	As per summary

6096-40	Bunnings Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Add new 7.2(2)(c) development control infringement assessment criteria as follows; ' <u>c. Effects on buildings which contain integrated shopping centres, supermarkets, department stores, large format retail, or trade suppliers i. Buildings will be assessed in terms of the above having regard to the operational and functional requirements of those retail activities.</u> '.	7.2R2	In some cases 'best practice' urban design will not be realistically achievable due to functional and operational requirements of retail activities.
3792-150	Atlas Concrete Limited (Kumeu)	I3.5 Development controls Light and Heavy Industry zones	Retain Control 5.2 'height in relation to boundary' Table 6 Figures 20 and 20a.	5.2R	Clarifies where to measure HRB. No longer applies where site is adjacent to a Rural zone
3963-19	Ormiston Joint Venture Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain 4.3 Height in relation to boundary provision for Local Centre when adjoining Terrace Housing and Apartment Building.	4.3R	This control recognises that the type of development anticipated within the THAB zone is better able to accommodate larger scale buildings than SH or MH zone.
4132-38	Sentinel Planning Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Delete Rule 4.3 'Height in relation to boundary'.	4.3R	This control should be removed at the interface with business zones and be loosened at interface with residential and POS
4132-39	Sentinel Planning Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.3 'Height in relation to boundary', to be more liberal with regard to residential and open space zones in Takapuna.	4.3L	This control should be removed at the interface with business zones and be loosened at interface with residential and POS
4307-1	The Strand Trust	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend (Table 2: 'Town Centre or Mixed Use Zone interface with Public Open Space Zones' under development control 4.3 'Height in relation to boundary') as set out on page 4/7 of the submission to recognise that a different rule applies under the Browns Bay Precinct Plan to buildings with a boundary to Beachfront Lane.	4.3L	There is no objective or policy basis (and no justification with regard to effects) for limiting the height of development along the property's (55 Clyde Road) frontage with the pedestrian mall.
4320-13	Drinkrow Industrial Estate Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.2 Table 6 to include the following exemption: "This rule does not apply to Public Open Space Zoned Land covering stormwater ponds vested in Council as part of the development of an Industrial area" see submission for details page 7/8	5.2R	Submitter recognises need for HRB control, however this should not apply to that land vested in Council as part of an industrial development for stormwater purposes which is now zoned Public Open Space - Conservation. This will sterilise part of the industrial land with no environmental benefit achieved.
4778-87	I B and G A Midgley	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.3 height in relation to boundary, to provide greater flexibility when a new building is to the south of the land with a more sensitive zone. For example, increase the angle to 55 degrees, or increase the vertical height that the measurement is taken from to half the maximum permitted height for the adjoining zone. Retain HRB measurement from the far side of the road when a road is present.	4.3R	HRB should reflect the relative position of a building on a site with a more sensitive zoning. This approach has been used in the Metro Centre zone and is considered to be practical and enable the efficient use of land.
4804-33	Ross Holdings Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the figures in Table 2 in Rule 4.3 'Height in relation to boundary' to 'provide greater flexibility when a new building is to the south of land with a more sensitive zone' such as 'increasing the angle to 55 degrees' or 'increasing the vertical height the measurement is taken from', but retain the use of measuring 'from far side of the road, when road is present'.	4.3R	HRB should reflect the relative position of a building north or south of a site with a more sensitive zoning. This approach has been used in the Metro Centre zone and is considered to be practical and enable the efficient use of land.
2968-302	Westfield (New Zealand) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.2(1)(a) and (b) Assessment criteria so that the criteria aid the interpretation of the matters of control /discretion and are not drafted as standards to be met. See submission for proposed changes. [35/72 vol 3]	7.2R1	Do not give effect to North Shore District Plan Change 30.

2968-303	Westfield (New Zealand) Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.2(1)(a) and (b) to reflect the recently operative provisions of North Shore District Plan Change 30 in respect of functionality and an understanding of integrated shopping centre design. See submission for proposed changes. [35/72 vol 3]	7.2R1	Do not give effect to North Shore District Plan Change 30.
4820-4	Quadrant Properties Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Ensure that consistent rules [regarding Height in relation to boundary] are applied across all business zone, for example apply a 2.5m and 45 degree recession plane.	4.3R	As per summary
4804-39	Ross Holdings Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Table 6 in Rule 5.2 'Height in relation to boundary' to include figures so 'the point above ground level at which the recession angle starts should be half the maximum height for the adjoining zone' and 'the recession angle should also be greater (i.e. 35 degrees) where the sensitive zone is to the north of the industrial zone', but retain the use of measuring from the far side of a road, when a road is present.	5.2R	Controls that enable the provision of reasonable daylight and some separation between industrial and residential are appropriate. However, controls should not prevent the efficient use of land and should take into account the relative orientation of the site and maximum height limit for the adjoining zone.
4820-3	Quadrant Properties Limited	I3.5 Development controls Light and Heavy Industry zones	Delete rule 5.2 [Height in relation to boundary]	5.2R	The HRB control is disproportionate to the effects on adjoining [residential and open space] environments and has not been properly justified in terms of why the building bulk and location effects, particularly shading and dominance require different treatment to other business zones
4843-150	Atlas Concrete Limited (Warkworth)	I3.5 Development controls Light and Heavy Industry zones	Retain Control 5.2 'height in relation to boundary' Table 6 Figures 20 and 20a.	5.2R	Clarified where to measure HRB development control. No longer applies where site is adjacent to a Rural zone.
5024-3	Mollyrobs Trust	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 'Height in relation to Boundary' 3 (2) (Fig 1a) from 2.5m and 45 degrees to 2.5meters and 30 degrees.	4.3R	Considering the operative plan provisions are more restrictive, the proposed recession plan control does not provide the control sought.
4792-79	MLW Adams Family Trust	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.1 Matters for discretion, by deleting: 'in addition to the matters set out in clause 2.3 of the general provisions'	7.1G	The matters of discretion are not restricted as they rely on the matters set out in clause 2.3 of the general provisions.
5036-8	Weaver Hind Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.3 Table 2 (Fig 1a) - Height in relation to boundary of 2.5m and 30 degrees	4.3R	Considering the operative plan provisions are more restrictive, the proposed recession plan control does not provide the control sought.
5036-9	Weaver Hind Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.3 Table 2 to include new Fig 9a - introducing height in relation to boundary controls between Business mixed use sites where they adjoin a residential zone boundary	4.3R	If HRB controls are not applied at the interface between business zoned sites, there is potential for sites with a contiguous wall of buildings.
4792-80	MLW Adams Family Trust	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend 7.2, Assessment criteria by deleting: 'in addition to the criteria in clause 2.3 of the general provisions'	7.2G	Editorial refinement to reflect 4792-79
5011-8	KLC Property Limited	I3.5 Development controls Light and Heavy Industry zones	Delete Rule 5.2 Height in relation to boundary.	5.2R	The HRB control is disproportionate to the effects on adjoining [residential and open space] environments and has not been properly justified in terms of why the building bulk and location effects, particularly shading and dominance require different treatment to other business zones
5011-9	KLC Property Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.2 Height in relation to boundary, to 2.5m and 45 degrees.	5.2R	The HRB control is disproportionate to the effects on adjoining [residential and open space] environments and has not been properly justified in terms of why the building bulk and location effects, particularly shading and dominance require different treatment to other business zones

5224-46	Diocesan School for Girls	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.3 'Height in relation to boundary', Table 2 to add a new figure or set of figures prescribing a 4m+45 degrees height in relation to boundary control for all business zones adjoining a site in the Special Purpose-School zone.	4.3R	Seek to avoid visual dominance and overshadowing on SP - School zoned sites.
4857-35	McDonalds Restaurants (NZ) Limited	13.6 - 13.9 Assessment & 13.10 Special information requirements	Amend 7 Assessment - Development control infringements so that the assessment criteria read as evaluative tools rather than directives.	7.2G	Generally supports criteria at 3.7, however many of the criteria are worded likely policies which render them less effective in an evaluation exercise.
5228-47	Saint Kentigern Trust Board	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend control 4.3 Height in relation to boundary, Table 2 to add a new figure or set of figures prescribing a 4m+45 degrees height in relation to boundary control for all business zones adjoining a site in the Special Purpose-School zone.	4.3R	Seek to avoid visual dominance and overshadowing on SP - School zoned sites.
5235-40	The New Zealand Seventh-day Adventist Schools Association Limited	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend development control 4.3 'Height in relation to boundary', Table 2 to add a new figure or set of figures prescribing a 4m+45 degrees height in relation to boundary control for all business zones adjoining a site in the Special Purpose-School zone.	4.3R	Seek to avoid visual dominance and overshadowing on SP - School zoned sites.
5249-44	King's College	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.3 - Height in relation to boundary, Table 2, to add a new figure or set of figures prescribing a 4m +45 degrees height in relation to boundary control for all business zones adjoining a site in the Special Purpose - School zone.	4.3R	Seek to avoid visual dominance and overshadowing on SP - School zoned sites.
5256-48	The Roman Catholic Bishop of the Diocese of Auckland	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Rule 4.3 - Height in relation to boundary, Table 2 by adding a new figure or set of figures prescribing a 4m + 45 degrees height in relation to boundary control for all business zones adjoining sites in the Special Purpose - School and requested new Special Purpose - Places of Worship zones.	4.3R	Seek to avoid visual dominance and overshadowing on SP - School zoned sites.
5224-47	Diocesan School for Girls	13.5 Development controls Light and Heavy Industry zones	Amend development control 5.2 'Height in relation to boundary' (including figures 20a and 20b), Table 6 to include reference to the Special Purpose-School zone so that a height in relation to boundary control is required for all industrial zoned land where adjoining a site in the Special Purpose-School zone.	5.2R	Buildings should have to comply with HRB to avoid visual dominance and overshadowing on sites within the Special Purpose - School zone.
5228-48	Saint Kentigern Trust Board	13.5 Development controls Light and Heavy Industry zones	Amend control 5.2 'Height in relation to boundary' (including figures 20a and 20b), table 6 to include reference to the Special Purpose-School zone so that a height in relation to boundary control is required for all industrial zoned land where adjoining a site in the Special Purpose-School zone.	5.2R	The requirement for 20% of an industrial site to be 'set aside' for landscaping represents an undue burden to the landowner and has not been justified in Council's section 32 analysis, and will not provide for the efficient use of industrial land, which is an important and scarce resource for Auckland.
5277-95	The Urban Design Forum New Zealand	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.3 Height in relation to boundary, as shown in the submission [refer to page 28/39 vol 2] to replace sloping recession planes with dimensional requirements and to include a comprehensive set of diagrams which shows all building envelope controls.	4.3R	HTB diagrams are misleading as they do not include yards and setback controls, and do not assist in the rule's interpretation.
5235-41	The New Zealand Seventh-day Adventist Schools Association Limited	13.5 Development controls Light and Heavy Industry zones	Amend development control 5.2 'Height in relation to boundary' (including figures 20a and 20b), Table 6 to include reference to the Special Purpose-School zone so that a height in relation to boundary control is required for all industrial zoned land where adjoining a site in the Special Purpose-School zone.	5.2R	The requirement for 20% of an industrial site to be 'set aside' for landscaping represents an undue burden to the landowner and has not been justified in Council's section 32 analysis, and will not provide for the efficient use of industrial land, which is an important and scarce resource for Auckland.

5249-45	King's College	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.2 - Height in relation to boundary, Table 6 (including figures 20a and 20b) to include reference to the Special Purpose - School zone so that a height in relation to boundary control is required for all industrial zoned land where adjoining a site in the Special Purpose - School zone.	5.2R	The requirement for 20% of an industrial site to be 'set aside' for landscaping represents an undue burden to the landowner and has not been justified in Council's section 32 analysis, and will not provide for the efficient use of industrial land, which is an important and scarce resource for Auckland.
5256-49	The Roman Catholic Bishop of the Diocese of Auckland	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.2 - Height in relation to boundary, by amending Table 6 (including figures 20a and 20b) to include reference to the Special Purpose - School and requested new Special Purpose - Places of Worship zones so that a height in relation to boundary control is required for all industrial land where adjoining a site in the above zones.	5.2R	The requirement for 20% of an industrial site to be 'set aside' for landscaping represents an undue burden to the landowner and has not been justified in Council's section 32 analysis, and will not provide for the efficient use of industrial land, which is an important and scarce resource for Auckland.
5280-93	The New Zealand Institute of Architects	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend rule 4.3 Height in relation to boundary, as shown in the submission [refer to page 28/39] to replace sloping recession planes with dimensional requirements and to include a comprehensive set of diagrams which shows all building envelope controls.	4.3R	HTB diagrams are misleading as they do not include yards and setback controls, and do not assist in the rule's interpretation.
5492-10	Miranda and Michael Lang	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Figure 1(a) to reduce the angle of recession plain from 45 to 30 degrees [in 4.3 'height in relation to boundary'.	4.3R	Considering the operative plan provisions are more restrictive, the proposed recession plan control does not provide the control sought over visual dominance.
5492-11	Miranda and Michael Lang	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Table 2 to include a new figure 9a introducing height in relation to boundary controls between Mixed Use sites where a zone boundary borders a residential zone.	4.3R	If HRB controls are not applied at the interface between business zoned sites, there is potential for sites with a contiguous wall of buildings.
5776-86	Fulton Hogan Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Retain 7. Assessment - Development control infringements.	7.1R R	As per summary
6099-128	Ockham Holdings Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend rule 7 [Assessment - Development control infringements] to be less prescriptive and more pithy to make the plan more user friendly.	6.2G	Consistency of approach'
2632-173	The National Trading Company of New Zealand Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Delete the Assessment Development control infringements criterion 7.2(1)(a)(i) which is about avoiding significant height infringements.	7.2R1	This criterion is not based on potential effects.
2748-110	The Warehouse Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Development control infringements Assessment criteria 7.2.1(a)(i), by deleting it, as follows: ' Significant height infringements should be avoided. '	7.2R1	This criterion is not based on potential effects.
5000-33	Les Mills Holdings Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Retain 7.2(1)(a)(iv) Assessment criteria about additional height on corner sites.	7.2R1	It is appropriate to enable additional height and bulk on corner sites particularly where the setback controls will impact on at least two facades.
5776-81	Fulton Hogan Limited	I3.5 Development controls Light and Heavy Industry zones	Amend 5.2 'Height in relation to boundary' so that it applies a height in relation to boundary of 45 degrees from 5m above the boundary of a directly adjoining residential zone (but not the street).	5.2R	The HRB control is excessive and onerous and does not provide for the efficient development and operation of employment generating activities. The rule does not reflect the lower amenity outcomes expected in industrial areas and requirements of industry for buildings and structures with certain heights.

6099-116	Ockham Holdings Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Retain rule 4.3 [Height in relation to boundary]	4.3R	Appropriate planning controls.
6588-12	Carter Auckland Limited	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Amend Assessment development control infringements in 7.1 and 7.2 as detailed in the submission on pages 12/58 to 15/58.	7.1G	Seeks multiple amendments to assessment provisions: - Remove reference to maximum tower dimension - Recognise benefits of residential development in centres through new criterion 7.1.2.c - As per 6588-11 amend criterion 7.2.2.iv to only discourage dwellings at ground floor where located on sites subject to building frontage overlays, or arterial roads.
5716-51	Auckland Council	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Add new matters of discretion for development control infringements to address riparian, lakeside and coastal protection yard issues.	7.1N	Assessment criteria for these yard control infringements is missing from PAUP.
6247-15	Samson Corporation Limited and Sterling Nominees Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Rule 5.2 so that the height in relation to boundary control for Industrial zones requires that buildings must not project beyond a 45 degree recession plane measured from a point 2 m vertically above ground level along the residential or public open space boundaries.	5.2R	HRB is too onerous and will limit the ability of development potential of industrial sites to be realised.
5716-52	Auckland Council	I3.6 - I3.9 Assessment & I3.10 Special information requirements	Add new assessment criteria for development control infringements to address riparian, lakeside and coastal protection yard issues.	7.2N	Assessment criteria for these yard control infringements is missing from PAUP.
6650-128	Summerset Group Holdings Limited	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend all figures in Table 2 under Rule 4.3 'Height in relation to boundary' to provide greater flexibility when a new building to the south has a more sensitive zone. This could be achieved by increasing the angle to 55 degrees and increasing the vertical height the measurement is taken from to half of the height limit for the adjoining zoning. Retain the height in relation to boundary measurement technique when a road is present.	4.3R	HRB should reflect the relative position of a building on a site with a more sensitive zoning. This approach has been used in the Metro Centre zone and is considered to be practical and enable the efficient use of land. Submitter supports that HRB is taken from far side of a road where a road is present.
6650-137	Summerset Group Holdings Limited	I3.5 Development controls Light and Heavy Industry zones	Amend Table 6 under Rule 5.2 'Height in relation to boundary' by adding further figures so that the point above ground level at which the recession angle starts should be half the maximum height for the adjoining zone, while the recession angle should also be greater where the sensitive zone is to the north of the industrial zone.	5.2R	Controls that enable the provision of reasonable daylight and some separation between industrial and residential are appropriate. However, controls should not prevent the efficient use of land and should take into account the relative orientation of the site and maximum height limit for the adjoining zone.
6670-1	Denise and Allen Tonkin	I3.5 Development controls Light and Heavy Industry zones	Amend the height in relation to boundary control [rule 5.2] in the Light Industry zone to provide greater protection of residential areas adjoining industrial zones	5.2R	As per summary
6940-2	Jitendra Pal	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Add a rule that still seeks to protect adjoining residential zone in terms of height in relation to boundary protection	4.3R	As per summary
7205-10	Emilia Kabazamalova	I3.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend the height in relation to boundary diagrams in rule 4.3 to make them a more realistic scale and not misleading.	4.3R	All diagrams showing the building envelope are misleading as they do not show the actual extent of the envelope, and do not indicate the number of floors. As such they do not represent a realistic scale of a building.

7349-17	Northcote Residents' Association	13.4 Dev. controls Centres, Mixed Use, Gen. Bus. & Bus. Park zones	Amend Development Control 4.3 'height-to-boundary' to replace the 60 degrees from 8m with 45 degrees.	4.3R	As per summary
7403-1	Denise A Tonkin	13.5 Development controls Light and Heavy Industry zones	Amend the Height in Relation to Boundary control [Rule 5.2] to provide greater protection of residential areas adjoining Industrial zones	5.2R	As per summary
7404-1	Allen R Tonkin	13.5 Development controls Light and Heavy Industry zones	Amend the Height in Relation to Boundary control [Rule 5.2] to provide greater protection of residential areas adjoining Industrial zones.	5.2R	As per summary

BEFORE THE AUCKLAND UNITARY PLAN INDEPENDENT HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991
and the Local Government (Auckland
Transitional Provisions) Act 2010

AND

IN THE MATTER of Topics 051-054 – Centres zones,
Business park and industries zones,
Business activities, and Business
controls and 078 Additional Height
Control

AND

IN THE MATTER of the submissions and further
submissions set out in the Parties and
Issues Report

**STATEMENT OF EVIDENCE OF HANNAH THOMPSON, HAMISH WILLIAM SCOTT AND
LEE-ANN MARY LUCAS ON BEHALF OF AUCKLAND COUNCIL**

28 July 2015

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Attachments

- A Qualifications and Experience of Witnesses
- B Recommended Revised Heights
- C Map of areas assessed by each expert witness
- D Submissions and Further Submissions Spreadsheet

1. SUMMARY

- 1.1 We have considered 244 submission (points) that request site or area specific height relief for Business zoned land within the Central area of Auckland. Of these, 124 submission (points) request that the notified height limits be increased and 82 submission (points) seek that the notified height limits be reduced or amended to remove storey controls. Furthermore, 38 submissions seek to retain the provisions as notified. Each submission point has been summarised in the table attached to this evidence at **Attachment D**. In summary we consider it appropriate to support or support in part 26 submission (points) seeking to increase or reduce the height limits. These are identified in the highlighted column in the attachment. For the remaining 218 submission (points) seeking to increase, reduce or retain the notified height limits, we consider that the Council's revised height limits, which in some cases increase the notified height limits between 0.5m and 2.5m, are the most appropriate.

2. INTRODUCTION

- 2.1 This evidence has been prepared for *Topics 051-054 – Centres zones, Business park and industries zones, Business activities, and Business controls* on the Proposed Auckland Unitary Plan (PAUP). These Topics are wide-ranging but include a number of submissions seeking site or area specific height relief in the Business zones. There are also a number of submissions seeking site or area specific height relief in the Business zones which have been allocated to the *Topic 078 - Additional Height Control*. To ensure a consistent and efficient approach, all site or area specific height requests for the Business zones are being addressed by the Council's evidence for Topics 051-054, regardless of whether they have been allocated to Topics 051-054 or Topic 078. This is explained in paragraphs 4.2 and 8.11 – 8.12 of Trevor Stewart Mackie's primary evidence (dated 27 July 2015) (**Mr Mackie's evidence**). Submitters will be given the opportunity to respond to the Council's evidence either as part of Topics 051-054 or Topic 078.
- 2.2 As set out in paragraphs 8.11 – 8.12 of the evidence of Mr Mackie, the Additional Zone Height Control (**AZHC**) overlay is the mechanism anticipated by the PAUP for imposing site or area specific height limits, and all site or area specific height requests have been assessed in terms of whether or not it is appropriate to apply or amend the overlay. Where we consider it appropriate to accept submissions seeking to increase or reduce the height limits, this is shown on the revised overlay maps in **Attachment B**.

- 2.3 We note also that we do not support submissions seeking to retain the height provisions (as notified in 2013) because the Council has revised its approach to height and occupiable height, and associated assessment criteria, as addressed in Mr Mackie's evidence. The revised approach is specifically outlined at paragraphs 10.47 to 10.51 of Mr Mackie's evidence. The implications of the Council's revised approach is that there is a consequential change to every planning map that shows an Additional Zone Height Control e.g. 12.5m becomes 13m; 16.5m becomes 18m; 20.5m becomes 21m; 24.5m becomes 27m.
- 2.4 Given the large volume of submissions, site or area specific height requests have been divided according to broad geographical area across the Auckland region, and are addressed in planning evidence from the Council's witnesses as follows:
- (a) Hannah Thompson, Hamish William Scott and Lee-Ann Mary Lucas – Central;
 - (b) Ross Lindsay Moffatt – North (separate evidence); and
 - (c) Douglas Reginald Keith Sadlier - West and South (separate evidence).

3. EXPERT WITNESSES – CENTRAL

- 3.1 This evidence statement relates to the Central area of Auckland surrounding and immediately adjacent to the west, south and east of Auckland's City Centre. This is shown on the map in **Attachment C**. It is a joint statement from:
- (a) Hannah Thompson;
 - (b) Hamish William Scott; and
 - (c) Lee-Ann Mary Lucas.
- 3.2 We are planners in the Central Area Planning team of Auckland Council. Our qualifications and experience are set out in **Attachment A**.
- 3.3 We have been engaged by the Auckland Council (**Council**) to provide evidence on site or area specific height requests received in relation to Topics 051-054 and Topic 078 but we were not involved in preparing the notified plan provisions relating to height in the Business zones or the AZHC overlay.
- 3.4 For the Central Area, we have completed the assessments of site or area specific height requests and the related parts of this evidence statement, as follows:

- (a) Hannah Thompson - city centre western fringe (A);
- (b) Hamish William Scott - central isthmus (B); and
- (c) Lee-Ann Mary Lucas - eastern and southern isthmus (C).

3.5 A map showing the areas assessed by each expert witness appears in **Attachment C**. Central area submissions on height relating to the City Centre zone have been dealt with previously through hearings on the City Centre zone (Topic 050), held in May 2015.

4. CODE OF CONDUCT

4.1 We confirm that we have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that we agree to comply with it. We confirm that we have considered all the material facts that we are aware of that might alter or detract from the opinions that we express, and that this evidence is within my area of expertise, except where we state that we are relying on the evidence of another person.

5. OTHER CHANGES

5.1 We note changes contained in Mr Mackie's evidence. The Council has revised its position on the management of height in the Business zones of the PAUP. We have considered the changes to the Business zones addressed in Mr Mackie's evidence.

5.2 There are no other consequential or out of scope changes to the PAUP as a result of the recommendations contained in this evidence.

6. SCOPE

6.1 We are providing planning evidence in relation to site or area specific height requests for the Business zones in the Central Area that have been allocated to Topics 051-054 – Centres zones, Business Park and Industrial zones, Business activities, and Business controls or Topic 078 Additional Height Control. The height aspects of these topics are outlined in part 4 of Mr Mackie's evidence, in the context of which we specifically address site or area specific height submission points. These submission points have been considered in terms of whether the AZHC overlay should be

amended or applied within a specific area. In preparing this evidence, we refer also to Mr Mackie's evidence which sets out the framework and approach that has been applied to the assessment of site specific height requests.

- 6.2 We have addressed submission points affecting the AZHC overlay in respect of the following Business zones that have been the subject of submission:
- Metropolitan Centre
 - Town Centre
 - Local Centre
 - Neighbourhood Centre
 - Mixed Use
- 6.3 Mr Mackie addresses the general approach to height in the PAUP and provides an analysis and background for determining submissions which request amendments to the notified height limits. Mr Mackie's evidence advises that any site or area specific height limits above the zone provisions are provided for by an AZHC overlay as annotated on the planning maps.
- 6.4 Mr Mackie addresses submissions made against the height provisions based on individual zones and those submissions that seek general changes to the zone height provisions where a site or area specific analysis is not appropriate.
- 6.5 We note that a number of submissions which seek amendments to height limits also seek changes to the zoning and precincts on the same sites or areas. In general, it is acknowledged that in most cases height is a key development control of both zone and precinct rules.
- 6.6 We have also considered the primary evidence of Mr Peter Raeburn (dated 15 May 2015) on Viewshafts (Topic 020) with particular regard to a number of Volcanic Viewshafts that Council supports for deletion. These have been specifically addressed where relevant to a submission. Specifically, these are viewshafts E5 (Mt Eden - Mt Albert Rd / Akarana Ave) and W7 (Mt Wellington - Ireland Rd).
- 6.7 It is acknowledged that the assessment in this evidence and the recommendations made are based only on the height as submitted.
- 6.8 However, the analysis and consideration of the height submissions contained in this evidence may be influenced by other factors yet to arise through the rezoning and precincts hearings (Topic 081 scheduled for March 2016).

7. STATUTORY FRAMEWORK AND ASSESSMENT

- 7.1 In preparing this evidence, we have relied on the primary evidence of Mr Mackie and the Auckland Unitary Plan Evaluation Report.
- 7.2 In assessing individual requests for site or area specific height relief, we have applied the principles contained within the statement of evidence prepared by Mr Mackie in relation to the Business Topics, and consider that to be an appropriate approach.

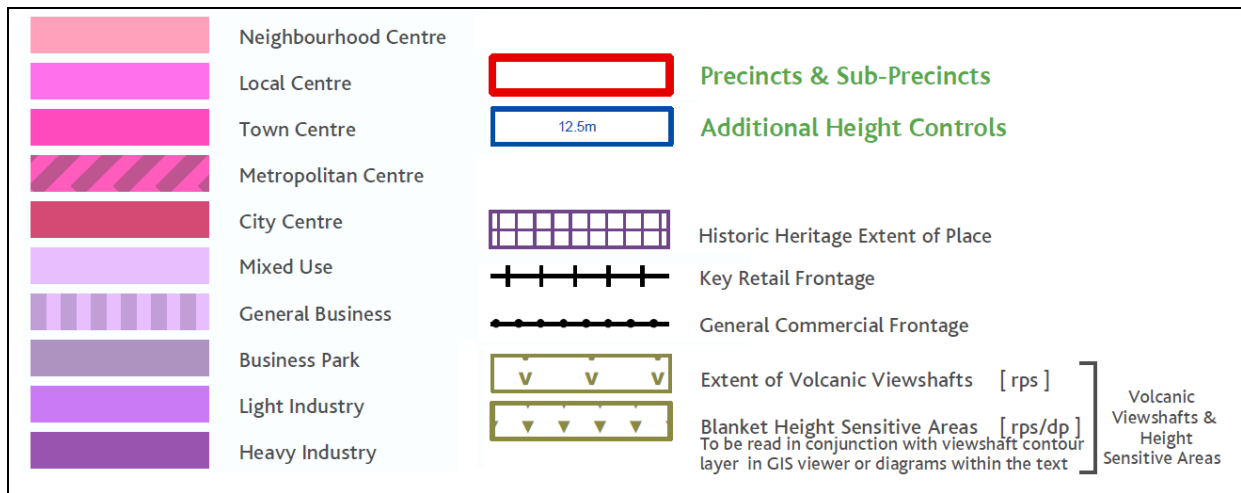
8. SECTION 32 ASSESSMENT

- 8.1 As outlined in the Auckland Unitary Plan Evaluation Report (**Evaluation Report**), the Council has focused its section 32 assessment on the objectives and provisions within the PAUP that represent significant changes in approach from those within the current operative Auckland RMA Policy statements and plans. Whilst the evaluation report applies to the entire PAUP, the report targets the 50 topics where the provisions represent a significant policy shift from current provisions.
- 8.2 The provisions for determining building height in Business zones are addressed in Section 2.5 (Building heights) of the Evaluation Report. The report states that as with all controls in the PAUP, the more specific rule overrides the general one. Height is a land use development control in most zones (general) with further site or area focused requirements via precincts and overlays (specific).
- 8.3 The Evaluation Report confirms that height is an issue that can have an impact on varying aspects, such as character and amenity, growth and landscape/landform protection.
- 8.4 The Evaluation Report identifies how the effects of building height are articulated in objectives and policies for the Business zones.
- 8.5 Section 2.6 (Business building form and design) of the Evaluation Report includes consideration of heights and building design of taller buildings that are relevant to those zones and AZHC overlays which provide for development above 30m (such as provided for in Metropolitan and certain Town Centres).
- 8.6 We rely on the contents of the relevant sections of the Evaluation Report outlined above and on the evidence of Mr Mackie in considering the site and area specific submissions outlined in this evidence.

- 8.7 In relation to the changes we have proposed to the notified provisions, we have assessed them in accordance with s32AA of the RMA within this evidence.
- 8.8 Furthermore, any challenge on general zone and/or precinct matters will be considered separately as rezoning/precinct submissions via Topic 081 scheduled for March 2016.
- 8.9 Key policy changes from the notified version of the PAUP relevant to the Business Zones height provisions are identified in the evidence of Mr Mackie's.
- 8.10 The principal changes to the height provisions applied in this evidence are addressed in part 10 of Mr Mackie's evidence, in particular paragraphs 10.47 to 10.51. We have adopted the changes substantiated through that evidence, which in particular include a revised approach to height (occupiable building height and additional 2m height for roof form) and associated assessment criteria
- 8.11 Other key policy changes relevant to this evidence include those made to Special Character overlay areas. In light of the changes recommended at the hearing of Topic 010 Heritage and Special Character by Council's heritage experts (Deborah Rowe and Anthony Matthews) in their evidence, the Special Character overlay is now referred to as the 'Historic Character' overlay.
- 8.12 This evidence confirms Council's revised position on zone heights and AZHC overlay heights and incorporates these revised positions in the assessments for site and area specific submissions.
- 8.13 These matters are assessed in accordance with s32AA both in respect of Mr Mackie's evidence, within the body of this evidence, and in **Attachment D** to this evidence. Other proposed changes from the notified version that do not represent a key policy shift are assessed in the context of s32AA to the extent appropriate to the scale of the change throughout the assessment in Section 8 (and are shown geographically in **Attachment B**).
- 8.14 The assessments undertaken to inform this evidence and corresponding Officer positions on the submissions include these agreed track changes as amended and outlined above. These consequential amendments have been incorporated into this evidence.

9. EVALUATION OF SUBMISSIONS AND PROPOSED AMENDMENTS – ADDITIONAL ZONE HEIGHT CONTROL OVERLAY

- 9.1 The following sections analyse site specific submissions (and corresponding further submissions) based on general geographical location or town centre. Generally, assessments are based on principles outlined in the evidence of Mr Mackie, with site specific analysis used to determine whether changes to height limits are warranted.
- 9.2 Each centre is described in terms of its general context both in terms of the existing built environment context, and under the provisions proposed by the PAUP. The zones are described, including AZHC overlays where these are relevant.
- 9.3 Overlays and any additional controls that contribute to the height restrictions in these centres have been included. Any overlays that do not determine or impact on height controls (or are not considered to be contributing factors to specific AZHC overlays) are not considered relevant and have not been addressed.
- 9.4 Volcanic Viewshaft height limits appear as contour lines and can vary greatly over a site as ground contours change. In some instances, street blocks or wider areas which feature a certain zone or AZHC overlay height limit can extend above or below these contour limits. This has been considered where relevant in this evidence, however it is noted that Volcanic Viewshafts and the restrictions they impose have been dealt with under Topic 020 Viewshafts.
- 9.5 Maps included in Figures 1 – 44 in this evidence generally show the PAUP zone and AZHC overlay, precinct overlays, Special Character overlay (now Historic Character), Historic Heritage Extent of Place, Volcanic Viewshafts and Blanket Height Sensitive Areas and Retail and Commercial Frontage Controls. Where submissions are specific to a certain site or sites, these are highlighted. Full details of each submission are included in the spreadsheet at **Attachment D**.
- 9.6 A legend showing key features of these figures is included below. Note that the AZHC overlays shown are those that appear in the notified version of the PAUP and do not reflect Council's revised position on these heights as described in sections 8.11 and 8.12 above.



Legend for Figures used in this evidence: PAUP Zones and Overlays affecting height

- 9.7 A submission point has been generally referred to as a ‘submission’, although each individual point has been considered and addressed.
- 9.8 Further submissions have been addressed generally, and are included in detail in the spreadsheet included at **Attachment D**.

10. HEIGHT PROVISIONS IN ‘CITY CENTRE WESTERN FRINGE’ (AREA A)

College Hill

- 10.1 College Hill is a small centre located west of Victoria Park and the Northern Motorway and east of Ponsonby. College Hill runs in an east-west direction from the intersection of Ponsonby Road and Jervois Road at its western most point towards Victoria Park at its eastern point. College Hill features a variety of different land uses including a supermarket at the eastern end, with predominantly commercial development interspersed with residential as it slopes upwards towards Ponsonby Road.
- 10.2 College Hill is defined by a number of different zones being Mixed Use, Special Purpose (school) and Single House, as shown in **Figure 1** below. The Town Centre zone along Ponsonby Road extends down part of College Hill at its western end.
- 10.3 The topography of College Hill slopes gradually up towards the west then steeply up towards Ponsonby Road.

10.4 The notified overlays on College Hill include the Ponsonby Road Town Centre AZHC overlay of 12.5m (proposed to be revised to 13m), which traverses the western most end of College Hill.

10.5 There are three submissions relating to height in the Mixed Use zone (5036-19, 5041-2 and 5492-20) on College Hill. All submissions seek to lower the proposed 16.5m (proposed to be revised to 18m) height by applying an AZHC overlay of 12.5m to those sites located on College Hill between New Street and St Marys Road. The sites to which the submissions relate are indicated in the red circle on **Figure 1**.

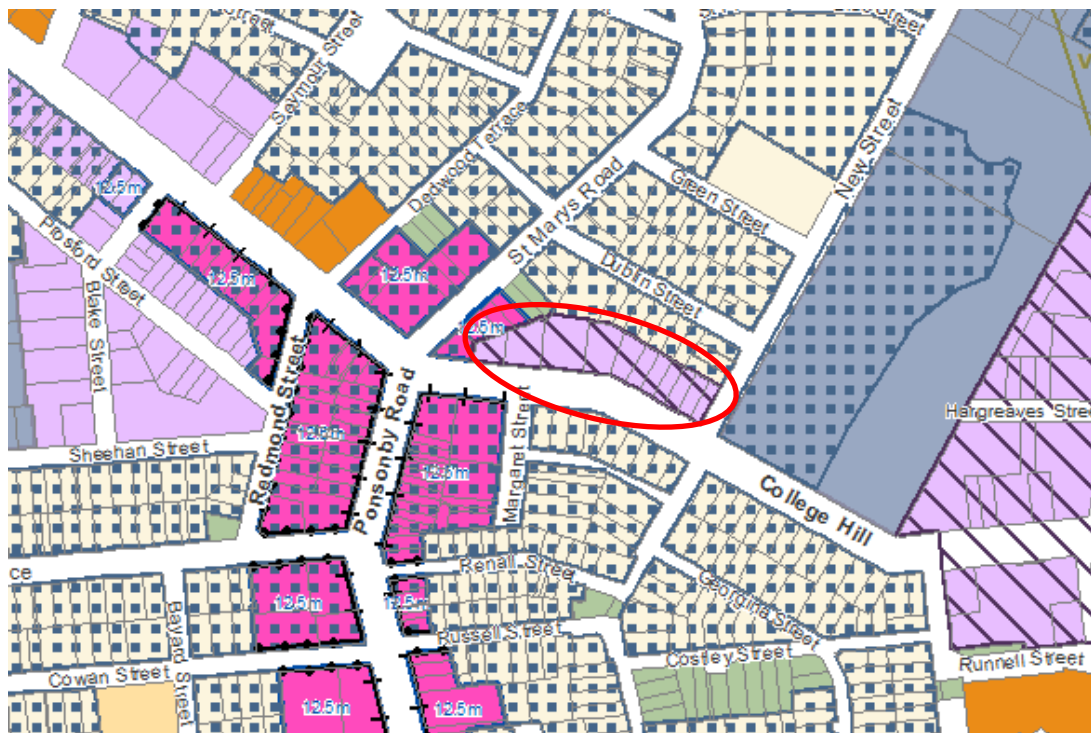


Figure 1: College Hill

10.6 There were two further submissions in support of this request and two in opposition.

10.7 The sites referred to in this submissions about the Single House zone, which also has a Special Character overlay (revised to Historic Character overlay), on Dublin Street which runs parallel and to the north of College Hill. The interface between these two zones is controlled by a height plane at the Single House zone boundary which essentially addresses the potential effects on residential amenity and character. The Council's proposed height limit of 18m will result in a decrease in height moving away from a centre and height in this area is in keeping with the Council's revised height limits along College Hill.

10.8 Therefore, I do not support submissions 5036-19, 5041-2 and 5492-20. I consider that the Council's revised height limit of 18m is the most appropriate for these properties.

Ponsonby

10.9 Ponsonby is an area to the west of the City Centre with the main arterial being Ponsonby Road, a road which runs along a ridgeline in a north-south direction. Land use along Ponsonby Road is largely dominated by shops, cafes and restaurants at the street level with residential or commercial office spaces on the upper floors.

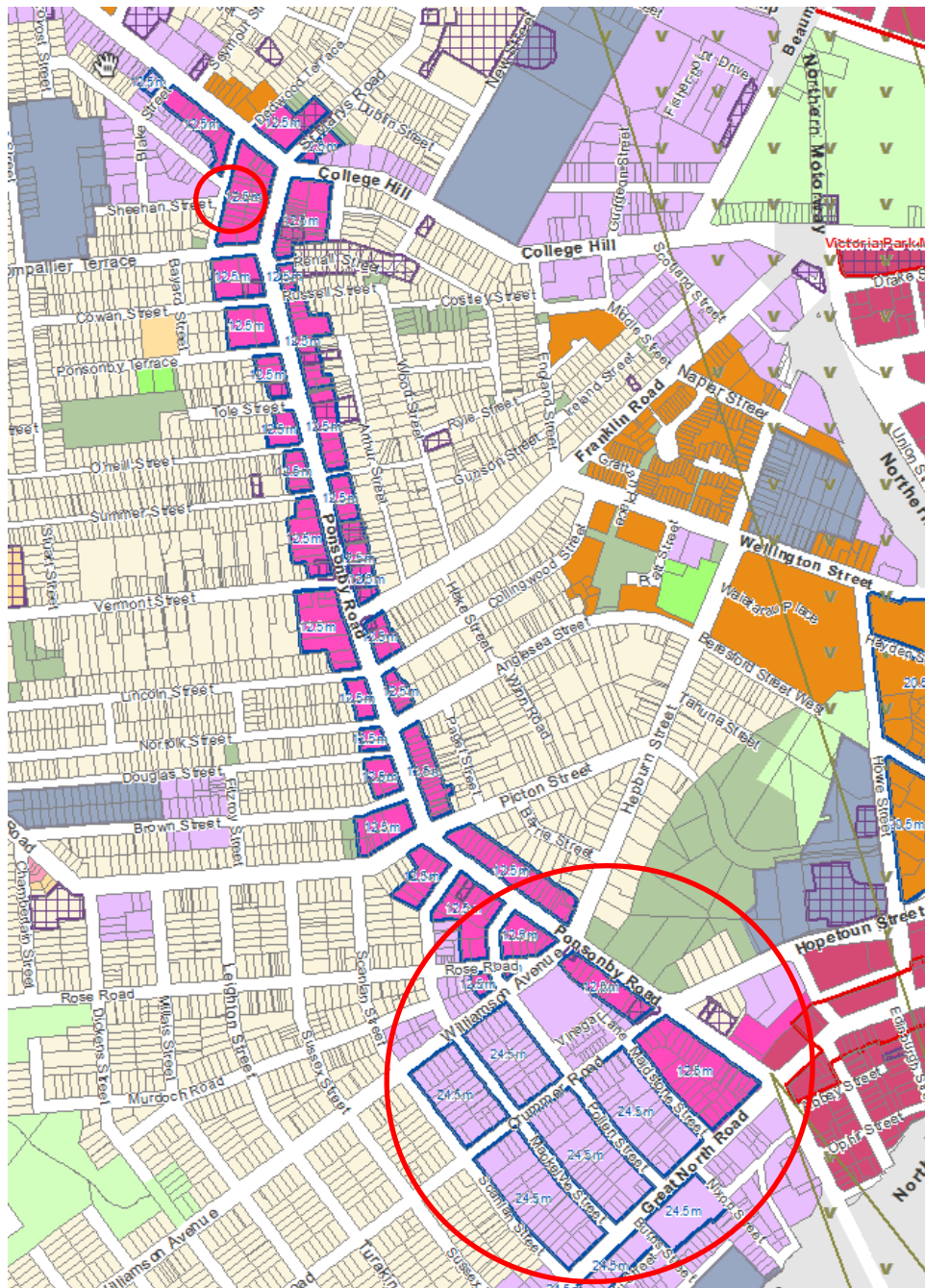


Figure 2: Ponsonby

- 10.10 Ponsonby Road is generally flat in topography with land either side of it sloping steeply to the east and west.
- 10.11 Ponsonby Road is zoned Town Centre in its entirety. The streets intersecting Ponsonby Road are largely zoned Single House with a Special Character overlay (proposed to be revised to Historic Character overlay), with the exception to this being the south western end of Ponsonby Road which is zoned Mixed Use. The zoning and AZHC overlay can be seen in **Figure 2** above.
- 10.12 There are several overlays applicable to this area. The Town Centre zone applying to Ponsonby Road has an notified AZHC overlay of 12.5m (proposed to be revised to 13m) and part of the Mixed Use zone to the south west of Ponsonby Road has an AZHC overlay of 24.5m (proposed to be revised to 27m). Ponsonby Road and the surrounding Single House zone is also subject to a Special Character overlay (proposed to be revised to Historic Character overlay).
- 10.13 There are 14 submissions relating to the Ponsonby area, all of which relate to sites within the larger red circle depicted in **Figure 2** above, with the exception of one which lies to north on Jervois Road shown in the smaller red circle. Of these submissions, four seek to increase height (6247-72, 6247-75, 5186-1 and 4274-94) and two seek to decrease height (2422-73, 1667-1). Five submissions (4274-92, 6247-73, 6247-76, 3695-6 and 3863-57) seek to retain the AZHC overlay in this area and three (5716-58, 5716-753, 5716-59) seek to apply the Ponsonby Town Centre AZHC overlay (12.5m) to specific sites which appear to have been erroneously excluded.
- 10.14 Four further submissions support the AZHC overlay being added to those sites identified in the original submission and three oppose. Two further submitters oppose the requests for a decrease of height. One further submitter supports the retention of the 24.5m (proposed to be revised to 27m) AZHC overlay applying to the Mixed Use zone of Ponsonby. One further submission opposes this.
- 10.15 Ponsonby is located close to the city centre and is well serviced by public transport, however it is also subject to a Special Character overlay (proposed to be revised to Historic Character overlay). A height limit of 13m (proposed to be revised from 12.5m) is considered to be an appropriate balance between these factors, allowing for some intensity whilst still maintaining its character value. Therefore, I do not support submissions 5186-1, 2422-7 and 4274-94. I also do not support submissions 4274-92, 6247-73, 6247-76, 3695-6 and 3863-57 which seek to retain the 12.5m

heights as notified. I consider the Council's revised height limit of 18m to be more appropriate.

- 10.16 In respect of the Mixed Use zone, this is not subject to any additional character or landscape overlays and the existing and consented building heights are in line with the notified AZHC overlay of 24.5m (proposed to be revised to 27m). The fact that this area is in the city fringe and is very well serviced by public transport and other infrastructure means that the proposed heights and intensification meets the growth objectives of the PAUP. The proposed height in this area is therefore considered appropriate except where it is subject to, or directly abuts, an area subject to the Special Character overlay (proposed to be revised to Historic Character overlay).
- 10.17 Given the above, I do not support submissions 6247-72, 6247-75 and 1667-1, 2422-73 and 5186-1 and the corresponding further submissions. I also do not support submissions 3863-57, 3695-6 and 4274-92 and the corresponding further submissions.
- 10.18 The properties which appear to have been erroneously excluded from the Ponsonby Town Centre AZHC overlay, are situated behind a row of properties fronting Karangahape Road and are zoned Town Centre. The site is currently occupied by a retired city reservoir. The Ponsonby Town Centre zone is appropriate for the site given its location and the Council's revised height limit of 13 m is more appropriate to its function. Consequently, I also support submissions (5716-58, 59 and 753) which seek the inclusion of these sites under the Ponsonby Road Town Centre AZHC overlay, with a 13m height limit in accordance with the Council's revised position.

Grey Lynn, West Lynn and Great North Road

- 10.19 Grey Lynn and West Lynn are two Local Centre zoned areas. Grey Lynn centre is located at the top of Williamson Ave where it intersects with Surrey Crescent and Great North Road while the West Lynn centre is situated on Richmond Road where it intersects with Hakanoa Street on the east and Francis Street on the west. Both centres are generally flat in topography but the Grey Lynn centre slopes to the east and west either side of Surrey Crescent.
- 10.20 Land use in these centres primarily consists of small retail shops, cafes and local amenities at the ground floor level with offices and apartments often occupying the upper floor/s. Most buildings in these centres are two storied in height. Both West Lynn and Grey Lynn Local Centres are subject to the Special Character overlay

(proposed to be revised to revised to Historic Character overlay) with a notified AZHC overlay of 12.5 (proposed to be revised to 13m) applying to both centres with the exception of a few sites. These centres can be seen in **Figures 3 and 4** below.

10.21 West Lynn is surrounded predominately by Single House zoning although there is a large pocket of Mixed Use located to the north. Grey Lynn centre is bound by a Terrace Housing and Apartment Building zone to the south and south east, Single House zoning to the north and north east, and a pocket of Mixed Housing Suburban to the north-west.

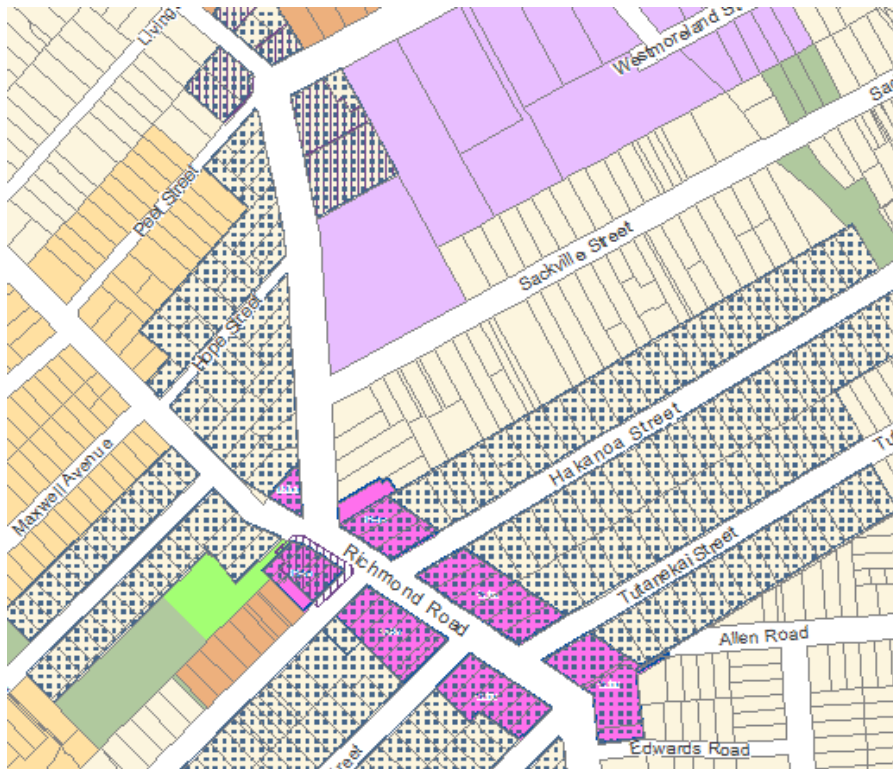


Figure 3: West Lynn

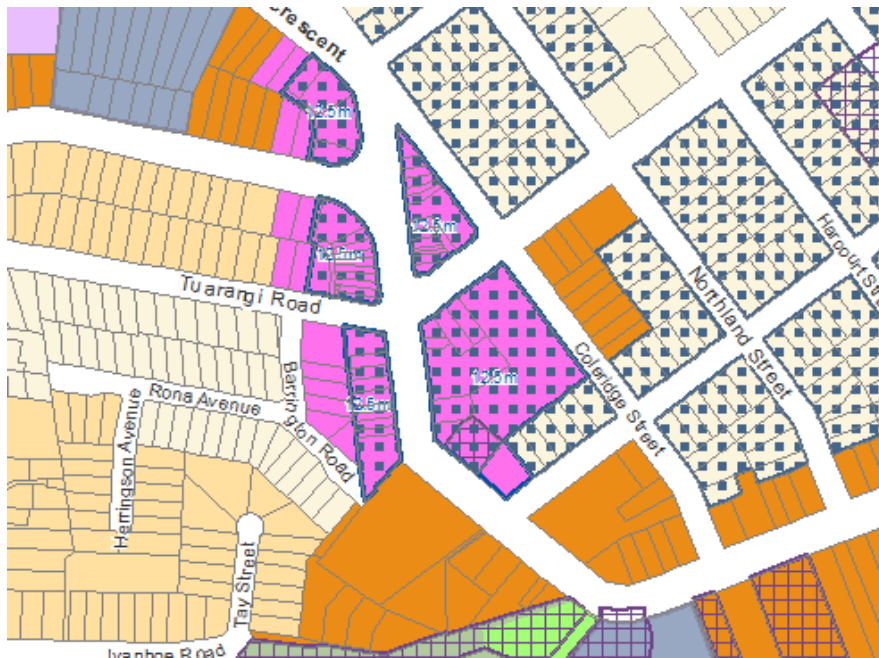


Figure 4: Grey Lynn

- 10.22 There were three submissions (1332-14, 2835-6 and 3534-7) made in respect of the notified AZHC overlay in Grey Lynn. One seeks an increase in height (1332-14) and the other two seek to remove the AZHC overlay from specific sites.
- 10.23 There is one submission (5687-2) specific to the Mixed Use zone in West Lynn which seeks to retain the notified height. There are two submissions which relate to both West Lynn and Grey Lynn (7059-19 and 6379-17) both of which seek to retain the notified heights for these centres.
- 10.24 Two further submitters oppose the original submissions which request additional height in Grey Lynn. Two further submitters also oppose the submission which seeks to retain a height of 16.5m (proposed to be revised to 18m) in the Mixed Use zone in West Lynn.
- 10.25 As both West Lynn and Grey Lynn are subject to the Special Character overlay (proposed to be revised to Historic Character overlay), a 13m (proposed to be revised from 12.5m) height limit is considered to be appropriate as it strikes a balance between protecting the historic character of the centre and adjoining Single House zoned sites, while supporting public transport and contributing to the vitality and vibrancy of the centre. In respect of the Mixed Use zone in West Lynn, a higher limit of 18m (proposed to be revised from 16.5m) is considered to be appropriate given its fringe location and that this area is not subject to a Historic Character overlay (proposed to be revised from Special Character overlay).

- 10.26 Given the reasons outlined in the paragraphs above, I do not support submissions 1332-14, 2835-6 and 3534-7, and rather I support the Council's revised provisions of 13m (proposed to be revised from 12.5m). I also do not support submissions 5687-2, 7059-19 and 6379-17 as I support Council's revised height provisions 18m (proposed to be revised from 16.5m). I consider that the Council's revised height limits of 13m and 18m are the most appropriate for these properties respectively.
- 10.27 Great North Road, for the purposes of this assessment, refers to the portion of the corridor that runs between Ponsonby Road and Surrey Crescent along a prominent ridgeline adjacent to the suburbs of Grey Lynn on the north and Arch Hill on the south. It is flat in topography with land either side of it sloping steeply to the north and west.
- 10.28 This part of Great North Road consists of various zones including Town Centre, Mixed Use, Terrace Housing and Apartment Buildings and Local Centre (see **Figure 5** below). There are various AZHC overlays which are applicable. The Ponsonby Road Town Centre zoned part of the road has a notified AZHC of 12.5m (proposed to be revised to 13m), the Mixed Use zone which extends from Maidstone Street to Scanlan Street has a notified AZHC of 24.5m (proposed to be revised to 27m) and the Local Centre (also discussed in the Grey Lynn/West Lynn section of this evidence statement) located at the top of Williamson Ave has a notified AZHC of 12.5m (proposed to be revised to 13m). The Special Character overlay (proposed to be revised to Historic Character overlay) also applies to the Local Centre zoned land.

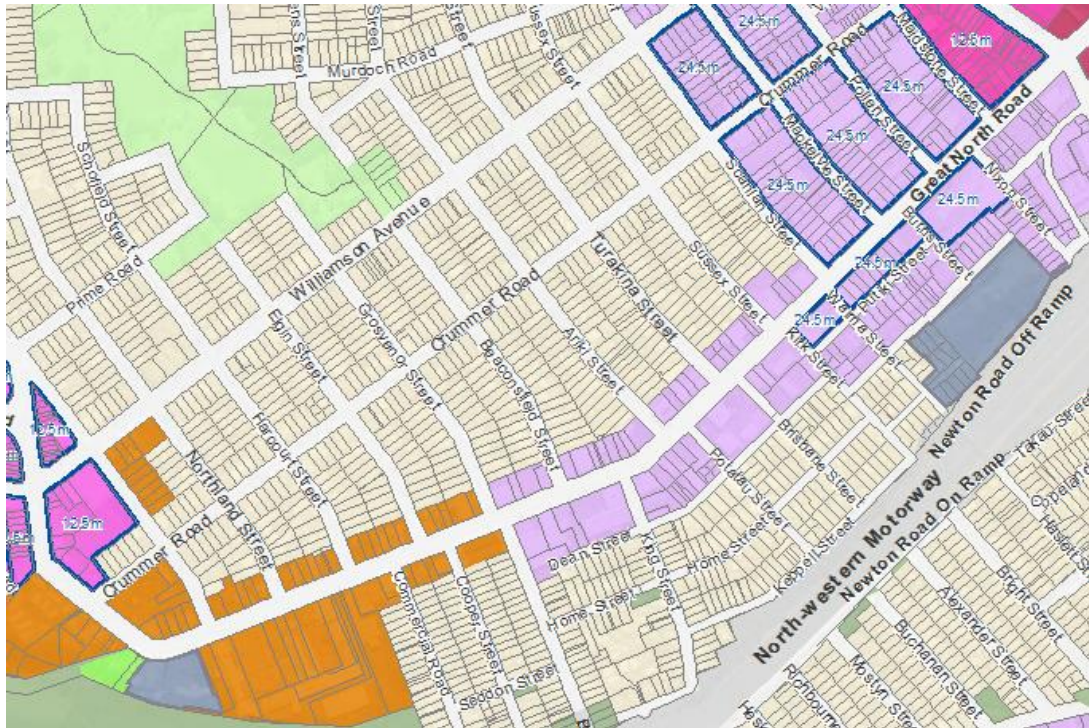


Figure 5: Great North Road

- 10.29 Great North Road comprises a wide range of land uses which include, but by no means is limited to, car sales yards, apartment buildings, shops, mechanical workshops, cafes and offices. There is also a school and an Army Centre, both of which are designated under the plan, located on this portion of the corridor. It is very well serviced by public transport and has a bus lane on either side of the corridor.
- 10.30 There were eight submissions (4087-14, 4271-3, 5974-9, 6210-13, 6927-10, 6942-14, 7051-11, 8857-12) received in respect of this area all of which request an increase in height. There are two further submissions in support of this request and two in opposition.
- 10.31 The current height limits along Great North Road are considered to be appropriate. A greater height of 24.5m (proposed to be revised to 27m) is afforded via an AZHC overlay to those parts of the Mixed Use zone which do not adjoin the Single House zone and thus provides for greater density in this location. Where the Mixed Use and THAB zones adjoin the Single House zone with a Special Character overlay (proposed to be revised to Historic Character overlay), a height of 18m (proposed to be revised from 16.5m) is considered an appropriate balance between protecting the residential amenity and special character of this area whilst still providing for some density along this corridor. In respect of the Local Centre height on Great North

Road, this is addressed in the Grey Lynn/ West Lynn section of this evidence statement.

10.32 Therefore, I do not support submissions 4087-14, 4271-3, 5974-9, 6210-13, 6927-10, 6942-14, 7051-11 or corresponding further submissions. I consider that the Council's revised height limits of 18m and 27m are most appropriate height limits for these properties for the reasons discussed in paragraph 10.31.

Herne Bay

10.33 Herne Bay is an area centred on Jervois Road, an arterial road which runs from its intersection with Ponsonby Road in a western direction towards Westmere. It is comprised of several zones. The eastern end of Jervois Road is zoned Town Centre which is an extension of the Ponsonby Road Town Centre. Mixed Use zoning extends from Blake Street to Islington Street. The Local Centre zone then extends from Islington Street to Kelmarna Ave. The majority of Jervois Road is subject to either the Special Character overlay (revised to Historic Character overlay) or the Historic Heritage Extent of Place overlay with the later extending across most of the Local Centre with the exception of a few sites on the periphery of this zone. The proposed height of this Local Centre is 16.5m (proposed to be revised to 18m) with the exception of a few sites on the northern side of Jervois Road which have an AZHZ of 12.5m (proposed to be revised to 13m).

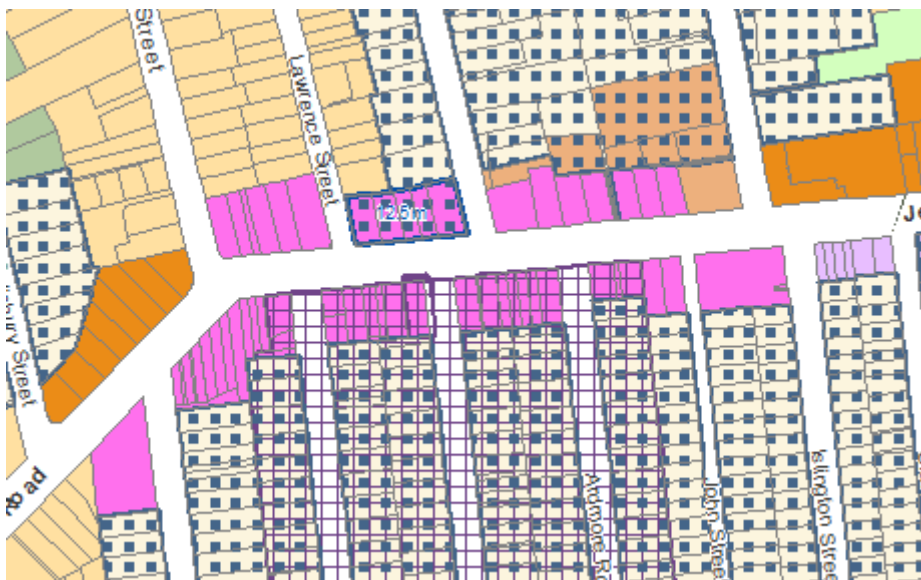


Figure 6: Jervois Road

10.34 Jervois Road is relatively flat in topography. It is characterised by many different land uses but primarily, particularly in the Local Centre, small shops, cafes, restaurants

and amenities. Where buildings contain upper floors, these are generally occupied by office spaces or residential dwellings. It is well serviced by public transport with the Outer Link bus route running along the length of the corridor as well as other key bus routes to the City.

- 10.35 Six submissions were received on height on Jervois Road. Four of these submissions (3174-1, 3695-3, 2946-2 and 6511-5) request a decrease in height in the Local Centre. One submitter (5881-6) requests the removal of the AZHC overlay of 12.5m (proposed to be revised to 13m) for those specific sites in the Local Centre zone subject to this overlay and one submitter requests that the existing AZHC overlay be retained (5881-5).
- 10.36 There are two further submissions in opposition to a decrease in height. There is one further submission opposed to an increase in height and one in support.
- 10.37 It is my view that the proposed height of 18m (proposed to be revised from 16.5m) applicable to the Herne Bay Local Centre is inappropriate on some sites. A large area in this centre is subject to the Historic Heritage Extent of Place overlay. This area is afforded more heritage protection than that of Ponsonby Road, a nearby Town Centre which has a maximum height limit of 12.5m (proposed to be revised to 13m). This is inconsistent with the height principles that height should decrease away from centres and should take into account heritage value. The fact that a Local Centre with more heritage value has a greater height limit to a Town Centre with less heritage value is not in accordance with the height principles.
- 10.38 It is therefore my view that an AZHC overlay of 13m (proposed to be revised from 12.5m) should be applied to the sites in the Herne Bay Local Centre that are subject to the Historic Heritage Extent of Place in order to be consistent with the height principles (refer to **Figure 7**). It is also my view that some adjacent sites should be included in this overlay to ensure there is a consistent height within the street block. The proposed changes are shown in below.
- 10.39 In respect of the remaining sites in the Local Centre, I consider the revised height of 18m (proposed to be revised from 16.5m) to be appropriate on those sites which are not subject to a Heritage Extent of Place overlay. I consider the revised 13m (proposed to be revised from 12.5m) height limit to be the most appropriate height limit on those sites which are not subject to the Heritage Extent of Place overlay.

10.40 Given this I support submissions 3174-1, 3695-3 in part and I do not support submissions 2946-2, 5881-5, 6511-5 and 5881-6.



Figure 7: Proposed revised heights for Herne Bay

Mt Albert

10.41 Mt Albert is a suburb located in the western part of the Auckland Isthmus, with the centre focused at the intersection of Mt Albert and New North Roads. Mt Albert Train Station is located within the centre and the rail line runs generally north-south parallel to New North Road.

10.42 Mt Albert is located within close proximity of the Unitec campus on Carrington Road. Mt Albert (Owairaka) is located to the south-east. St Lukes, Sandringham, Avondale, and Pt Chevalier town centres are all relatively equal distances away.

10.43 The area currently comprises a mix of zones including residential, however the centre comprises predominantly Town Centre and some Mixed Use towards the south-west further down New North Road. Towards the north-east some Single House zone is located opposite the Town Centre zoning. Generally, an AZHC overlay restricts building height to 16.5m (proposed to be revised to 18m).

10.44 South of Mt Albert Road, Volcanic Viewshaft A13 (Mt Albert – North Western Motorway) restricts height as far south as the intersection with Woodward Road. Key Retail Frontage overlays extend along all Town Centre zones. Refer to **Figure 8**.

- 10.45 Existing development comprises predominantly one to two storey retail and commercial buildings facing Mt Albert and New North Road.
- 10.46 There were eight submissions relating to business zone heights in this area. Five of these submissions (5566-50, 5566-54, 5566-58, 5566-62, 5566-66) seek to increase the AZHC overlay on Town Centre zoned sites, one submission (5566-70) seeks to add an AZHC overlay on a Mixed Use site, and two submissions (2422-62 and 6841-10) seek to retain the height rules in this area generally.
- 10.47 There was one further submission, which opposes submission 2422-62 which seeks to retain heights as notified.
- 10.48 Submissions seeking additional height in the Town Centre requested a 31m height limit due to close proximity to the centre and the train station, however Volcanic Viewshaft A13 (Mt Albert) restricts heights from 21.5m to 27.5m approximately. The submission on the Mixed Use zone requests a 35m height limit, however is also affected by the Viewshaft.
- 10.49 The submissions seek to create inconsistency with general zone heights, whilst also contradicting the nature and extent of development in a Town Centre. Volcanic Viewshafts also compromise the ability for development on these sites to the heights that are requested on these sites.

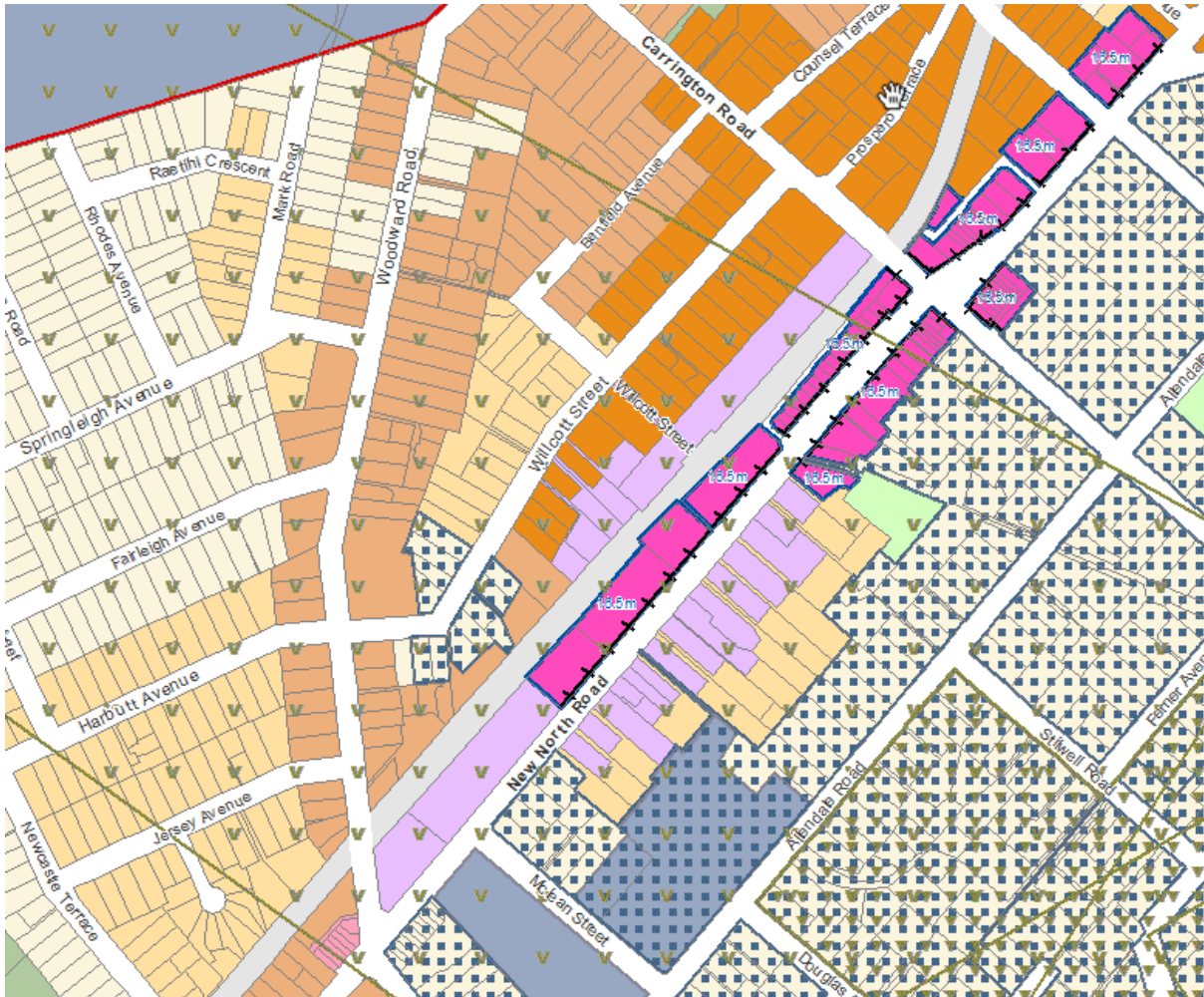


Figure 8: Mt Albert

10.50 Therefore, I do not support submissions 5566-50, 5566-54, 5566-58, 5566-62, 5566-62, 5566-66 and 5566-70 or the corresponding further submissions.

10.51 Furthermore, I do not support submissions 2422-62 and 6841-10, which seek to retain the 16.5m height (proposed to be revised to 18m) as notified. I support Council's revised position on heights of 18m for the AZHC in Mt Albert and consider this to be a suitable height limit in this area.

10.52 I note that a number of these submissions also seek removal of the storey control, which I support. This is also addressed in the evidence of Trevor Mackie.

Kingsland/Morningside

10.53 Kingsland and Morningside are two small centres located generally along New North Road. New North Road follows a ridge that falls towards the east, following the North Auckland rail line which includes both Kingsland and Morningside stations. Both

centres feature relatively similar development, given the topography and transport corridors that dictate development of the land along them.

10.54 Kingsland is located slightly closer to the CBD, with a more developed retail centre and is close to Eden Park. Further east down New North Road, residential development is more common, with more retail and an increase in industrial activities near Morningside station and south of the rail line. There is a notable building character within the area, particularly within Kingsland which has had an AZHC overlay of 12.5m (proposed to be revised to 13m) imposed.

10.55 Kingsland is almost entirely affected by the Special Character overlay (revised to Historic Character overlay), which extends across the Town Centre and residential zoned sites both north and south of New North Road. Refer to **Figure 9** below.

10.56 Land along New North Road is predominantly Local Centre and Mixed Use. THAB predominates in the section between the two centres, while some Mixed Use and Town Centre zones give way to a Light Industry zone south-west of Morningside Station. Outwards (north and south) of the two transport corridors, the area is mostly residential in nature (and zoned Single House with some areas zoned Mixed Housing Urban and Suburban).

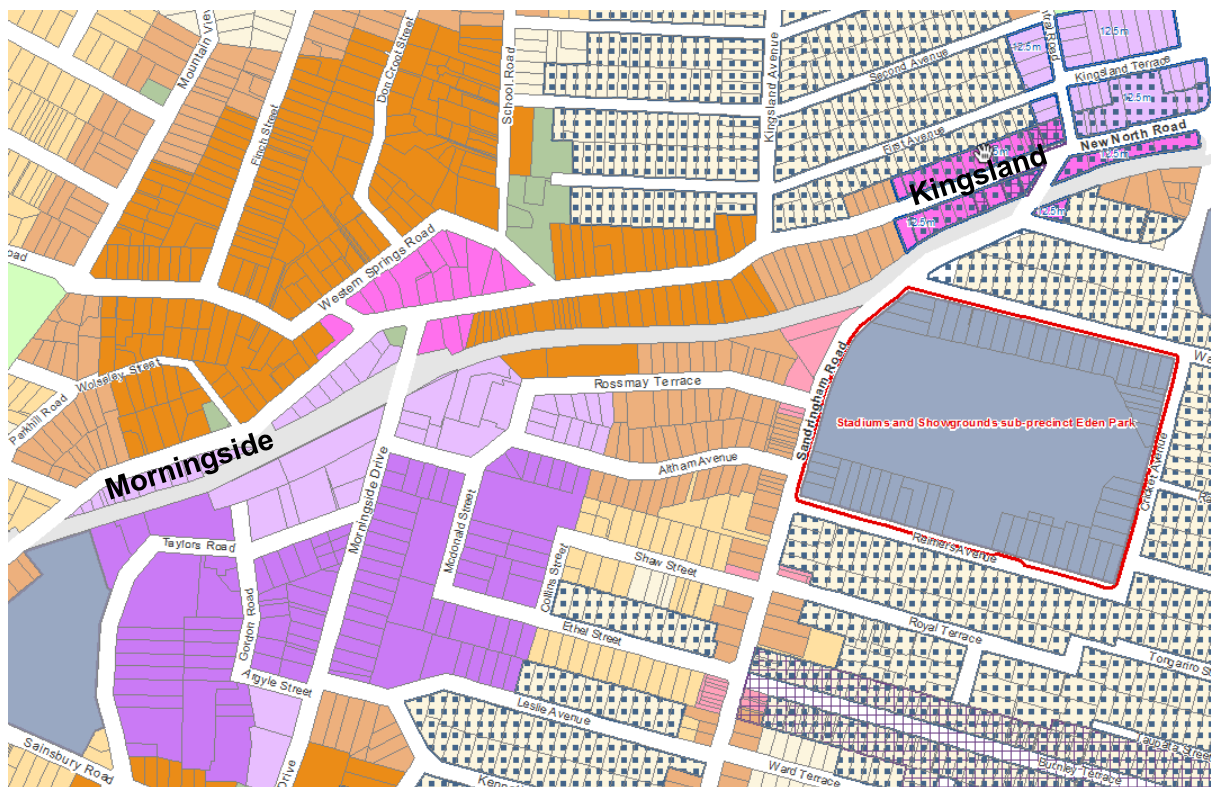


Figure 9: Kingsland and Morningside

- 10.57 There was one submission (7285-4) on height in Kingsland which seeks to remove the AZHC overlay in the area generally, requesting that the notified zone height of 16.5m (revised to 18m) applies. This submission seeks to delete the AZHC overlay of 12.5m (proposed to be revised to 13m) in Kingsland for Local Centre zoned sites, instead requesting that the standard zone height of 16.5m (proposed to be revised to 18m) applies.
- 10.58 The area zoned Local Centre in Kingsland is a relatively narrow strip which runs alongside New North Road. Given the character of the centre and the nature of likely land use (commercial, retail and entertainment), a 13m height limit (proposed to be revised from 12.5m) is considered appropriate for this centre.
- 10.59 There are three submissions (6247-30, 5566-76 and 5566-79) that seek to increase the AZHC control on specific sites or generally on sites zoned Local Centre and Mixed Use in Morningside.
- 10.60 There were no further submissions.
- 10.61 The 24.5m and 35 m height limits exceed the notified height limit of 16.5m (proposed to be revised to 18m) which compliments the residential zones adjoining the area without dominating expected built form. The size and extent of Morningside also lends itself to smaller scale and less dense development given its sloping topography and generally linear nature alongside the road and railway.
- 10.62 I do not support submissions 7285-4, 6247-30, 5566-76 and 5566-79.

Pt Chevalier

- 10.63 Pt Chevalier centre is located on Great North Road, near the intersection with Carrington Road and north of the new South Western Motorway interchange currently under construction. The site is within walking distance of Unitec and close to Mt Albert centre.
- 10.64 Development within the centre is typically one storey, with some two to three storey development focused along Great North Road. The Point Chevalier Library is located on the corner of Pt Chevalier and Great North Road at the western end, with some low density retail and commercial development to the eastern end.
- 10.65 The centre is predominately zoned Town Centre with some Mixed Use to the east and an AZHC overlay covers all of the Town Centre zones and are predominantly set

at 16.5m (proposed to be revised to 18m). The zones and AZHC height limits are shown below in **Figure 10**.

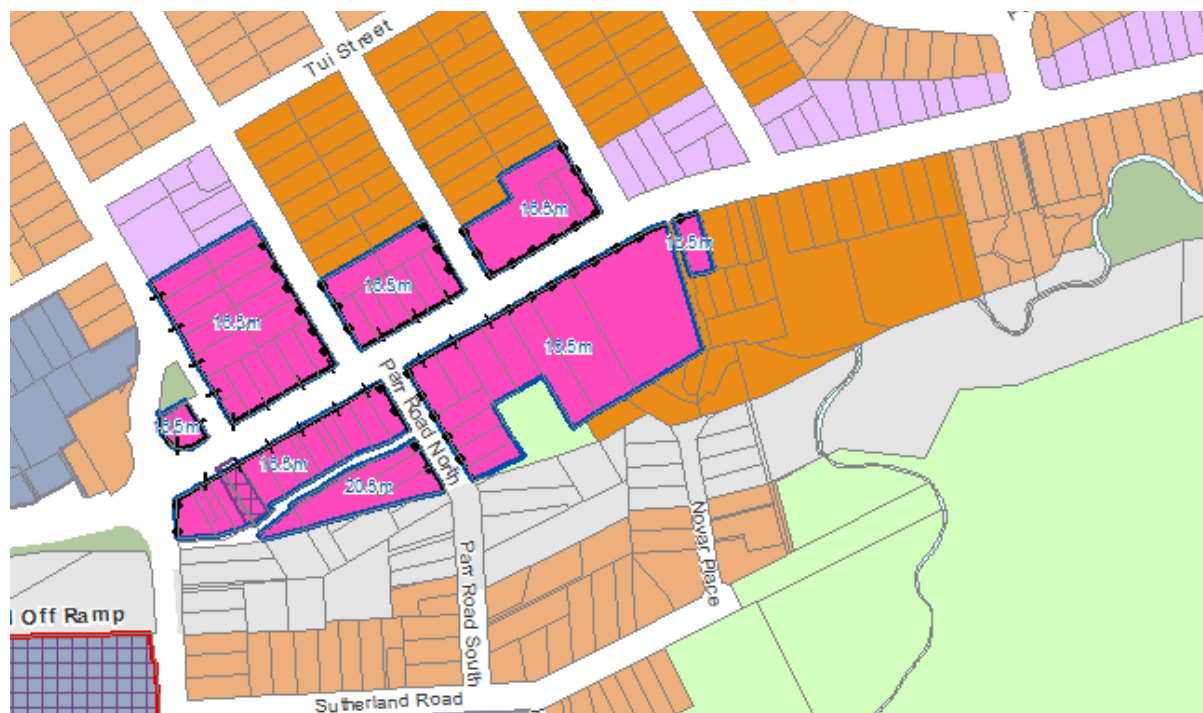


Figure 10: Pt Chevalier

- 10.66 Two submissions (4063-2 and 6672-3) seek to amend the 16.5m (proposed to be revised to 18m) AZHC overlay height limit on the Town Centre zoned sites along Great North Road, due to potential amenity effects on adjoining residential development. There was one further submission which supports submission 4063-2.
- 10.67 Given the size and proximity of the site to other centres (particularly Mt Albert and St Lukes), and its significance as the nearest centre to the residential areas located north in Pt Chevalier and south towards Unitec, the 18m height limit (proposed to be revised from 16.5m) is considered appropriate. Development controls for the zone, such as height in relation to boundary will deal with adverse effects on the amenity of adjoining sites.
- 10.68 I do not support submissions 4063-2 and 6672-3 and the corresponding further submissions. I support the Council's revised position of an 18m height limit.

St Lukes

- 10.69 St Lukes is a centre located near the intersection of Morningside Drive and St Lukes Road, which features a large existing shopping centre (Westfield St Lukes) and some other retail (some large format style). The centre is located close to Mt Albert

Grammar school and is generally surrounded by residential development, including some higher density apartment and townhouses to the south-west of the shopping centre.

10.70 The area is zoned predominantly Town Centre on the site of the existing shopping mall and some adjoining sites, as well as opposite the shopping centre along Morningside Drive. Some other areas are zoned Mixed Use, particularly south-west of the shopping centre, accessed off St Lukes Road, Lyon Avenue and Wagner Place. Mt Albert Library is located at the corner of Cornwallis Street and St Lukes Road.

10.71 There are varying height controls over the shopping centre site, dictated by the St Lukes Precinct overlay, and a 16.5m (proposed to be revised to 18m) height limit on the remaining Town Centre zoned sites. The Mixed Use areas have the standard 16.5m (proposed to be revised to 18m) height limit for that zone.

10.72 Volcanic Viewshaft A10 (Mt Albert) begins on Morningside Drive and extends to the south-west toward the mountain. Zones, AZHC overlays and the St Lukes Precinct are shown in **Figure 11**.

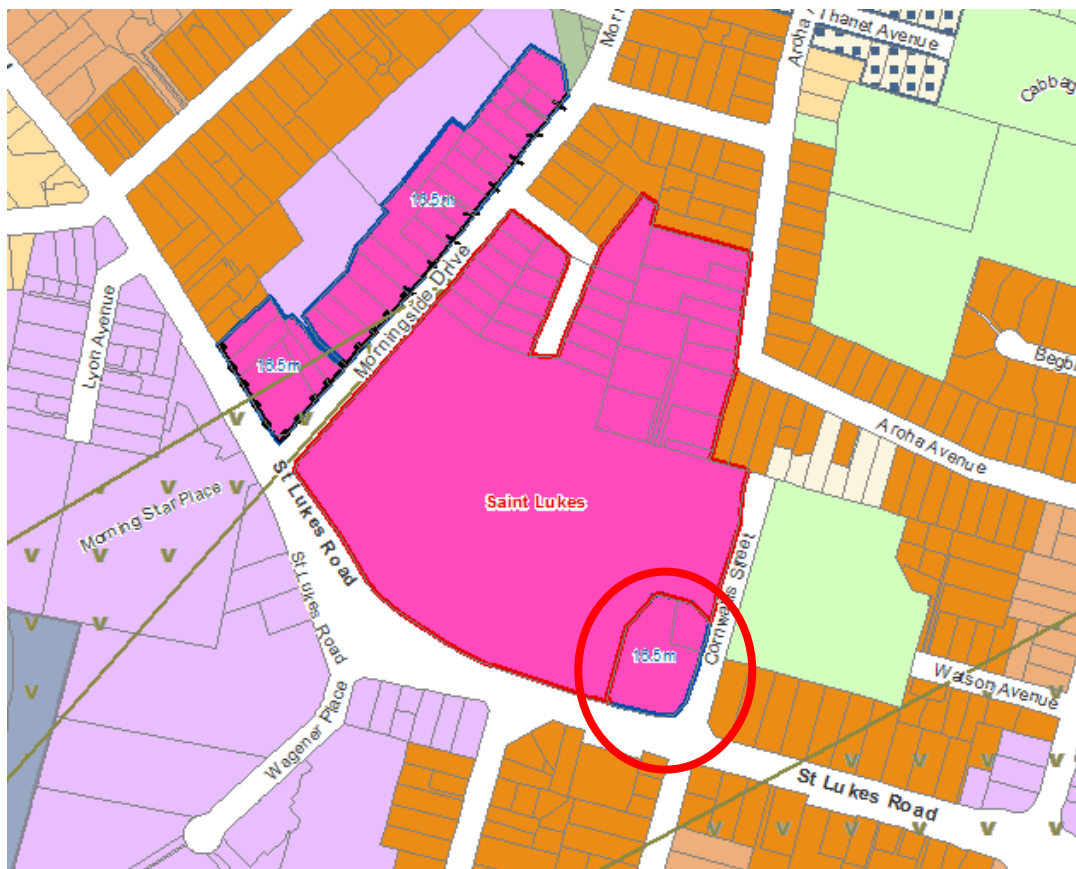


Figure 11: St Lukes

- 10.73 There were two submissions relating to height in St Lukes. Submission 2422-65 seeks to retain the height controls in the AZHC overlay. Most of the height limits in this area are included in the rules for the St Lukes Precinct and will be dealt with under Topic 081 – Rezoning and Precincts (Geographic Areas). However, there are areas where the AZHC overlay applies outside the precinct.
- 10.74 The other submission (2968-422) relating to height in this area seeks to increase the 16.5m (proposed to be revised to 18m) AZHC overlay at the intersection of Cornwallis Street and St Lukes Road to 32.5m (the existing Mt Albert Library site). This site is excluded from the precinct overlay.
- 10.75 There were no further submissions.
- 10.76 The St Lukes Precinct includes development controls for height limits in six separate areas across the site, based on two different datum on or within the precinct. Nearest to the St Lukes Library site (circled in red in **Figure 11**) a height limit of 20m above the Morningside Drive Datum is in place. However, the library site features an AZHC overlay of 16.5m (proposed to be revised to 18m).
- 10.77 Although it is acknowledged that the heights are measured differently (against a datum within the precinct and against ground level within the AZHC) the height of development on these sites should be consistent. Both sites feature the same zoning and should be considered more comprehensively as a development block. Therefore, I support an increase in the AZHC on this site to 21m.
- 10.78 I do not support submission 2422-65 which seeks to retain the heights in St Lukes, instead I support the Council’s revised position of 18m for the AZHC overlay in this area. In relation to the site on the corner of Cornwallis Street and St Lukes Road, I support in part submission 2968-422 which requests that the AZHC overlay be increased.

11. HEIGHT PROVISIONS IN THE ‘CENTRAL ISTHMUS’ (AREA B)

Eden Valley

- 11.1 Eden Valley is a local shopping / commercial centre located in the suburb of Mt Eden. It is situated between Eden Terrace to the north and Balmoral to the south and lies to the north west of Mt Eden village. It is largely focused around Dominion Road, a main arterial route that runs almost the length of the Auckland Isthmus from north to south.

Eden Valley comprises a mix of land use activities, including retail, commercial, bars, restaurants, cafes and a supermarket. The centre is flanked to the east and west by residential activity.

- 11.2 The prevailing zones are Local Centre and Mixed Use, surrounded by Single House and some Mixed Housing Suburban, as shown in **Figure 12** below.

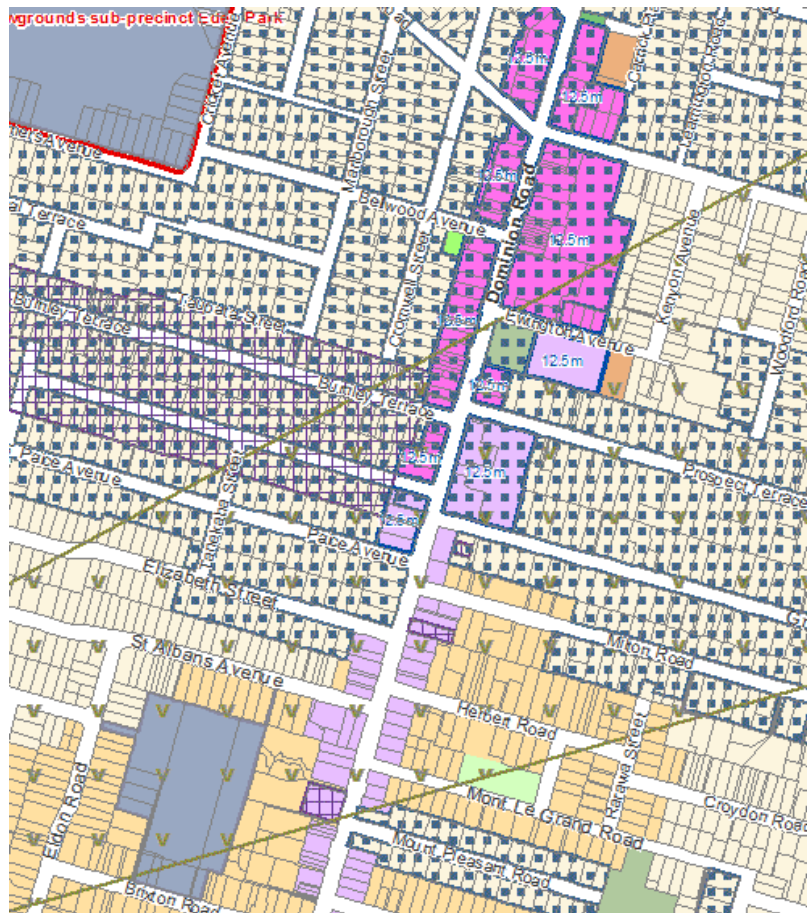


Figure 12: Eden Valley

- 11.3 Both the Local Centre zone and the Mixed Use zone have notified standard zone heights of 16.5m (proposed to be revised to 18m).
- 11.4 The topography in the vicinity of Dominion Road is reasonably flat, rising gently to the northern end. There is a slight increase in contour from west to east, which increases beyond the centre as the land slopes upwards to the east towards Maungawhau-Mt Eden.

11.5 There are overlays in this area that affect heights, including:

- The notified AZHC overlay of 12.5m (proposed to be revised to 13m). This applies to the Local Centre zone and Mixed Use zoned land between Prospect Terrace and Paice Ave and Grange Road.
- Volcanic Viewshaft E6 (Mt Eden). This applies to Local Centre and Mixed Use properties in the Dominion Road area from Ewington Avenue to just north of Mount Pleasant Road.
- Special Character Eden Valley - Business overlay (revised to Historic Character Eden Valley – Business overlay). This overlay applies to all of the Local Centre zoned sites except: 6-14 Ewington Avenue (even no's only); 109-117 Valley Road (odd no's only); and 214-222 Dominion Road. It also applies to Mixed Use zoned sites between Prospect Terrace and Grange Road and to 373-375 Dominion Road.
- Historic Heritage Place overlay. This applies to Mixed Use sites at 426 and 443 Dominion Road, which have scheduled Historic Heritage buildings and corresponding Extent of Place overlays (Dominion Road Methodist Church at 426 Dominion Road and St Albans Church at 443 Dominion Road).

Submissions

11.6 The Council received 28 submissions relating to height in Eden Valley. This included one submission point relating to height in both Eden Valley and Mt Eden. The sites to which the submissions relate are circled in red in **Figure 12** above.

11.7 Of the 28 submissions, 27 seek to decrease the maximum height (listed in the table below) applying to the Local Centre and to Mixed Use zoned sites along Dominion Road (between Prospect Terrace and Brixton Road, Mt Eden). They seek to do this by either amending the AZHC overlay to reduce height to 10m, or where this does not currently apply through the PAUP, by introducing a new AZHC overlay to limit height to 10m (2 storeys).

Submitter Name	Submission Point No.
Julie A Kelleway	3943-11
Julie A Kelleway	3943-13
Colin Lucas	4110-12
Colin Lucas	4110-14
Brian Donnelly	4242-10
Susan Blayney	4662-11
Susan Blayney	4662-12
Kelly Tecke	5502-6

Kelly Tecke	5502-7
Frank Grgec	5535-11
Astrid Modrow	5648-48
Astrid Modrow	5648-49
David Gilbert	5652-12
Victoria J Park	5884-10
Mark and Karen Donnelly	5912-13
Mark and Karen Donnelly	5912-15
Eden Park Neighbours'	5929-13
Eden Park Neighbours'	5929-15
Christine MacKenzie	6221-13
Christine MacKenzie	6221-14
Heritage Landscapes	6460-12
Gayatri Roxanne Jaduram	7076-14
Gayatri Roxanne Jaduram	7076-15
John W Colebrook	7291-14
John W Colebrook	7291-15
Wendy Hughes	7407-11
Andrew J M Park	6645-7

- 11.8 One submission from Waitemata Trust (4273-2) seeks to delete the AZHC overlay from Eden Valley Local Centre and, specifically from the properties located at 219-225, 227-231, 237, 239-243, 245-249 and 251-255 Dominion Road, Mt Eden.
- 11.9 Deleting the AZHC overlay would result in the height limit for the Local Centre being increased to the standard zone height of 18m (proposed to be revised from 16.5m).
- 11.10 There were 146 further submissions in support of the requests to decrease the maximum height applying to the Local Centre and to Mixed Use zoned sites along Dominion Road (between Prospect Terrace and Brixton Road).
- 11.11 Eden Valley is located on main transport route and is well served by public transport as part of Auckland Transport's frequent transit network. It is a Local Centre with identified historic character as identified by the Special Character (revised to Historic Character) and Historic Heritage overlays. The majority of the Local Centre is subject to the Eden Valley – Business Special Character (revised to Historic Character) overlay, including those properties identified in the submission by Waitemata Trust and listed above.
- 11.12 A maximum height of 13m (proposed to be revised from 12.5m) for the Eden Valley Local Centre and adjacent Mixed Use sites, that are subject to the AZHC overlay, and 18m (proposed to be revised from 16.5m) for the Mixed Use sites between Prospect Terrace and Brixton Road, that are not subject to the AZHC overlay, strikes

an appropriate balance between protecting the historic character of the area while supporting public transport and contributing to the vitality and vibrancy of the centre.

- 11.13 Furthermore, I consider that it is consistent with the building form, scale and general amenity anticipated for a local centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

- 11.14 For the reasons outlined above, I do not support the submissions listed in the table above to decrease the maximum heights for the Eden Valley Local Centre and adjacent Mixed Use zone or their corresponding further submissions.
- 11.15 For the reasons outlined above, I do not support submission 4273-2 to delete the AZHC overlay from the Local Centre zone.
- 11.16 I consider that the Council's revised height limit of 13m for the AZHC overlay to be the most appropriate.

Mt Eden

- 11.17 Mt Eden village is a local shopping/commercial centre located on Mt Eden Road in the suburb of Mt Eden. It extends along Mt Eden Road from Rautangi Road in the north to the intersection of Woodside Road and Windmill Road in the south. Maungawhau-Mt Eden lies directly the north east of the village. The village comprises a mix of land use activities, including retail, commercial, bars, restaurants and cafes.
- 11.18 The prevailing zones are Local Centre and Mixed Use, surrounded by Mixed Housing Suburban and some Single House zone, as shown in **Figure 13** below.

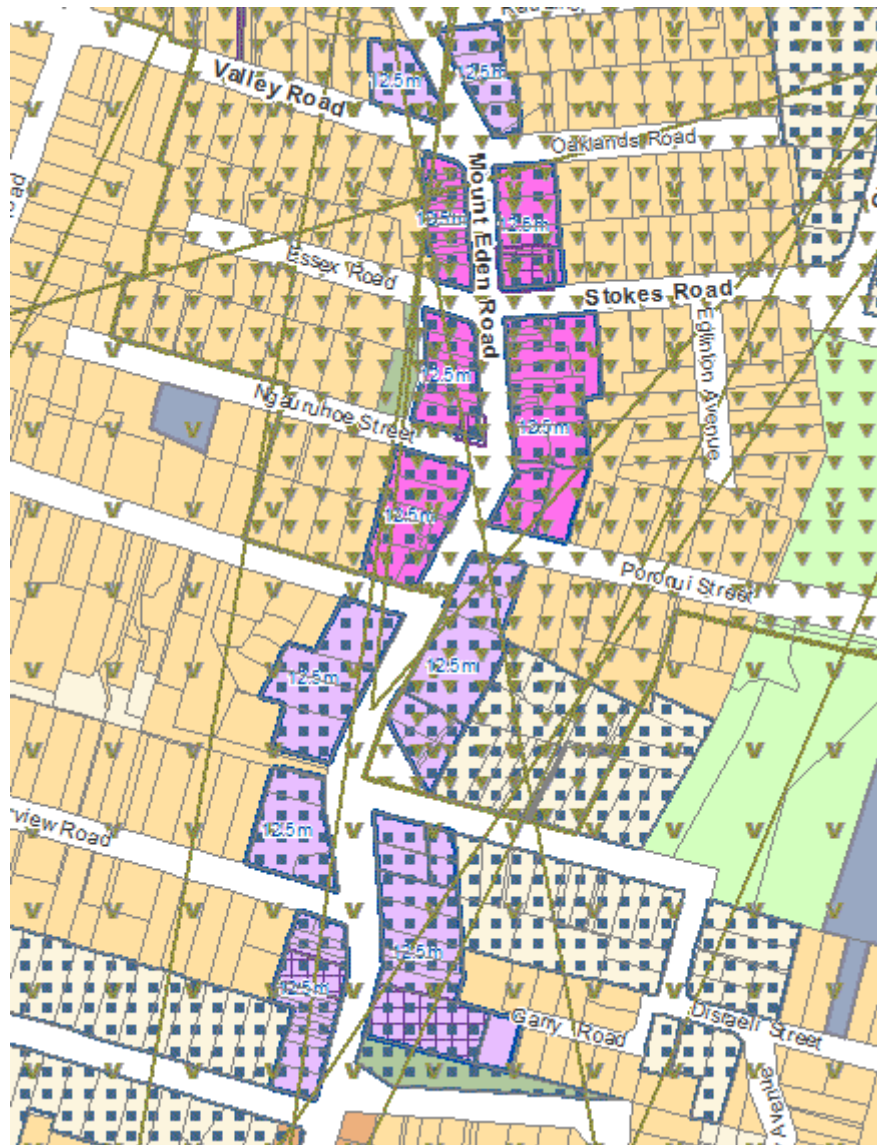


Figure 13: Mt Eden

11.19 Both the Local Centre zone and the Mixed Use zone have notified standard zone heights of 16.5m (proposed to be revised to 18m).

11.20 The topography of Mt Eden Village is relatively even east to west but rises upwards to the north, towards Maungawhau-Mt Eden.

11.21 There are overlays in this area including:

- The notified AZHC overlay of 12.5m (proposed to be revised to 13m). This applies to the Local Centre zone and Mixed Use zoned land to the north and south of the centre along Mt Eden Road.
- Volcanic Viewshafts E1, E2, E3, E4, E5 (Mt Eden - Mt Albert Road/Akarana Ave, proposed to be deleted) and E6 (Mt Eden) and Height Sensitive Area. The

different viewshafts apply to various parts of the Local Centre and Mixed Use properties to the north and south of the centre. The Height Sensitive Area extends from Maungawhau-Mt Eden to Grange Road on the western side of the village and to Disraeli Street on the eastern side of the village

- Special Character Mt Eden - Business (revised to Historic Character Mt Eden – Business) overlay. This overlay applies to all of the Local Centre zoned sites except 2A Stokes Road and 2B Poronui Street, Mt Eden. It also applies to all of the adjacent Mixed Use zoned sites except 10 Garry Road, Mt Eden.

Submissions

- 11.22 The Council received seven submissions relating to height in Mt Eden Village. This included one submission relating to height in both Mt Eden Village and Eden Valley.
- 11.23 All of the submissions (1893-6, 1893-8, 4640-8, 5884-8, 6076-7, 6165-7 and 6645-7) seek to decrease the maximum height applying to the Local Centre and to Mixed Use zoned sites in Mt Eden Village by amending the AZHC overlay. The reduction in height requested was to two storeys, with varying heights of 8, 9 or 10m given.
- 11.24 Some submissions seek incorporation of Mt Eden Village Centre Plan Height limit - however this refers to assessing height of buildings in relation to character and character supporting buildings, as opposed to a blanket height limit in relation to character and character supporting buildings, as opposed to a blanket height limit.
- 11.25 There were three further submissions in support of the requests to decrease the maximum height applying Mt Eden Village.

Discussion

- 11.26 Mt Eden Village is located on a main transport route and is well served by public transport as part of Auckland Transport's frequent transit network. It is a Local Centre with identified historic character. The Local Centre and adjoining Mixed Use zone are subject to the Mt Eden – Business Special Character (revised to Historic Character) overlay.
- 11.27 It is my view that a maximum height of 13m (proposed to be revised from 12.5m) for the Mt Eden Local Centre and adjacent Mixed Use sites that are subject to the AZHC overlay, strikes an appropriate balance between protecting the historic character of the area while supporting public transport and contributing to the vitality and vibrancy of the centre.

11.28 Furthermore, I consider that it is consistent with the building form, scale and general amenity anticipated for a local centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

11.29 For the reasons outlined above, I do not support the submissions which seek to decrease the maximum heights for Mt Eden Local Centre and adjacent Mixed Use zone. I consider that the Council's revised height limit of 13m for the AZHC overlay to be the most appropriate.

Balmoral

11.30 Balmoral is a local shopping/commercial centre located along Dominion Road, extending from the intersection with Balmoral Road in the north to Shackleton Road in the south. It comprises a mix of land use activities, including retail, commercial, restaurants, healthcare services and offices. There are several schools in the surrounding area. The former Warehouse site, which is still a retail area, is located at 182 Balmoral Road, fronting Balmoral Road.

11.31 The prevailing zones are Local Centre and Mixed Use, surrounded by Single House with some areas of Mixed Housing Urban and Mixed Housing Suburban, as shown on the map below (**Figure 14**). There are also several sites with Special Purpose – School and Public Open Space zonings in the surrounding area.

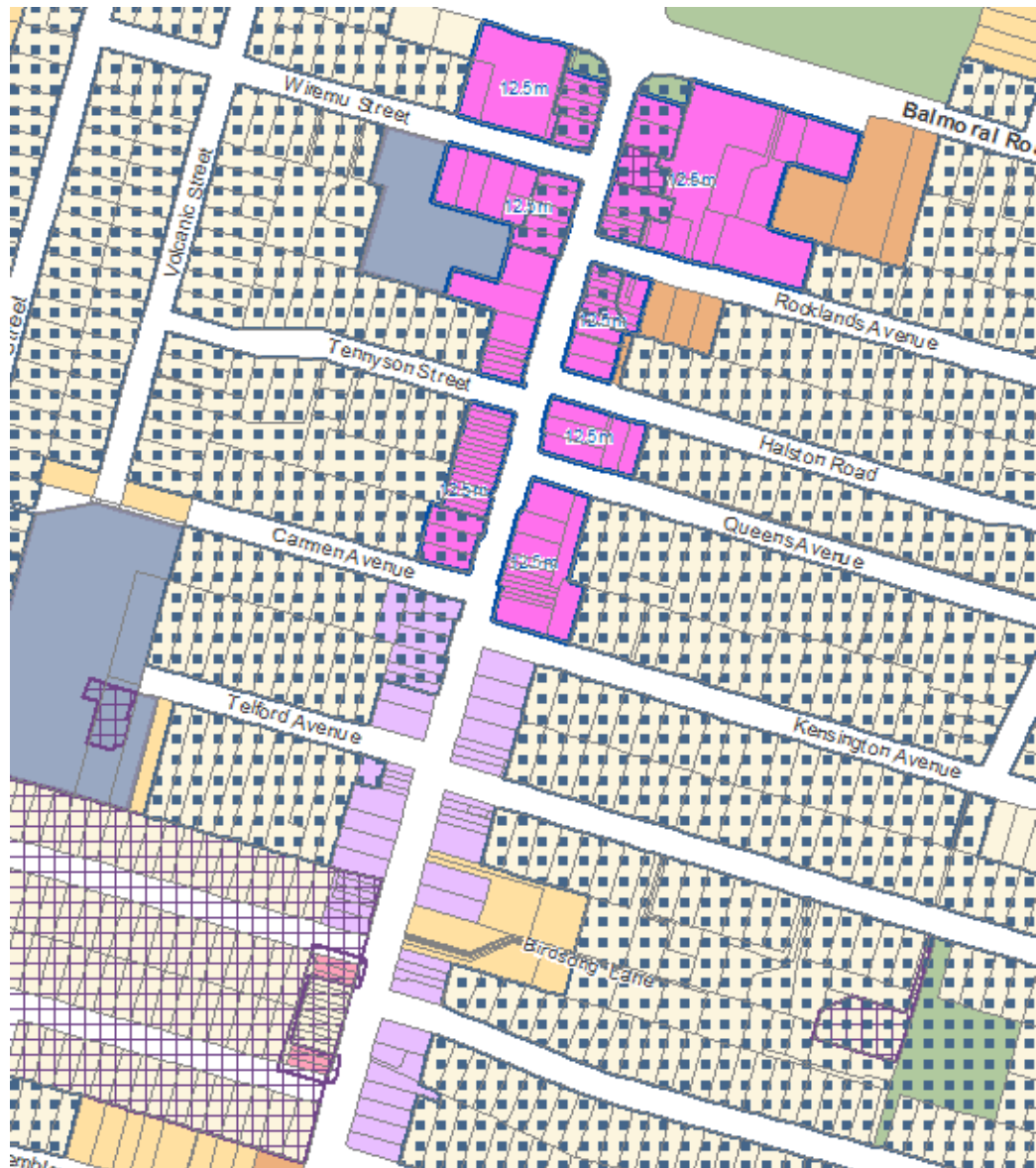


Figure 14: Balmoral Zones

11.32 The topography of Balmoral is relatively flat with a slight slope to the south.

11.33 There are overlays in this area including:

- The notified AZHC overlay of 12.5m (proposed to be revised to 13m). This applies to the Balmoral Local Centre zone.
- Special Character (revised to Historic Character) Balmoral - Business overlay. This overlay applies to the following Local Centre zoned sites: 588-592 to 650 Dominion Rd; 533-535 to 583 Dominion Rd; and 641 to 651 Dominion Rd, Balmoral.

Submissions

- 11.34 The Council received two submissions relating to height in the Balmoral centre.
- 11.35 One submission by The Warehouse Limited (2748-8) seeks the deletion of the AZHC overlay so that the maximum permitted height applying to Balmoral Local Centre is increased to 16.5m.
- 11.36 The second submission by the Minister of Police (4274-79) seeks to retain the notified 12.5m height limit in the Local Centre zone over 1-3 Halston Rd, Balmoral.
- 11.37 There were three further submissions in support of the request 2748-8, and two in opposition.

Response

- 11.38 The height of the Local Centre is considered appropriate in relationship to the surrounding historic character residential and the existing built form in the centre. I do not support an increase to 16.5m and do not support submission 2748-8. I also do not support submission 4274-79 as the height for the AZHC overlay over Balmoral has been amended to 13m. I consider that the Council's revised height limit of 13m for the AZHC overlay to be the most appropriate height.

Three Kings

- 11.39 Three Kings is a Town Centre located on Mt Albert Road to the south of the Three Kings volcanic cone Te Tātua o Riu-ki-uta/Big King and Three Kings quarry. The centre has two distinct parts: Three Kings Plaza and convention centre (including Mt Roskill Library) on the northern side of Mt Albert Road with associated car parking; and a small main street retail/commercial area at the intersection of Mt Albert Road, Dorwell Road and Hayr Road. The town centre comprises a mix of land use activities, including retail, commercial, a supermarket, gym, community house and healthcare services.

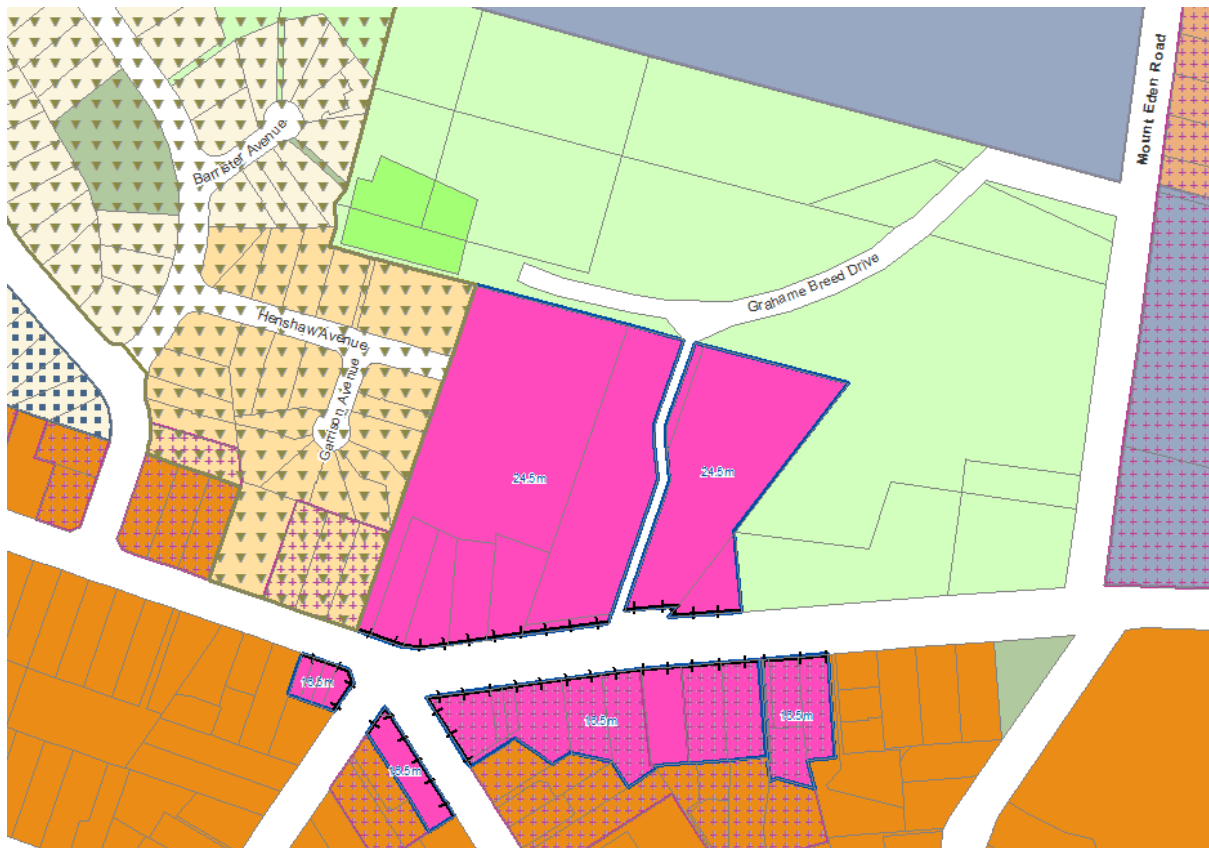


Figure 15: Three Kings

11.40 The prevailing zones are Town Centre surrounded by areas of Terrace Housing and Apartment Buildings zone to the south and west, Mixed Housing Suburban to the west, and Public Open Space – Sport and Active Recreation and Public Open Space – Community to the north and east. There are also two areas of Special Purpose – Quarry and School zones located further to the north and to the east.

11.41 The topography of Three Kings is largely characterised by the formation and subsequent modification of the volcanic landscape of Te Tātua o Riu-ki-uta/Big King. Land within the centre slopes downwards from Mt Albert Road towards the northern boundary with Three Kings Reserve. The main street part of the centre sits in a slightly elevated position relative to the Three Kings Plaza.

11.42 There are overlays in this area including:

- The notified Additional Zone Height Control overlays of 24.5m and 16.5m apply to the Town Centre zone (proposed to be revised to 27m and 18m). The greater height applies to the northern/Three Kings Plaza part of the town centre and the lower applies to the southern/main street part of the centre.

- Blanket Height Sensitive Area (8m) applies to the Mixed Housing Suburban zone adjoining the western boundary of the Town Centre zone and to areas of Single House and Public Open Space – Sport and Active Recreation zones further to the west and north west.
- Historic Heritage Place overlay. This applies to 513A Mount Albert Road, Three Kings (a site within the Town Centre zone), which has scheduled Historic Heritage building (Three Kings Congregational Church) and corresponding Extent of Place overlay.

Submissions

11.43 The Council received five submissions relating to height in Three Kings Town Centre.

11.44 Three submissions (2422-42, 5277-278 and 5280-280) seek a decrease in height by amending the AZHC overlay over the Town Centre zone to a maximum of two storeys (2422-42) or to 16.5m (5277-278 and 5280-280). Two submissions (2606-3 and 3534-11) seek an increase in height. Submission 2606-3 seeks an increase to 24.5m for an area of land currently zoned Public Open Space – Sport and Active Recreation to the north of the town centre.

11.45 Submission 3534-11 seeks an increase to 32.5m for the Three Kings Town Centre zone.

11.46 There was one further submission in opposition to 2422-42. There were 2 further submissions in opposition to 2606-3. There were 68 further submissions in opposition to 5277-278, 2 further submissions in support and one further submission supporting this submission in part.

11.47 There were 107 further submissions in opposition to 5280-280, one further submission opposing this submission in part, one further submission in support and one further submission supporting this submission in part.

Discussion

11.48 Mount Albert Road and Mount Eden Road are both identified as Arterial Roads and have good access to public transport. The Town Centre zone lies just outside of the 8m Blanket Height Sensitive Area associated with Te Tātua o Riu-ki-uta/Big King and is not subject to any Volcanic Viewshafts or Special Character overlays (now Historic Character overlay).

11.49 It is my view that a revised AZHC overlay of 18m (proposed to be revised from 16.5m) for the southern part of Three Kings Town Centre and 27m (proposed to be revised from 24.5m) for the northern part of the centre is appropriate. These height limits take into account the topography of the centre and its proximity to adjoining residential and open space zones. The area is also going to see more redevelopment and intensity through the proposed redevelopment of the former Three Kings quarry site. The interface between the Town Centre zone and these two zones is controlled by a height in relation to boundary plane at the Single House and Public Open Space zone interface which essentially address the potential effects on residential amenity and character and to manage the effects of building height on public open space. In my opinion, these heights are consistent with the building form and scale anticipated in a town centre.

11.50 Furthermore, I consider that they will support public transport and community infrastructure, will contribute to the vitality and vibrancy of the centre and will ensure an efficient use of land.

Response

11.51 For the reasons outlined in the above paragraphs, I do not support submissions 2422-42, 5277-278, 5280-280, 2606-3 and 3534-11. I consider that the Council's revised height limits of 18m and 27m for the AZHC overlay to be the most appropriate.

Grafton

11.52 This relates to areas of Mixed Use zone and Light Industry on Grafton Road, Grafton between the Port Off Ramp/Wellesley Street On and Off Ramps, Auckland and Starship Hospitals and the Domain. Land use activities in the area including offices, a small area of vacant land between Grafton Road and the Wellesley Street On Ramp, cafes, Ronald McDonald House, hospitals and healthcare services, and public open space.

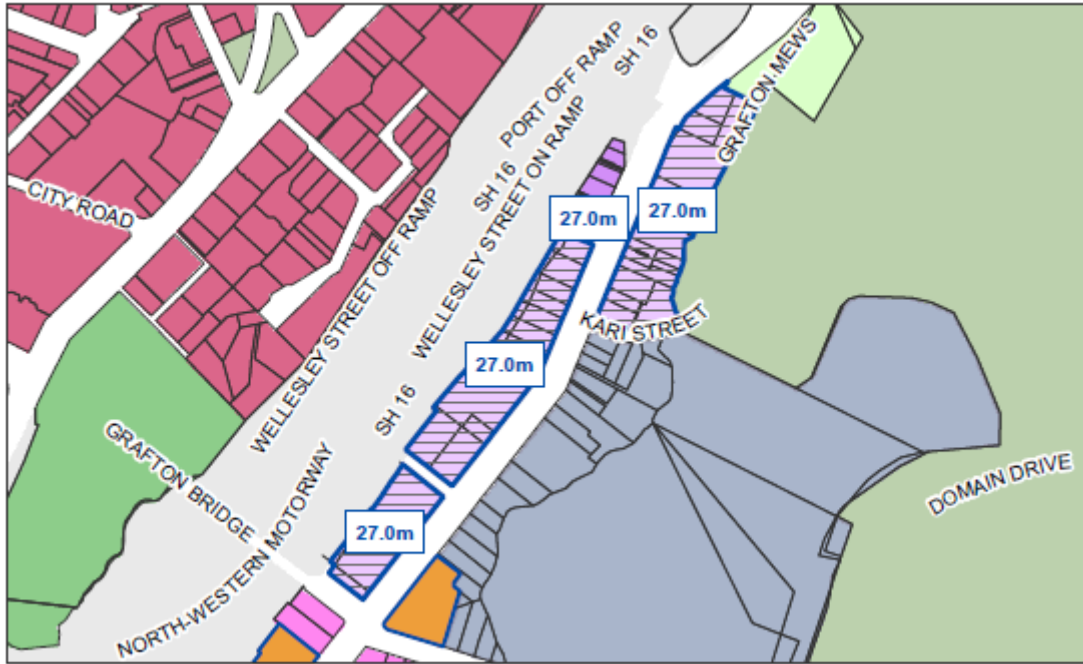


Figure 16: Grafton

11.53 The prevailing zones are Mixed Use on the eastern and western sides of Grafton Road with a small area of Light Industry located between the Wellesley Street on-ramp and Grafton Road. Special Purpose – Healthcare Facility zone and Public Open Space – Informal Recreation are located to the east. Local Centre zone is located at the intersection of Grafton Road and Park Road, with pockets of Terrace Housing and Apartment Buildings zone to the south west along Grafton Road. The City Centre zone is located on the western side of the Port/Wellesley Street on/off ramps.

11.54 The Mixed Use zone has a standard zone height of 16.5m (proposed to be revised to 18). The Light Industry zone has a standard zone height of 20m.

11.55 Topography on the western side of Grafton Road slopes upwards from north to south and falls away to the west towards the motorway on/off ramps. On the eastern side of Grafton Road, the land slopes steeply to the east beyond the existing buildings before levelling out slightly along Grafton Mews, near boundary with the Domain.

11.56 There are no overlays which affect the height for the sites subject to submissions.

Submissions

11.57 Council received two submissions relating to height in the Grafton Road Mixed Use/Light Industry zones.

11.58 One submission (5727-26) seeks an increase in height to 24.5m (or 6 storeys) over the Mixed Use zoned sites on Grafton Road through application of a new AZHC overlay. The second submission (6147-114) seeks an increase in height to (7 storeys) in the Light Industry zone at 71 Grafton Road, Grafton.

11.59 There was one further submission in opposition to submission 5727-26 and four further submissions in support of submission 6147-114.

Discussion

11.60 Grafton Road is an arterial road located close to the City Centre. It has good access to public transport.

11.61 It is my view that an AZHC overlay of 27m is appropriate for the Mixed Use sites at 75-121 Grafton Road (odd no's only), 50-76 Grafton Road (even no's only) and 2 Kari Street, Grafton. This height limit takes into account the topography of the sites, surrounding land uses and their proximity to the City Centre.

11.62 Furthermore, I consider that a 27m height limit for the Grafton Road Mixed Use sites will support public transport and ensure an efficient use of land.

11.63 It is my view that the standard zone height of 20m is appropriate for the Light Industry site at 71 Grafton Road. The submitter has not sought to change the zoning of this property.

Response

11.64 For the reasons outlined in the above paragraphs, I support submission 5727-26 to increase the height for the Grafton Road Mixed Use sites (75-121 Grafton Road (odd no's only), 50-76 Grafton Road (even no's only) and 2 Kari Street, Grafton) and do not support the further submission in opposition. I consider that the Council's revised height limit of 27m for the proposed AZHC overlay to be appropriate.

11.65 For the reasons outlined in paragraph above, I do not support submission 6147-114 and its corresponding further submissions.

Stoddard Road

11.66 Stoddard Road is predominantly Town Centre zone.

11.67 One submission was received on height in this area. 2422-56 seeks that the PAUP be amended to provide a maximum height of 2 storeys at Stoddard Road. Currently it

has an notified AZHC overlay with a height of 16.5m (proposed to be revised to 18m). Refer to **Figure 17** below. There are no further submissions.

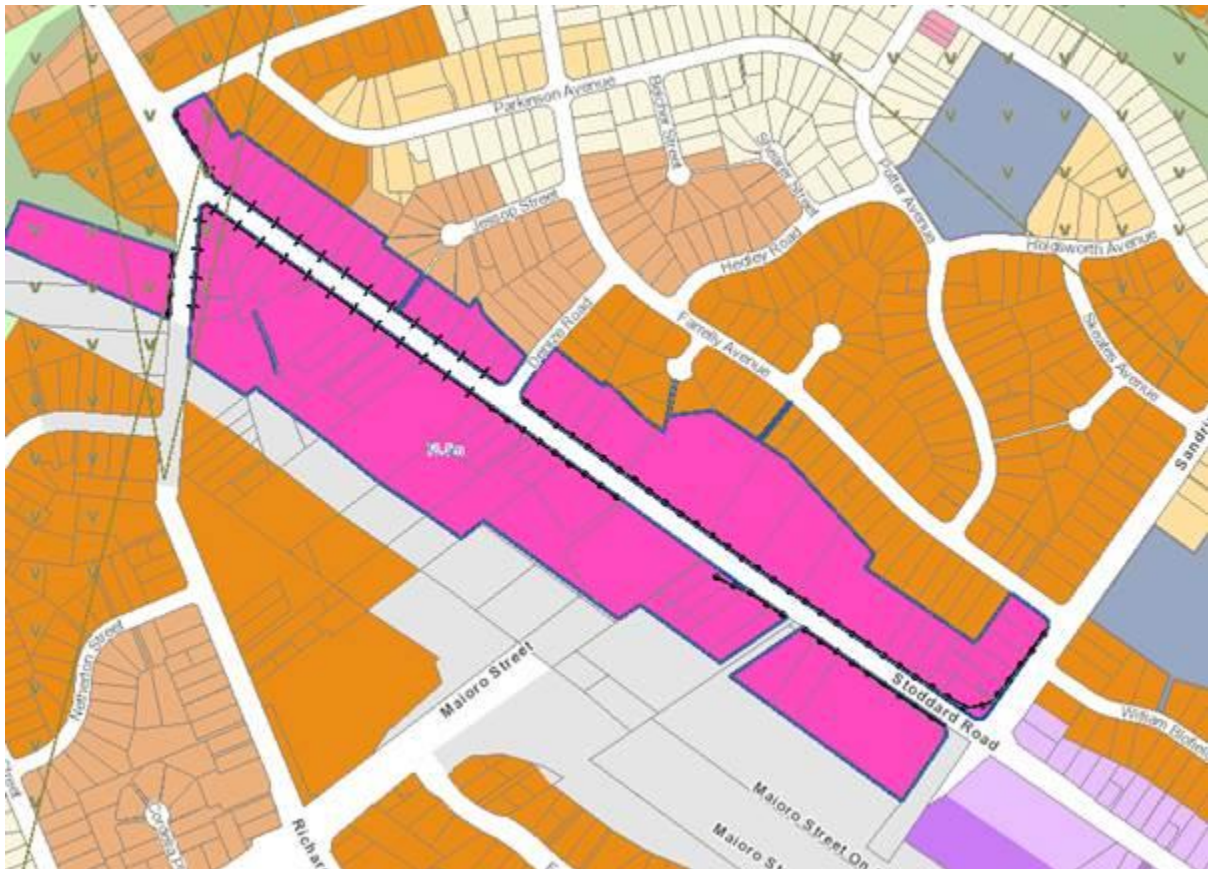


Figure 17: Stoddard Road

11.68 Volcanic Viewshafts A2 and A3 (Mt Albert) apply at the western end of the centre with height limits ranging from 15.5m to 42.5m approx. The current 18m height is consistent with the centres hierarchy, building form, scale and general amenity anticipated in a town centre and is an efficient use of land.

11.69 For the reasons outlined above I do not support the request 2422-56 to reduce the heights in this area. I consider that the Council's revised height limit of 18m for the AZHC to be the most appropriate.

Newton and Eden Terrace

11.70 Newton is a town centre located on the fringe of the central city. It is bordered by the Central Motorway Junction (CMJ) to the north and there are a number of major roads in the area – Symonds St, Khyber Pass, Newton Road, Ian McKinnon, New North Road, and Mt Eden Road. There are currently a range of activities in the area including; apartment buildings, commercial including retail, restaurants and cafes, office premises, and light industry including workshops. It is well serviced by public

transport with multiple bus routes running along New North Road, Mt Eden Road and Symonds Street. There is also a train station located between Mt Eden Road and New North Road.

11.71 The prevailing zones are Town Centre, Mixed Use, and pockets of Light Industry. Character residential areas lie to the south. Refer to **Figure 18** below.

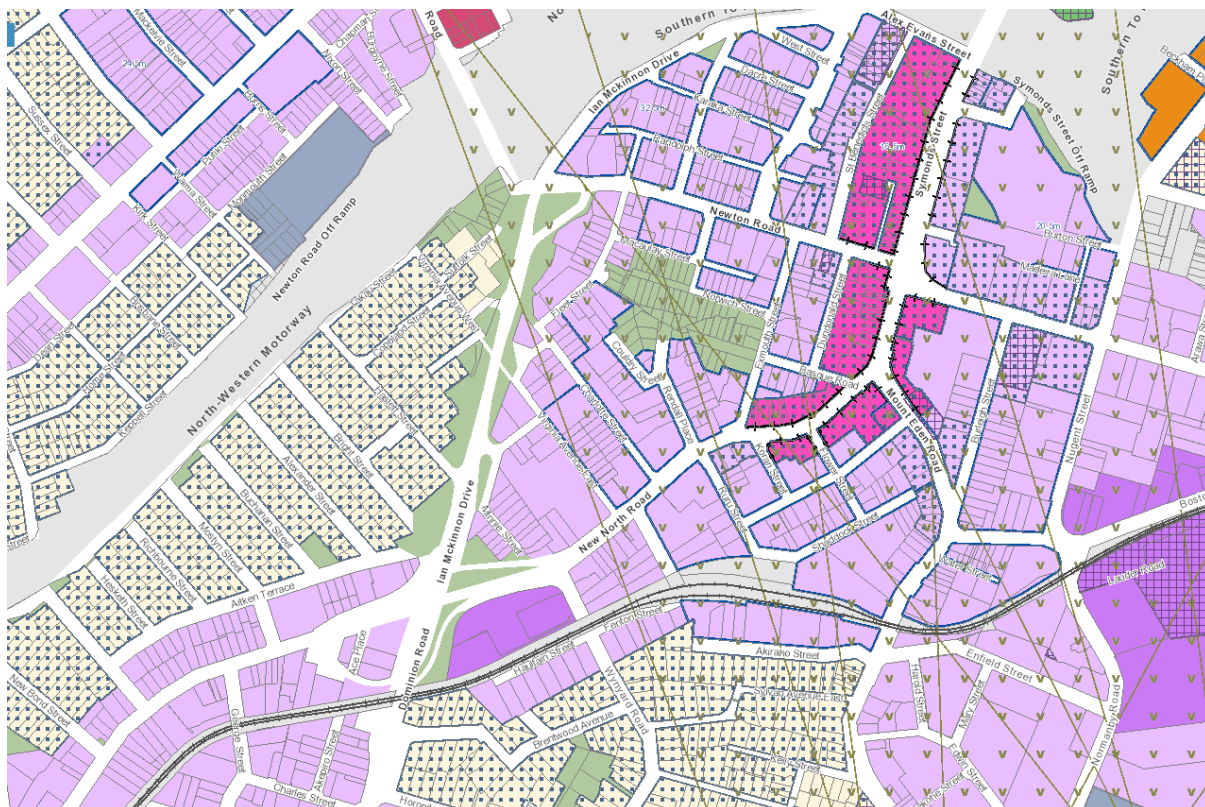


Figure 18: Newton

11.72 Both the Town Centre and Mixed Use zone have notified standard zone heights of 16.5m (proposed to be revised to 18m).

11.73 It is an area of varied topography, with a number of ridgelines, combined with the multiple volcanic view shafts that cross the area, giving a range of achievable building heights that vary from site to site and across sites.

11.74 There are overlays in the area which can impact on height including:

- Volcanic Viewshaft E10, E16, E18, E20 (Mt Eden) – three of these viewshafts originate outside of the Newton area, E20 originates from Mt Eden Road.
- The notified Additional Zone Height Control overlay -16.5m (proposed to be revised to 18m). This applies to the Town Centre Located along Symonds St and St Benedicts Streets, and New North Road.

- The notified Additional Zone Height Control overlay – 20.5m (proposed to be revised to 21m). This applies to the Mixed Use Zone located south of Newton and Khyber Pass Roads.
- The notified Additional Zone Height Control overlay – 32.5m (unchanged). This applies to the Mixed Use Zone bounded by Newton Road, Ian McKinnon Drive and the eastern side of Queen Street.
- Special Character – Business Upper Symonds Street (revised to Historic Character – Business Upper Symonds Street). This covers St Benedicts Street, Symonds Street, eastern Dundonald Street, New North Road to Ruru Street and Mt Eden Road to Boston Road.
- Built Environment Building Frontage – Key Retail Frontage

Submissions

11.75 The Council received 19 submissions relating to height in and around the Newton area. Specifically they request:

- Three submissions seek to retain the AHZC overlay. Submissions 2422-63 and 2422-64 requests retaining heights for Newton and Upper Symonds St. Submission 6975-3 seeks to retain heights at 32 Karaka St, Newton. There are no further submissions on these.
- Two submissions seek a decrease to height, 5821-1 in areas bounded by St Benedicts Street, Alex Evans Street, and Newton Road, and 5982-3 in areas bounded by Ian McKinnon Drive, Alex Evans Street, Symonds Street & Newton Road.
- Thirteen submissions seek to increase the maximum height applying to the Local Centre and to Mixed Use zoned sites. They seek to do this by amending the AHZC overlay to increase height, or by adding an AHZC where one did not exist previously. These submission points are listed in the table below:

Submitter Name	Submission Point No.
Air New Zealand	3017-13
Robert and Dianne Wynn-Parke et al	5982-4
Stephen Davis	4823-95
Generation Zero	5478-49

Lisa Cameron	5727-23
Lisa Cameron	5727-24
Robert and Dianne Wynn-Parke et al	5982-5
Robert and Dianne Wynn-Parke et al	5982-6
Samson Corporation Limited and Sterling Nominees	6247-46
Uptown Business Association	6815-4
Auckland Indian Association Incorporated	6396-1
Samson Corporation Limited and Sterling Nominees	6247-54
Joint Investment Holdings Limited	5874-1
Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	5566-82

- (d) A number of these submissions seek to increase the available heights over wide areas of Newton. 5478-49 seeks to raise the AZHC to 32.5m south of Newton Road. 4823-95 to allow for an 8 storey limit in the same area. 5982-6 seeks 32.5m in the same area, 5982-5 seeks an increase in heights south of Khyber Pass Road up to the railway line, both submissions acknowledge the change that will occur through the CRL construction process.
- (e) Submission 6815-4 seeks to amend the heights around the town centre to 32.5m
- (f) Submission 6396-1 seeks multiple level development at 145-155 New North Road.
- (g) 6247-54 seeks additional height of 24.5m, outside of the area currently covered by an AZHC overlay, and clustered around Dominion Road, between George and Charles Streets, and Horopito Street and View Road. 5874-1 also requests an increase in heights along New North Road from Bond Street to Virginia Avenue East and Ngahura Street ranging from 20.5m to 32.5m. This is dealt with under the following New North Road sub section.
- (h) Submission 5727-23 seeks to increase the heights in the area marked red below to 32.5m, and alternatively 5727-24 seeks a raise to 24.5m if this is not possible.
- (i) Submission 5566-82 seeks to increase height to 35m at 32-36 Normanby Road.
- (j) Submission 5478-49 has 6 further submissions in support, 122 in opposition, 1 support in part, 122 in opposition. Submission 4823-95 has one further submission in support. Submitter 5727 has one further submission in

opposition to points 23, 24, and 26. 5982-5 has one further submission in support. 6815 has two further submissions in support. Submission 6147-114 has 4 further submissions in support.



Figure 19: Sites where an increase in height is sought (Submissions 5727-23 and 5727-24)

Discussion

11.76 Newton is located at the intersection of a number of main transport routes, including the western railway line, and is well served by buses as part of Auckland Transport's rapid transport network. Newton/Upper Symonds is a Town Centre with identified historic character. The majority of the Town Centre is subject to the Historic Character – Business Upper Symonds Street overlay.

11.77 Despite some requests for increased height through the area, the current heights are largely appropriate, reflecting the impact of viewshafts, upper ridgeline location, as well as the existing street network.

11.78 For sites such as Akiraho Street, the heights are considered appropriate given the street separation and existing dwellings on the northern side of the Street.

11.79 The additional zone height control overlay south of Newton Road sets a height of 21m (proposed to be revised from 20.5m), and in most cases this is appropriate

given the interface with open space at Basque Park, the sometimes narrow street fabric, and the restrictions from volcanic viewshafts.

11.80 However there is an opportunity to increase heights on some parcels of land along New North Road, within the transport corridor linking to the local centre at Kingsland.

Response

11.81 No decreases in height are appropriate compared to what was in the notified version of the plan. Where there has been a request for retaining the AZHC overlay, these are not supported as the Council's position on heights has been revised upwards to 21m.

11.82 The variability caused by the combination of the topography and viewshafts suggest that heights above what have already been provided for are better assessed on a parcel by parcel basis rather than increasing the additional height control across entire blocks.

11.83 I consider that the Council's existing height limit of 32.5m and revised height limit of 18m and 21m to be the most appropriate in this area.

New North Road

Submissions

11.84 Submission 5874-1 seeks an overlay to New North Road from Bond Street in the west through to Virginia Avenue East and Ngahura Street in the east with heights ranging between 20.5m and 32.5m.

Discussion

11.85 Sites along this part of the corridor are occupied by a wide mix of uses but predominately comprised of commercial or of commercial on ground floor and residential on floors above. Some existing buildings are up to four or five storeys.

11.86 The surrounding area is characterised by residential dwellings to the north (Aitken Terrace) and railway running one block back on the southern side.



Figure 20: Sites where an increase in height is supported

11.87 These sites are located along main public transport corridor and railway corridor therefore greater height limits would allow higher density residential development without need for additional infrastructure, and ensure an efficient use of land. The railway and Aitken Terrace also provide a buffer between the Mixed Use zone and existing residential zones.

11.88 Not all sites in the submission have been included for additional height, including those blocks bordering residential around New Bond Street due to the interface with the exist character residential zones.

Response

11.89 Therefore I support submission 5874-1 in part, I consider that the Council’s revised height limit of 21m where proposed in the **Figure 20** above is the most appropriate

Parnell

11.90 Parnell is based around Parnell Road and Parnell Rise but continues down towards both the railway line, St Georges Bay Road, and Hobson Bay. It is an area of character shops and houses, restaurants, cafes and offices, but also interfaces with the commercial and light industrial properties along the former shoreline of The Strand. It is defined by the undulating topography of the old shoreline and cliffs.

11.91 Parnell Road is zoned a mixture of Town Centre, THAB, Mixed Housing Urban and Suburban, Mixed Use, Light Industry, and Single House.

11.92 Numerous overlays affect height in the area, including:

- Volcanic viewshafts T1(Rangitoto Island) and E8 (Mt Eden)
- Historic Heritage Places and Extents of place
- Special Character Business Parnell (revised to Historic Character Business Parnell)
- Notified Additional Zone Height Control overlay - 12.5m (proposed to be revised to 13m)
- Built Environment Building Frontage – Key Retail Frontage

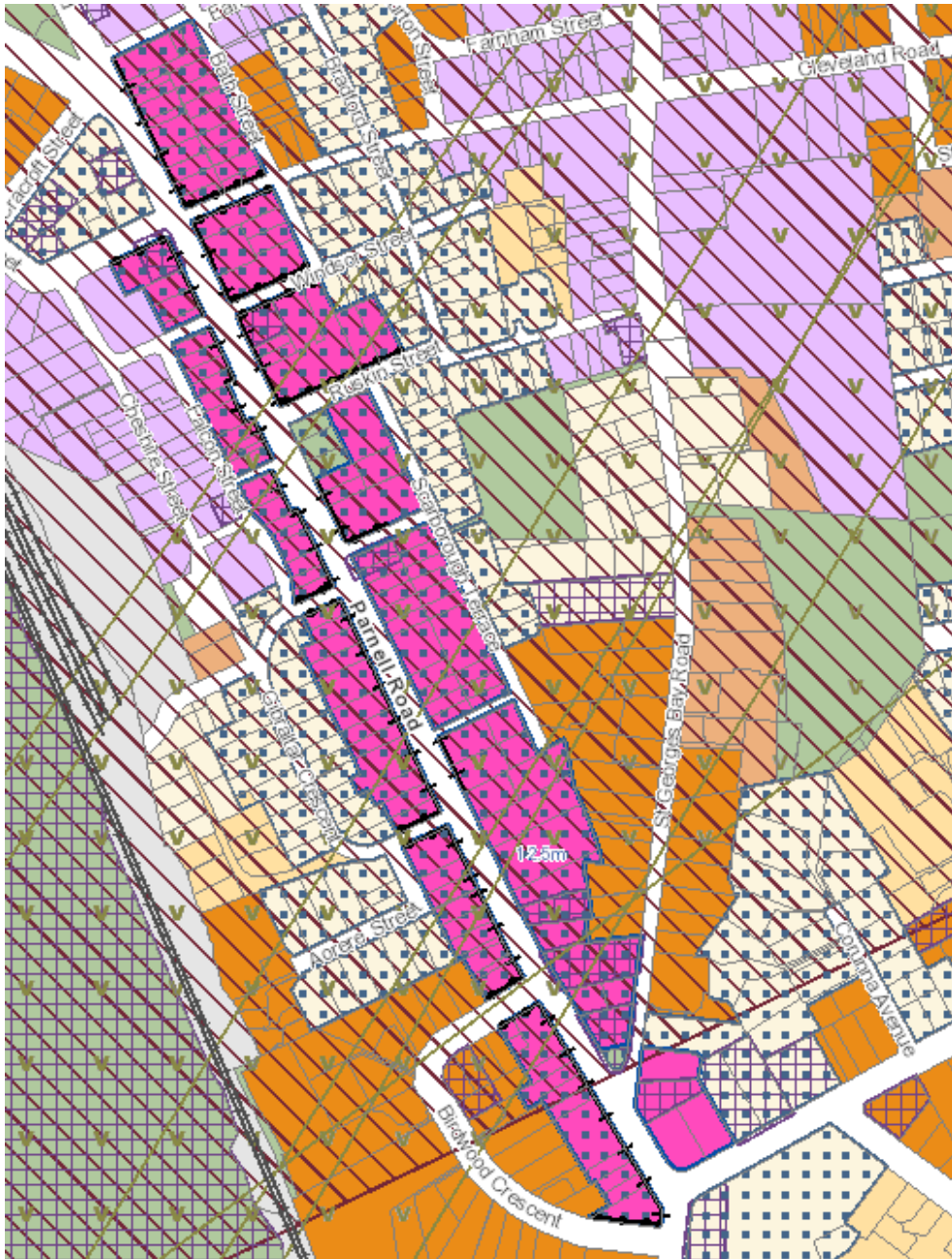


Figure 21: Parnell

11.93 One submission (2422-72) requests a lowering of the AZHC overlay over the Parnell Town Centre from 12.5m to two storeys, in addition to this there are a number of submissions (2016-13, 2604-6, 2604-7, 4248-2, 6732-1, 4422-21, 4422-22 and 4422-20) that request additional height within the Town Centre, ranging from 16.5m to 20.5m. Submission 4422-21 requests additional height only for one site at 400 Parnell Road, submission 4422-22 requests additional height for 4 St Stephens Avenue, and submission 4422-20 requests additional height for 1 and 3 St Georges Bay Road, Parnell.

11.94 Submission 2016-3 has 7 further submissions in support, 2 in opposition. Submission 2422-72 has 5 in opposition. Submission 2604-6 has one in opposition. Submission 4248-2 has 5 in support. Submission 6732-1 has 1 submission in support, 1 in opposition.

11.95 Parnell is located close to the city centre and while is well serviced by public transport, it is also subject to the Special Character (now Historic Character) overlay. The Council's 13m (proposed to be revised from 12.5m) height limit is considered to be an appropriate balance between these factors, allowing for some intensity whilst still maintaining its character value, and interface with character residential, and is comparable to other character business centres.

11.96 While 400 Parnell Road, and 4 St Stephens Avenue do not fall under the Historic Character area, these sites do fall under the pre-1944 control. As above, the Council's 13m (proposed to be revised from 12.5m) height limit is also considered to be the most appropriate.

11.97 Therefore, I do not support any of the above submissions to increase height in Parnell to 16.5m and above. I also do not support the request to lower the height to two storeys.

11.98 Mixed Use

11.99 There are a number of submissions requesting greater height throughout the Mixed Use zone (submissions 9238-7, 9242-7, 9246-7, 5630-2, 5681-1 and 5932-8).

11.100 Submission 9242-7 has 1 further submission in opposition. Submission 5630-2 has 5 in support, 1 in opposition. Submission 5681-1 has 1 in opposition. Submission 5932-8 has 1 in opposition.

11.101 In addition to this there are a number of submissions requesting additional height in specific sites:

Submission Point No.	Name	Address affected
4219-2	Pengellys Properties	127-131 St Georges Bay
5566-1	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management	47 Parnell Rise
5566-12		511 Parnell Road
5566-7		53-61 Parnell Rise
6355-2	Rolf Masfen Trust	16 York Street and surrounding Mixed Use

2016-12	Parnell Business Association (Parnell Inc.)	St Georges Bay Rd, Cheshire St and Heather
2835-1	B A Trustees Limited	524 Parnell Road

11.102 Submission 5566-1 has one further submission in support, 1 in opposition. Submission 5566-12 has 2 in opposition. Submission 5566-7 has 1 in opposition. Submission 6355-2 has 1 in opposition. Submission 2016-12 has 6 in support, 1 in opposition. 2835-1 has 4 in support, 2 in opposition.

11.103 Because of the interface with character residential, and the existing scale of development in the area, it is not considered appropriate to increase the heights across all Mixed Use sites within the area.

11.104 However, there are a number of areas where raising the heights would be appropriate. These include around Heather and Cheshire Streets, York Street, and along St Georges Bay Road.



Figure 22: Additional Height in Heather and Cheshire Streets

11.105 Submission 2016-12 has requested additional height in the Mixed Use zones around Heather and Cheshire Streets up to 32.5m

11.106 The topography within this area slopes down from Parnell Town Centre towards the railway line to the west. Currently there are a range of 2-6 storey buildings along Cheshire Street, and 1-2 storey buildings along the west side of Heather Street.

These sites are located nearby to the Town Centre and the bus routes there, as well as nearby the proposed Parnell Train Station.

11.107 Increasing the height here promotes the efficient use of land, centre viability as well as walking and the use of public transport at the proposed Parnell station and the current bus network.

11.108 I support the increase in the Additional Zone Height Control over this area to 27m, the impact of which is lessened by the sloping ground. 32.5m would be too dominant over the surrounding area.

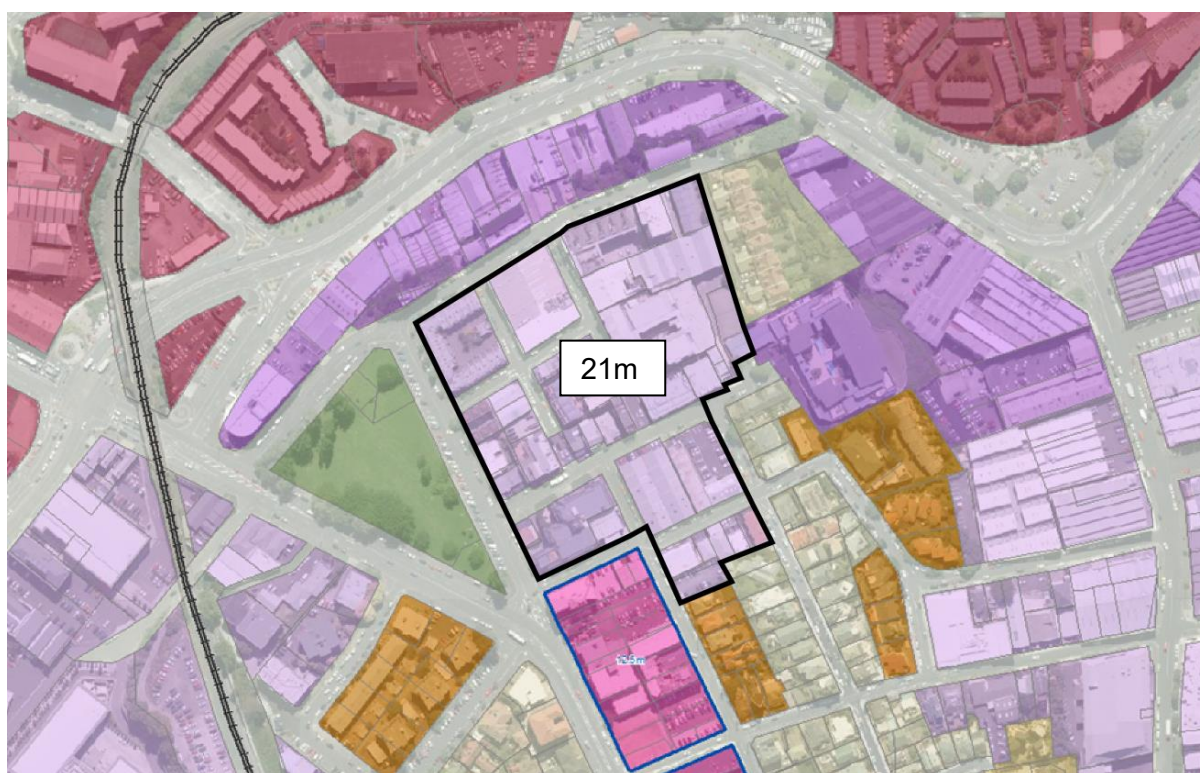


Figure 23: Additional Heights in York Street

11.109 Submitter 6355-2 has requested increasing the maximum height for 16 York St and the surrounding Mixed Use area to 24.5m.

11.110 The topography for the area slopes gently down to the north before the dropping more steeply down to The Strand below. Currently there are a range of buildings up to 5/6 storeys. These sites are located near to the Town Centre and bus routes through Parnell Road.

11.111 Increasing height in this area supports the efficient use of land, centre viability of Parnell, as well as walking and the use of public transport.

11.112 I support the application of a 21m AZHC overlay in this area. A height of 24.5m (proposed to be revised to 27m) would be too dominant given the prominent location of these sites, and out of scale with the town centre to the south.

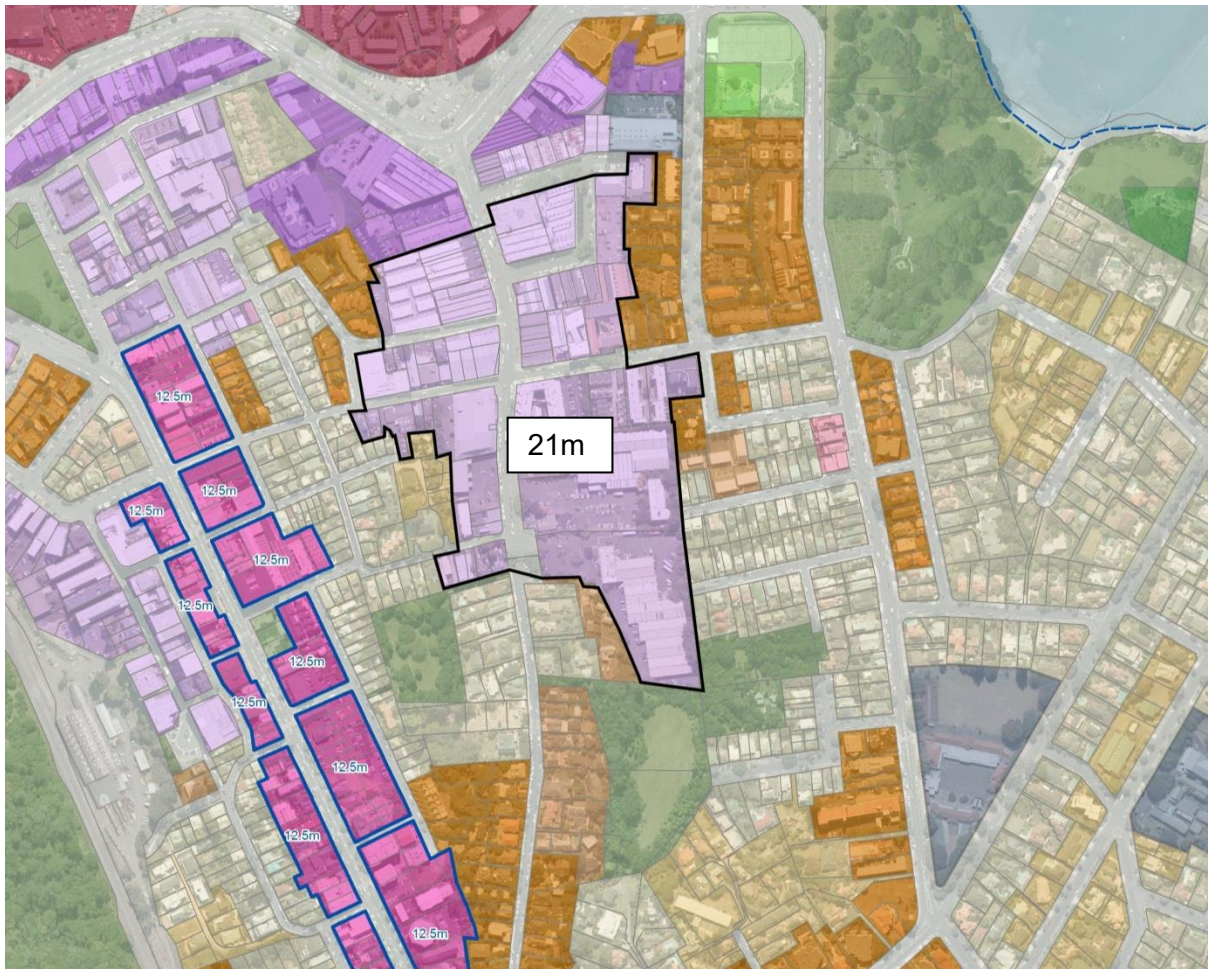


Figure 24: Additional Heights St Georges Bay Road

11.113 Submitter 2016-12, 5630-2, 5681-1, 5932-8, 5968-26 support additional height within the area around St Georges Bay Road.

11.114 The topography of the area is of a small valley opening out onto the historic foreshore at The Strand. Currently there are a range of 1-4 storey buildings, with generally lower height buildings on side streets away from St Georges Bay Road itself. While this area is connected through smaller side streets it lies slightly separated from the town centre public transport routes up on the ridgeline.

11.115 Due to the valley location, this area can take some increased height to support the more efficient use of land as it less restricted by the viewshafts, or dominance, even though it does not support enabling greatest heights in or directly next to the centre.

11.116 I support the application of a 21m AZHC control in this area supporting the potential for additional growth while highlighting the disconnect from the town centre, and the character residential receiving environment.

Light Industry

11.117 There are a number of submissions requesting greater height within the light industry zone such as 4307-5, and 4219-2. Both request an additional height control ranging from 20m to 20.5m in height on sites that are currently zoned Light Industry and already have a height of 20m. This request is likely to result from the related requests for zoning change from Light Industry to Mixed use which will be covered under the Topic 081 – Rezoning and Precincts (Geographic Areas).

12. HEIGHT PROVISIONS IN THE ‘EASTERN AND SOUTHERN ISTHMUS’ (AREA C)

Royal Oak

12.1 Royal Oak is a local shopping/commercial centre located around the Royal Oak roundabout at the intersection of a number of main arterial roads - Mt Albert, Campbell, Mt Smart and Manukau Roads. Zoned Town Centre it comprises of a mix of retail and commercial businesses at street frontage and included in a large retail mall (Royal Oak Mall). This also contains a large Pak n’ Save supermarket. The mall is accessed from Mt Albert and Manukau Roads and parking is provided at grade and below the centre.

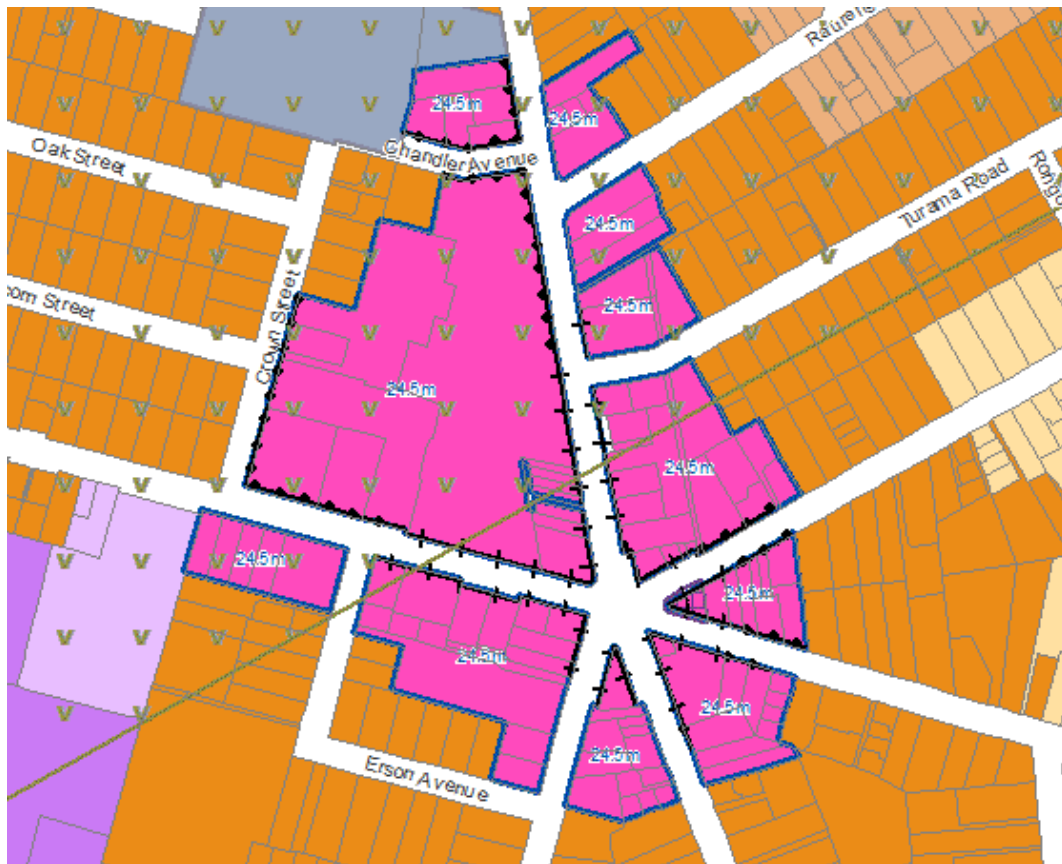


Figure 25: Royal Oak

12.2 The topography of Royal Oak is relatively flat and buildings in the existing centre are generally no more than two storeys. The Town Centre zone has a height limit of 24.5m (proposed to be revised to 27m) as provided for in the Additional Zone Height Control overlay. The centre is also subject to Volcanic Viewshaft O12 (One Tree Hill) which specifically applies to the northern part of the Town Centre and covers almost half of the Centre. Viewshaft contours vary from 15.5m-37.5m over the site. Refer to **Figure 25** above.

12.3 The centre is surrounded by residential housing (zoned THAB) and two Special Purpose zoned sites (Royal Oak Primary School and Royal Oak Intermediate) at the northern and southern ends of the centre.

Submissions

12.4 Council received two submissions (2422-38 and 5219-45) relating to height of the town centre in Royal Oak. Both these submissions seek to reduce the height to three or four storeys. There were no further submissions received.

Discussion

- 12.5 It is my view that the height limit for Royal Oak is in line with the level of growth anticipated by zoning it as a Town Centre. The height limit provides flexibility for intensification of the centre. It supports the provision of community and public transport infrastructure by providing the opportunity for more people to live in and around the centre. It is also noted that Volcanic Viewshaft O12 will protect views to One Tree Hill through the consenting process.
- 12.6 Furthermore, I consider that the height is consistent with the building form, scale and general amenity anticipated for a town centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

- 12.7 I do not support the submissions 2422-38 and 5219-45 to decrease the maximum height for Royal Oak Town Centre.

Newmarket

- 12.8 Newmarket is the next largest centre outside of the City Centre. It is the meeting point of a number of arterial routes and has direct access to the motorway and the railway line. Historically based as a market town it captures and feeds traffic of all varieties in all directions. Accordingly, the heart of Newmarket is zoned Metropolitan Centre.
- 12.9 Newmarket is also a valley stretching from south to north accommodating views to and from major landforms such as Mt Eden and Rangitoto. This has resulted in a number of viewshafts becoming established over the top of Newmarket (E10, E11 and E12). To support this, although zoned for greater height (72.5m) under the Metropolitan zone it is also subject to an AZHC overlay that reduces the height by more than half (32.5m) to protect these views.
- 12.10 The heart of Newmarket is surrounded by Mixed Use zone stretching along the arterial routes and supporting the Metropolitan centre. The majority of this zone also has an AZHC overlay applied raising the height to 24.5m (proposed to be revised to 27m) and thereby intensifying the activities to enable Newmarket to grow.
- 12.11 Newmarket is also covered by two precincts. The larger covers the Metropolitan Centre zone and the second covers the University of Auckland site along Khyber

Pass Road between Kingdom Street and Mountain Road. These provide an additional layer of building control within these areas.

12.12 Newmarket has a mixture of building stock and form. Predominantly two to three storeys in height, some sections of Broadway have developed to more than five storeys but no more than 32.5m. Khyber Pass Road also contains some taller buildings within the second and third blocks away from Broadway. The first two blocks of Khyber Pass Road and the area surrounding the intersection of Remuera Rd and Broadway contain single level buildings from the early to mid-1900s. The Smith and Caghey building harks back to this period.

12.13 Newmarket is comprised predominantly of commercial activities – retail, offices, restaurants, bars and cafes and movie theatres. Some residential has developed within the centre but this is mostly on the fringe. **Figure 26** below shows zoning and AZHC overlays in the Newmarket area. **Figure 27** shows the extent of the volcanic viewshafts.

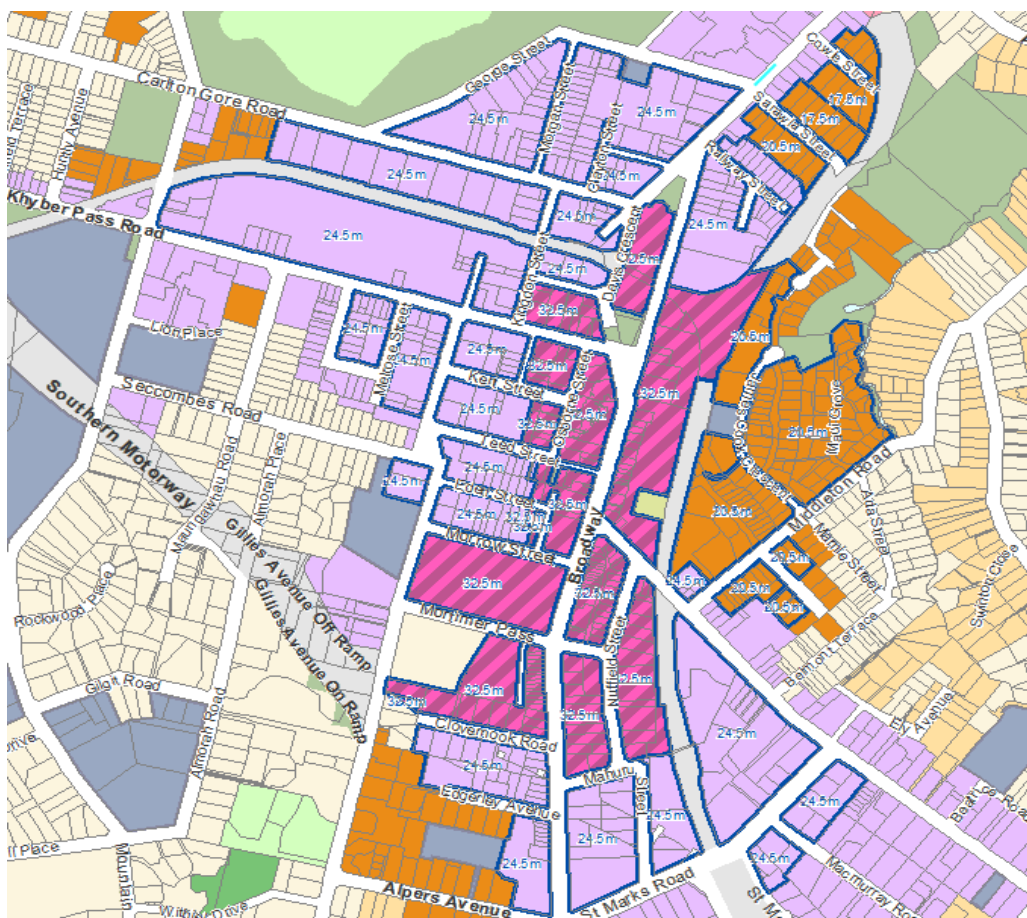


Figure 26: Newmarket

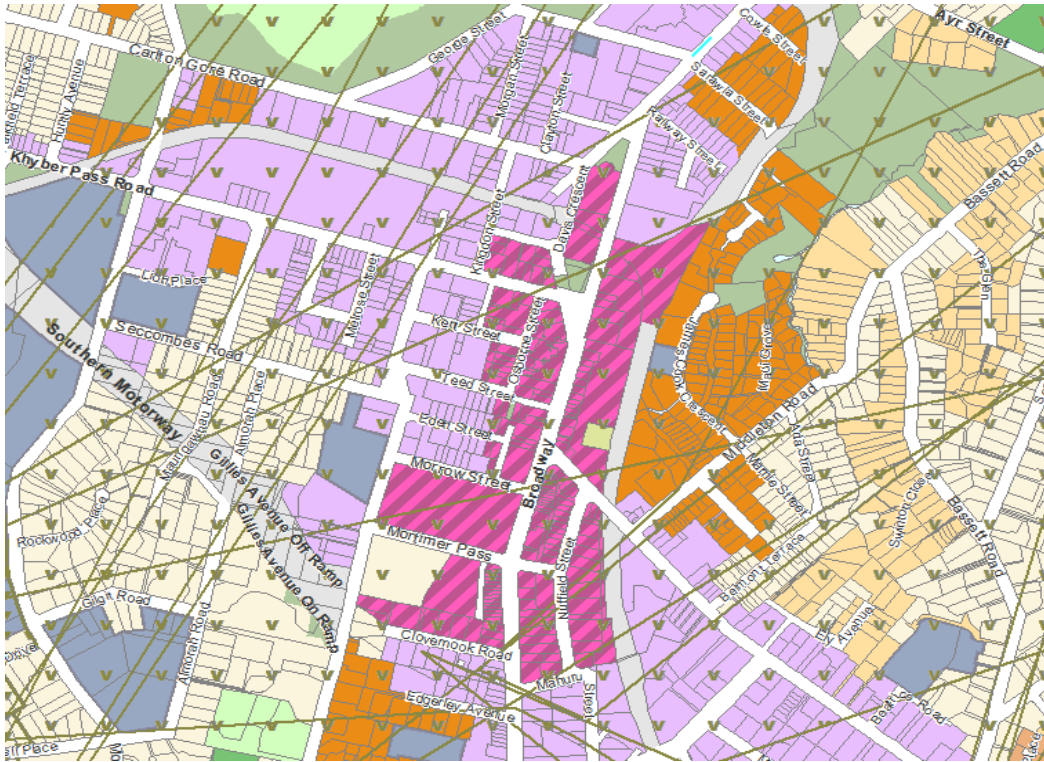


Figure 27: Newmarket - volcanic viewshafts

- 12.14 In addition to the AZHC overlay and the various volcanic viewshafts, Newmarket is also subject to the Special Character overlay (proposed to be revised to Historic Character overlay) and the Building Frontage overlay. Refer **Figure 28** below.
- 12.15 The Special Character overlay (proposed to be revised to Historic Character overlay) does not specify a height instead relying on the AZHC overlay to determine this. It is important to note that the spatial extent of this overlay is being reviewed for Newmarket. This will be addressed in Topic 079 – Special Character and Pre-1944 Mapping.

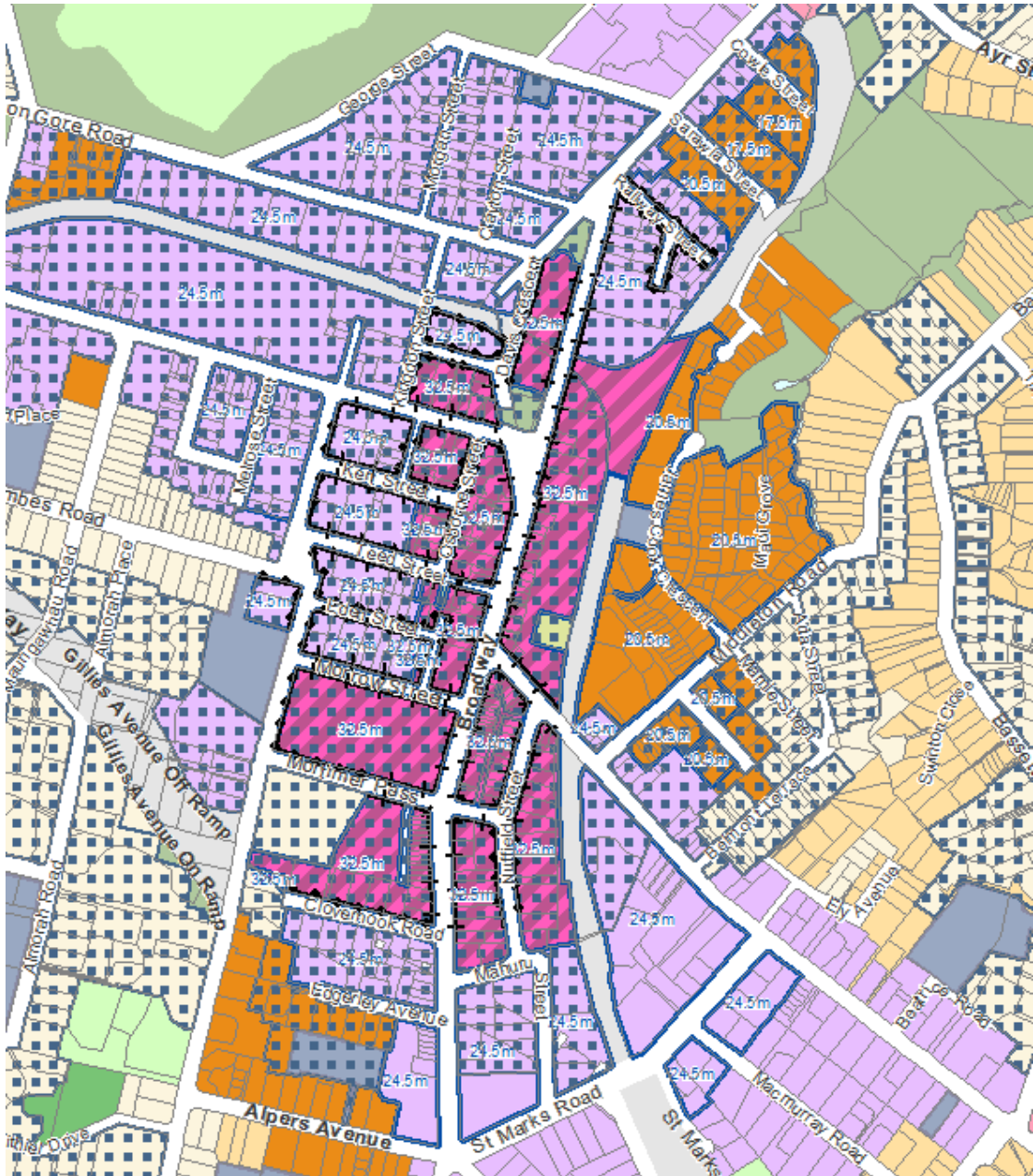


Figure 28: Newmarket - Special Character (revised to Historic Character overlay) and Building Frontage overlays

Submissions

12.16 Council received 34 submissions in relation to height in the Newmarket business area (extending along Broadway to the top of Parnell Road). Specifically these seek the following:

- (a) Three submissions (5566-85, 90 and 96) and one in part (2968-381) seek to increase heights to 32.5m in the area between Broadway and the Railway line from Remuera Road to Mahuru Street. There were no further submissions

received. They also seek a rezone of the Mixed Use zoned portion of the property to Metropolitan Centre.

- (b) Three submissions (5000-44/45 and 6268-8) seek to extend the AZHC of 24.5m over the Mixed Use zone along Khyber Pass Road from Broadway to Mountain Road, specifically including 269 – 369 Khyber Pass Road. There is one further submission in support of 6268-8.
- (c) Seven submissions (2422-26, 3817-2, 3860-3, 3863-47, 3879-3, 4211-3, 5968-28) and one in part (2968-381) seek to increase heights for Newmarket area (Metropolitan Centre and Mixed Use zones) with some referring to specific sites. One (2422-26) seeks the removal of the storey control over Newmarket. For these submissions, there are ten further submissions in support, four that support in part and four further submissions in opposition. Submitter 3863 also seeks a rezone from Mixed Use to Metropolitan Centre.
- (d) One submission (5011-13) seeks an increase in height to 32.5m for 408 Khyber Pass Road. There were no further submissions received. They also seek to rezone of the property to Metropolitan Centre.
- (e) One submission (1354-12) seeks an increase in height to 32.5m for 10-12 Kingdon Street. There were no further submissions received. They also seek to rezone from Mixed Use to Metropolitan Centre.
- (f) One submission (3753-2) seeks an increase in height to 32.5m for 2-4 Crowhurst Street. There were no further submissions received. They also seek to rezone from Mixed Use to Metropolitan Centre.
- (g) One submission (4368-1) seeks an extension of the AZHC overlay of 24.5m for 18-26 Broadway. There were no further submissions received.
- (h) One submission (1173-3) seeks an increase in height to 20m for the property at 24 Mountain Road and 34 Seccombes Road. Council received one further submission in support.
- (i) One submission (6551-1) seeks to reduce the heights for Newmarket area to reflect Plan Change 196 and to furthermore (6511-13) base the heights on the size of the site. Council received eight further submissions in opposition and one further submission in support. By default, this submitter also seeks to rezone parts of Newmarket in accordance with Plan Change 196.

- (j) One submission (7237-8) seeks to extend the adjoining AZHC of 24.5m over 4-6 Robert Hall Road and 1 MacMurray Road. Council received one further submission in support.
- (k) One submission (5566-18) seeks to increase the height at 127-133 Manukau Road. There were no further submissions received.
- (l) One submission (4425-2) seeks to increase the height of 39 George Street (zoned Special Purpose School) to that of the surrounding AZHC overlay of 24.5m (revised to 27m). There were no further submissions received. They also seek to rezone to Mixed Use.
- (m) Four submissions (5327-2, 2016-9, 3122-5 and 3625-7) seek to extend the AZHC overlay of 24.5m for a number of Mixed Use zoned properties fronting Parnell Road between St Stephens Ave and Broadway, in the block bound by George, Clayton and Mergan Streets and in the block bound by Titoki and George Streets and Parnell and Maunsell Roads. Council received six further submissions in support and 1 further submission in opposition.
- (n) One submission (5968-34) seeks an additional height of 56m for 9-15 Davis Crescent. Council received one further submission in support. They also seek a rezone to Metropolitan Centre.
- (o) Two submissions (6247-60 and 6556-17) seek the addition of the AZHC 24.5m over the Mixed Use zoned properties along Gillies Ave adjacent to the motorway off-ramp. Submission 6247-60 received eight further submissions in support and one in partial support.
- (p) Finally, four submissions (4270-2, 4307-07, 3477-24, 5141-1) seek to retain the various heights as notified. No further submissions were received. Submission 4270-2 also seeks to rezone from Mixed Use to Metropolitan Centre.

Discussion

12.17 As discussed above Newmarket is restricted in height by a number of volcanic viewshafts passing through. The Metropolitan Centre zone has been reduced from 72.5m to 32.5m to support these viewshafts. Furthermore, there are areas in both the Metropolitan Centre and Mixed Use zones that are further restricted by these viewshafts as they vary in height from 20 – 38m through the centre. The viewshafts

and the Special Character overlay (proposed to be revised to Historic Character overlay) are the fundamental reasons why a number of the requests to increase height in Newmarket cannot be supported.

- 12.18 Submissions that fall into this group are: 3817-2, 3860-3, 3863-47, 3879-3, 4211-3, 5968-28, 5968-34, 5566-85, 5566-90, 5566-96, 5011-13, 3753-2, 4368-1, 5000-44, 5000-45 and 6268-8. Submission 6268-8 also seeks the removal of the viewshafts from their property.
- 12.19 Viewshafts alone are not the only matter for consideration. Zones and height limits are structured to enable a form of development which will support the function and needs of the various centres and prevent unnecessary building bulk moving away from the centres and into more residential environments.
- 12.20 As seen in **Figures 26 - 28** above, Newmarket Metropolitan Centre zone is supported by an expansive area of Mixed Use zoned land (except to the west where the THAB and Public Open Space zones dominate over the other side of the railway line). Due to the reduction in height of the Metropolitan Centre zone, the majority of this Mixed Use land is subject to an AZHC overlay increasing the height to 27m (proposed to be revised from 24.5m). But the areas further away from the centre retain the underlying zone height of 18m (proposed to be revised from 16.5m) thereby supporting the height principles and reducing the physical impact on the residential zones moving away from Newmarket.
- 12.21 As discussed above, a number of submissions seek to increase the height of the Mixed Use zones to either the AZHC heights of 24.5m or to a greater height depending on their proximity to the Metropolitan Centre zone. Each of these has been considered on their merits, but generally their location deems their request to be inconsistent with the height principles.
- 12.22 Submissions that fall into this group are: 1173-3, 5566-18, 5327-2, 2016-9, 3122-5, 3625-7, 5000-44, 5000-45, 6268-8, 4368-1, 5566-90, 5566-85, 5566-96, 5968-34, 6247-60 and 6556-17. Submissions 6551-1 and 13 also fall into this group as they seek to reduce the heights of Newmarket to reflect Plan Change 196, thereby challenging the height principles.
- 12.23 An exception to this is submission 7237-8 which relates to 4-6 Robert Hall Road and 1 MacMurray Road, Remuera. The properties are zoned Mixed Use and are subject to a volcanic viewshaft which limits height in both the north western and south

eastern corners of 1 MacMurray Road and between 15 and 17m on the Robert Hall site. These viewshafts also apply to the adjoining properties to the west which have an AZHC overlay to 27m (proposed to be revised from 24.5m) over them.



Figure 29: 4-6 Robert Hall Avenue and 1 MacMurray Road, Remuera

12.24 The subject properties are situated in a block of properties that have small scale businesses operating from them. The block of properties is located at the southeast end of Newmarket travelling east along Remuera Road (refer **Figure 29** above). The area is referred to as the Medical Mile and is recognised as an area where specialist medical businesses operate from and consequently supporting the economy of the nearby centre. Their location supports the height principles in their support of the centres hierarchy. The properties do not impact on any sensitive activities, instead supporting the location of the surrounding activities. An extension of the AZHC over these properties would enable a more efficient use of the land in an area of Newmarket recognised for its contribution to Newmarket.

12.25 Another exception is submission 1354-12 which seeks to apply the AZHC overlay of 24.5m on adjoining properties to the Special Purpose zone at 39 George Street, Newmarket (refer **Figure 30** below). George Street runs along the edge of the Domain in the northern area of Newmarket. It is surrounded by two to three storey commercial and office buildings and residential apartments of 4-5 storeys.

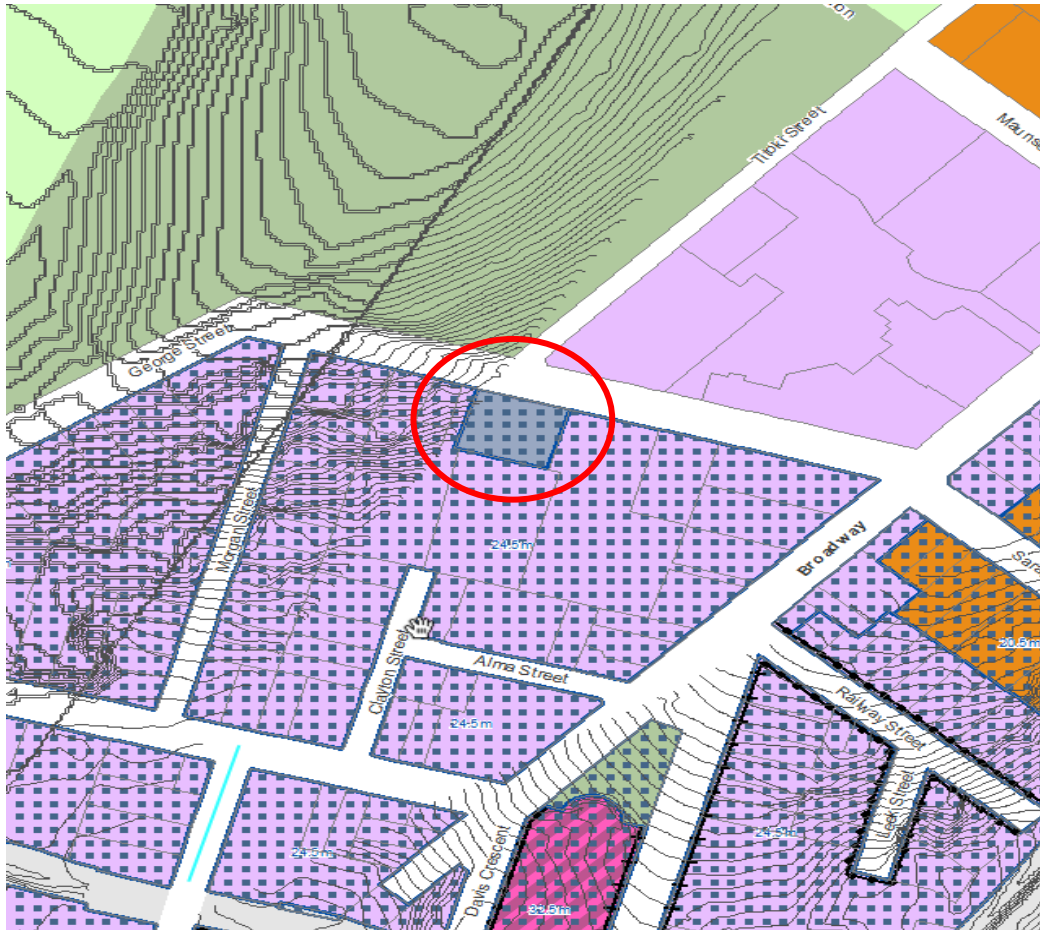


Figure 30: 39 George Street

12.26 The property is occupied by a two-three level school and has a notified height of 16m. It does not have any other height restrictions over it. In my opinion an increase in height would enable the property to make more efficient use of the site given its location. It would bring the property into line with the height principles applying to the surrounding Mixed Use zoned area.

12.27 The submitter also seeks a rezone of the property to Mixed Use. This submission will therefore be included in the discussion under Topic 081 – Rezoning and Precincts (Geographical Areas).

Response

12.28 For the reasons above I support submission 4425-2.

12.29 I support in part submission 7237-8 where it relates to 1 MacMurray Road. Due to the height restrictions of the viewshaft over 4-6 Robert Hall Road, I do not support an increase in the AZHC over this site (refer **Figure 29** above).

- 12.30 I do not support the following submissions and their corresponding further submissions in support seeking to reduce heights: 1173-3, 2016-9, 1354-12, 5327-2, 3122-5, 3625-7, 5000-44, 5000-45, 5566-18, 5566-85, 5566-90, 5566-96, 2968-381, 6268-8, 6551-1, 5661-13, 6247-60, 5968-34, 4368-1, 3817-2, 3860-3, 3863-47, 3879-3, 4211-3, 5011-13, 3753-2, 5968-28, 5968-34.
- 12.31 I also do not support submissions 4270-2, 4307-07, 3477-24, 5141-1 which seek to retain the height provisions as notified. I support the revised heights as noted in the evidence of Trevor Mackie.

Greenlane

- 12.32 Greenlane is a local centre situated at the intersection of Green Lane West and Great South Roads and adjacent to the Southern Motorway. It comprises a mix of retail, commercial and light industrial uses including a large Countdown supermarket and associated parking, fast food restaurants, service stations and car washes. Along Great South Road are a number of car yards fronting the road with residential behind. Large traffic volumes pass through Greenlane to access the Southern Motorway.
- 12.33 Greenlane is well serviced by public transport with both bus services along Great South Road and train services at the nearby Greenlane Train Station being within walking distance of the centre.
- 12.34 The zoning in the area comprises Local Centre supported by some Mixed Use and surrounded by Terraced Housing and Apartment Buildings (THAB). A Light Industry zone extends southwards along both sides of Great South Road. Refer **Figure 31**.
- 12.35 There are no AZHC overlays on zones within Greenlane, therefore the height limit of the specified zone prevails.
- 12.36 The topography of Greenlane is flat and existing buildings in the existing centre range from two to four storeys.

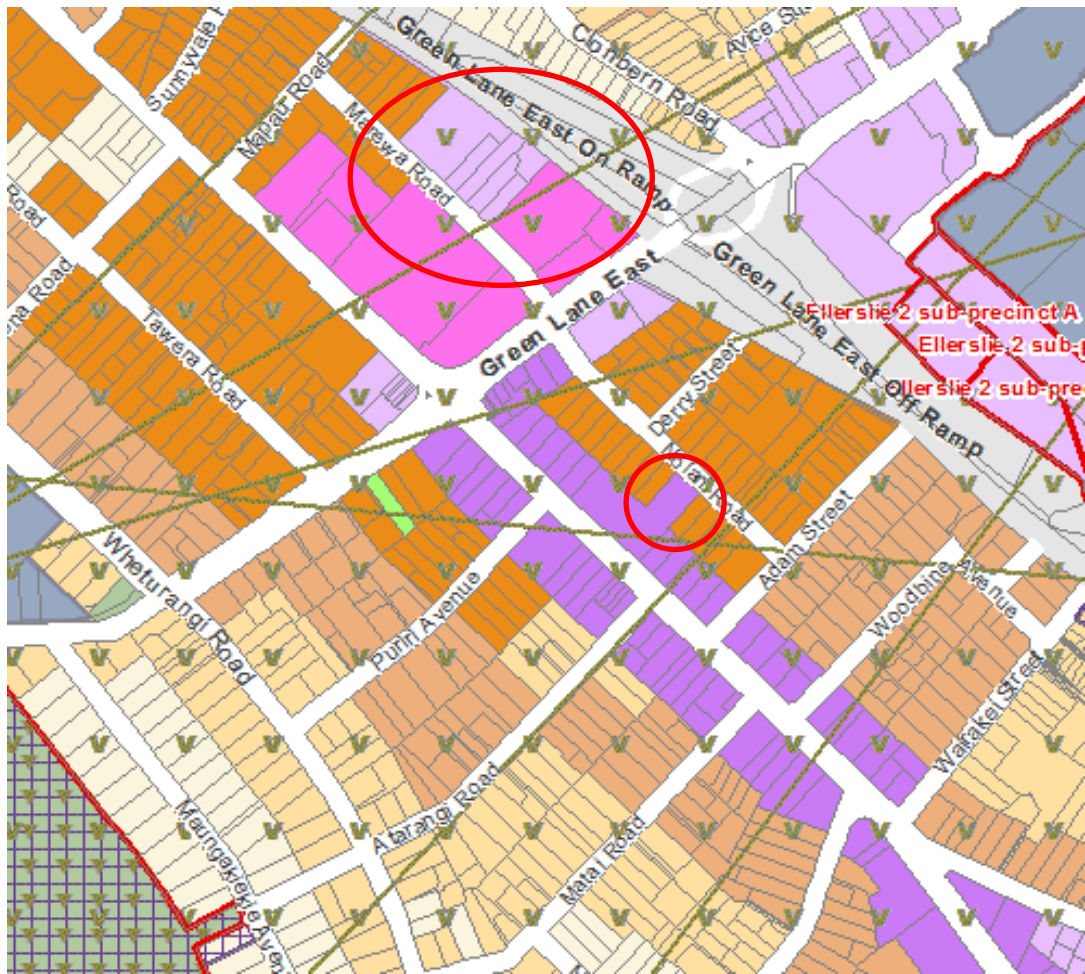


Figure 31: Greenlane

12.37 Volcanic Viewshafts One Tree Hill – O1, O2 and O10 and Mt Wellington W26 apply to Greenlane affecting both submissions. Specifically, volcanic viewshaft heights vary from 18m to 37.5m over the sites.

Submissions

12.38 There were two submissions (3245-11 and 3434-5) relating to the heights of two specific areas within Greenlane (refer to the red circles on **Figure 31** above). Both also seek a change in zone. Consequently, these submissions will be included in the evaluation of Topic 080.

12.39 Submission 3245-11 seeks to limit the height on the commercially zoned property (Light Industry) along Nolan Street. There is one further submission in support of this.

12.40 Submission 3434-5 seeks to increase the heights of their properties along Marewa Road - zoned Mixed Use and Local Centre.

Discussion

- 12.41 Nolan Street is zoned THAB and is predominantly comprised of one and two storey homes. The subject site (zoned Light Industry) is the exception in the street, currently containing cars and associated equipment used by the car sales yard which occupies the portion of the property with frontage to Great South Road. There are also some car storage areas at the rear of properties to the west of the subject site – zoned THAB. The THAB zone and associated height of 13.5 – 14.5m is consistent with the centres hierarchy and associated height principles in enabling and supporting the development of a local centre such as Greenlane. While the Light Industry zoned site on Nolan Street may appear as an anomaly it also supports the hierarchy of centres and height principles. Therefore it would be inconsistent with the height principles to reduce the height of this property.
- 12.42 Furthermore, volcanic viewshafts across the street frontage of the site limit height to less than 20m thereby compromising the future development of the site.
- 12.43 Marewa Road runs between the Greenlane centre on the southern side and the main Railway line and motorway to the north. The subject sites are on the northern side of the road. Number 1-7 Marewa Road is zoned Local Centre and is occupied by a three storey retail/office building at the rear and associated parking at the front. Number 9-15 Marewa Road is zoned Mixed Use and is occupied by a number of single level villas containing both residents and small scale commercial activities. This site has recently been granted resource consent to exceed height to construct two 20m high buildings. The property at 17 – 23 Marewa Road is also zoned Mixed Use and is occupied by a two storey office building containing the Greenlane Christian Centre.
- 12.44 Both the Local Centre zone and the Mixed Use zone have a height of 18m (proposed to be revised from 16.5m). The submitter seeks a height of 20m over these properties. Part of 1-7 Marewa Road is subject to 16-20m viewshaft contours which will compromise the ability to build up to the height provided for in the zone.
- 12.45 As discussed previously, the submitter also seeks a rezoning of the properties, specifically of 1-7 Marewa Road from Local Centre to Mixed Use. They also seek a rezone of the THAB zoned properties further along the road to Mixed Use. Consequently, these properties will be included in Topic 081- Rezoning and Precincts (Geographic Areas).

12.46 As notified the size and location of the Local Centre and supporting Mixed Use zoned properties are consistent with the height principles of the Business zones. They support and enable the growth of Greenlane centre as a local centre.

Response

12.47 For the reasons outlined above, I do not support a decrease in height for the subject property on Nolan Road as requested by submission 3245-11 and the corresponding further submission. I also do not support submission 3434-5 seeking an increase of height for the properties along Marewa Road.

Saint Heliers

12.48 St Heliers is a local seaside village centre located on the eastern end of Tamaki Drive. St Heliers is defined by its relationship with the beachfront and the bay. There is a mixture of residential and commercial activities within the St Heliers village centre, and the Tamaki Drive streetscape is predominately occupied by two storey commercial buildings.

12.49 The business/commercial area is zoned Local Centre – St Heliers, and the majority of the business area is within three blocks of land bounded by Tamaki Drive, Matheke Street, Polygon Road and Turua Street. The local centre is immediately abutted by a mixture of Mixed Housing Urban zoned properties to the east and west, and THAB zoned properties to the south, as shown below in **Figure 32**.

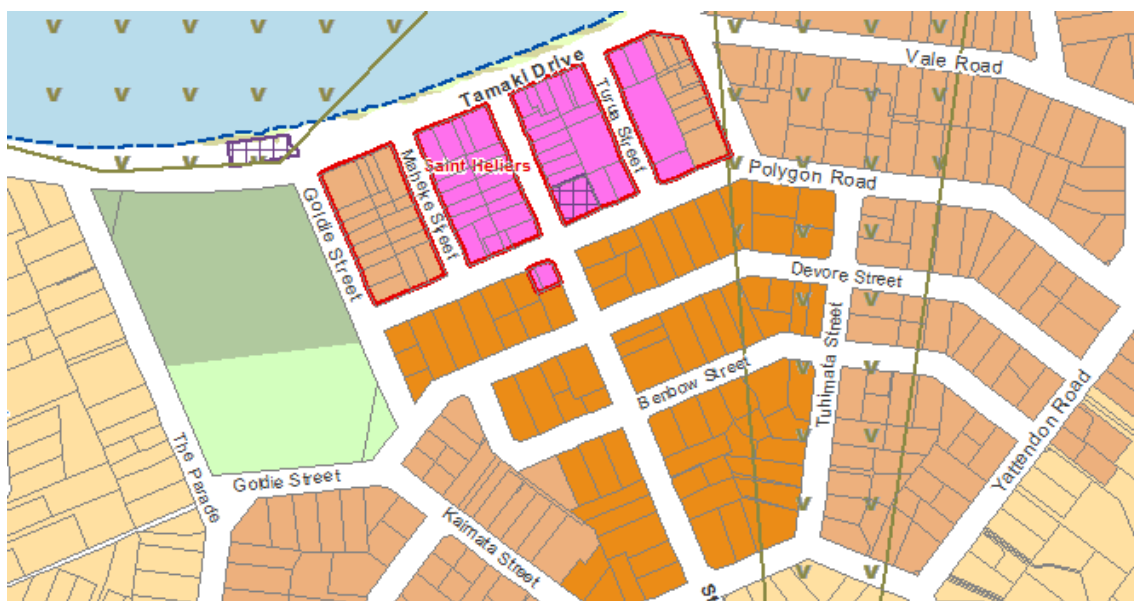


Figure 32: St Heliers

- 12.50 The Local Centre zone has a notified zone height of 16.5m (proposed to be revised to 18m).
- 12.51 The topography within the village centre area is relatively flat, with a small contour change towards the southeast end of the town centre around Lombard Street, Turua Street and Polygon Road. The topography changes quite dramatically throughout the residential area (south of the village centre), with a drop from 35m Mean Sea Level on Sylvia Road to 5m Mean Sea Level on Polygon Road.
- 12.52 There are overlays in this area including:
- St Heliers Precinct overlay. This overlay applies to all of the Local Centre zoned sites, and the two blocks of Mixed Housing Urban zoned sites and facing Tamaki Drive. Essentially, the four blocks of land bound by Tamaki Drive, Goldie Street, Polygon Road and Lombard Street, plus 13 and 15 Polygon Road.
 - Volcanic Viewshaft T8 (Rangitoto Island) limits heights to protect views of Rangitoto. This applies to Mixed Housing Urban and Terrace Housing and Apartment Buildings, and some Single House properties along St Heliers Bay Road.

Submissions

- 12.53 There were two submissions (322-5 and 1573-1) seeking to decrease the maximum height applying to the Local Centre. They seek to do this by reducing the maximum height to 9m for all the Local Centre zoned via a new AZHC overlay.
- 12.54 Both submissions were also subject to one further submission each – opposing their requests to decrease the heights.

Discussion

- 12.55 St Heliers Local Centre is consistent with the building form, scale and general amenity anticipated for a local centre in the PAUP's hierarchy of centres and ensures an efficient use of land. The centre has a mixture of 2, 3 and 4 storey buildings of varying styles and age that reflect the local community.
- 12.56 The St Heliers Bay precinct provides for recognition of the sense of place in the village and surrounding streets which requires new development to contribute to and enhance the amenity and character of the area. The precinct also applies a height limit of 12.5m which sits under the Local Centre zone height of 18m (proposed to be

revised from 16.5m). Consequently, the Local Centre height enables development opportunities for sites which are suitable for development.

Response

12.57 For the reasons outlined above, I do not support the submissions to decrease the maximum heights for the St Heliers Local Centre.

Mission Bay

12.58 Mission Bay is a seaside local shopping/commercial centre with easy access to Selwyn Reserve and the beach. It is located along the scenic drive east along Tamaki, making it one of the most accessible Local Centre along the beach from downtown Auckland. The local centre offers a mix of land use activities, including retail, commercial, bars, restaurants and cafes.

12.59 The prevailing zones are Local Centre and Mixed Use, surrounded by Mixed Housing Urban and some Single House zone, as shown in **Figure 33** below.

12.60 Both the Local Centre zone and the Mixed Use zone have standard zone heights of 16.5m (proposed to be revised to 18m).

12.61 The topography of Mission Bay is relatively flat, but rises upwards to the south around Marau Crescent. The levels change quite dramatically, rising approximately 25m from Marau Crescent to Nihill Crescent.

12.62 There are no additional overlays that affect heights in the Business zones.

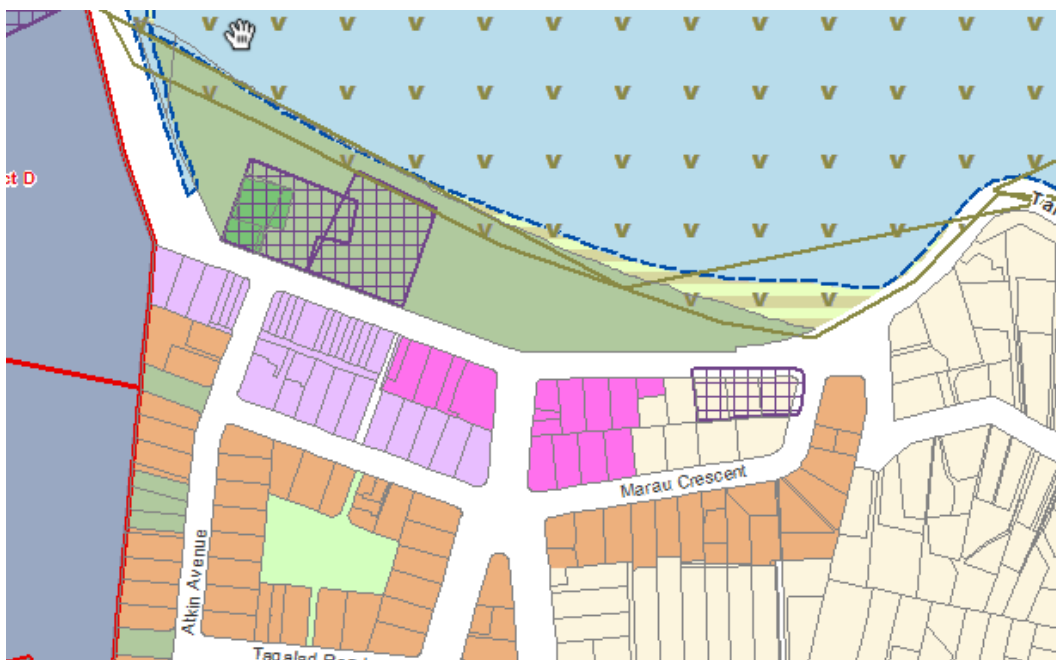


Figure 33: Mission Bay

Submissions

12.63 The Council received two submissions (5623-2 and 3746-2) seeking to decrease the height limit in Mission Bay. Two further submissions were received in support of these and one further submission received opposing submission 5632-2.

12.64 Both submissions seek a reduction in height for the Local Centre zone to 12.5m and 10m respectively while only submitter 3746-2 also seeks a reduction in height for the Mixed Use zone to 10m.

Discussion

12.65 In some aspects, Mission Bay shares similar characteristics to St Heliers. Mission Bay is a seaside local centre, offering a pedestrian friendly environment for the locals and visitors. Not unlike St Heliers, the built form in Mission Bay varies between two to four storeys.

12.66 Having considered the current built form of Mission Bay, as well as what is envisaged in the PAUP, I consider that a height of 16.5m (revised to 18m) is appropriate for this Local Centre and associated Mixed Use zoned sites.

12.67 It is my view that a lower maximum height of 10m or 12.5m in the Local Centre or Mixed Use sites will limit flexible design solutions for future development. Additionally, a lower height may constrain the development opportunities for some of the sites which are suitable for development.

12.68 Furthermore, I consider that a height of 18m is consistent with the building form, scale and general amenity anticipated for a local centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

12.69 For the reasons outlined above, I do not support the submissions which seek to decrease the maximum heights for Mission Bay Local Centre and adjacent Mixed Use zone or the corresponding further submissions which supports the decrease in height.

Kepa Road and Eastridge Local Centre

- 12.70 Kepa Road/Eastridge is a local shopping/commercial centre located on the southern side of Kepa Road. It is a community shopping centre offering a mix of land use activities including a New World Supermarket, doctors and general practice, a pharmacy, cafe, restaurant, a TAB, NZ post office, and mix of retails. This local centre offers approximately 450 car parks located within the shopping complex.
- 12.71 The prevailing zones are Local Centre and Mixed Use, surrounded by a mixture of Terrace Housing and Apartment Building, Mixed Housing Urban, Mixed Housing Suburban and Single House zoned sites, as shown on the map below. There are also several sites with Special Purpose and Public Open Space zonings in the surrounding area. Refer to **Figure 34** below.
- 12.72 Both the Local Centre zone and the Mixed Use zone have standard zone heights of 16.5m (proposed to be revised to 18m).
- 12.73 The topography of the Kepa Road/Eastridge Local Centre is relatively flat. However, the contours vary with the adjacent sites, with the land sloping down towards the inlet areas to the south.
- 12.74 There are no overlays in this area that affect heights on Town Centre sites

Submissions

- 12.75 The Council received one submission (5968-21) requesting an increase in height within the Kepa Road/Eastridge Local Centre.

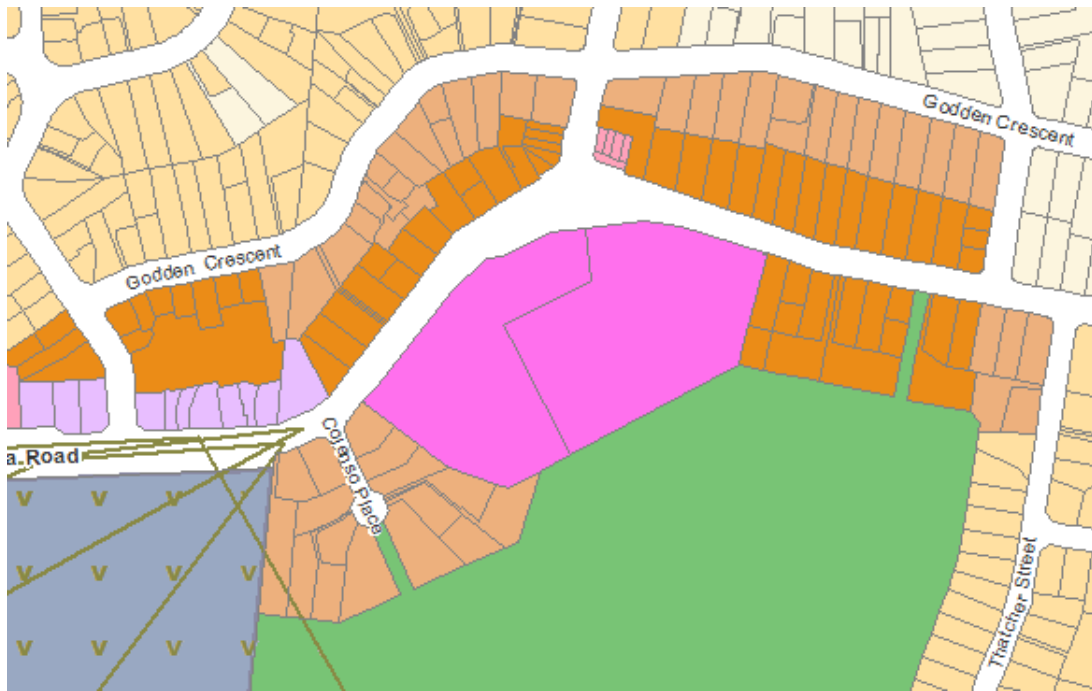


Figure 34: Eastridge Shopping Centre

12.76 The submission seeks to amend the height rules for Eastridge Shopping Centre, 209 Keka Road and 215 Keka Road, Mission Bay to specify a maximum height of 20.5m and 32.5m to apply to different parts of the site; and a setback of 6m for building mass above 16.5m.

12.77 There were two further submissions, one in support and one opposing this submission.

Discussion

12.78 The Keka Road/Eastridge Local Centre is a local shopping centre serving the surrounding suburbs including Mission Bay, St Heliers, and Orakei. The built form of this centre is an isolated shopping complex not exceeding two levels in height. The front half of the site contains the associated parking and landscaping. The back of the property (behind the building) is planted as a buffer up against the adjoining reserve land. The surrounding scale of residential developments varies between one to two storeys.

12.79 As a local centre, the current height of Eastridge is consistent with the centres hierarchy of the PAUP. The height of 18m (proposed to be revised from 16.5m) enables a mix of activities (office/retail/services/eateries) while ensuring that it doesn't physically and visually dominate the surrounding residential (and public open space) area.

12.80 Furthermore, with being in close proximity to both the Newmarket metropolitan centre and the city centre, Eastridge does not justify an increase in height beyond its function under the height principles and centres hierarchy.

12.81 Given that any increase in height is subject to a restricted discretionary activity resource consent, I consider that any increase in height would be more appropriately assessed through a resource consent process, on a case by case basis. This would ensure that the privacy and shading effects for the immediate neighbourhood is adequately assessed.

Response

12.82 For the reasons outlined above, I do not support the submission (5968-1) to increase the maximum heights for the Kepa Road/Eastridge Local Centre or the corresponding further submission which supports the decrease in height.

Glen Innes

12.83 Glen Innes is a town centre located approximately 9km east of the city centre, close to the Tamaki River. The town centre has access to a wide range of land use including childcare facilities, café, restaurants, a post office, a mix of retail, and other commercial activities. The town centre is situated immediately abutting the Glen Innes Train Station.

12.84 Glen Innes is largely a residential suburb, with recent gentrification including the Talbot Park redevelopment by Housing New Zealand. This has led to more modern developed housing within the area, along with a mix of housing typologies from single detached dwellings to semi-detached, terraces and even apartment complexes.

12.85 The business/commercial area is zoned Town Centre and is bounded by a mixture of Terrace Housing and Apartment Building, and Mixed Housing Suburban zones site to the east and south, Mixed Use and Light Industry zoned sites to the west, and Public Open Space zone to the north, as shown in **Figure 35**.

12.86 The Town Centre zone has a zone height of 32.5m.

12.87 Glen Innes follows the contour of the land, flowing from the ridge down to the flat areas close to sea level. The Town Centre zoned areas are relatively flat, with a gentle contour that falls from 20m towards the western side of Apirana Avenue, to 15m towards Line Road

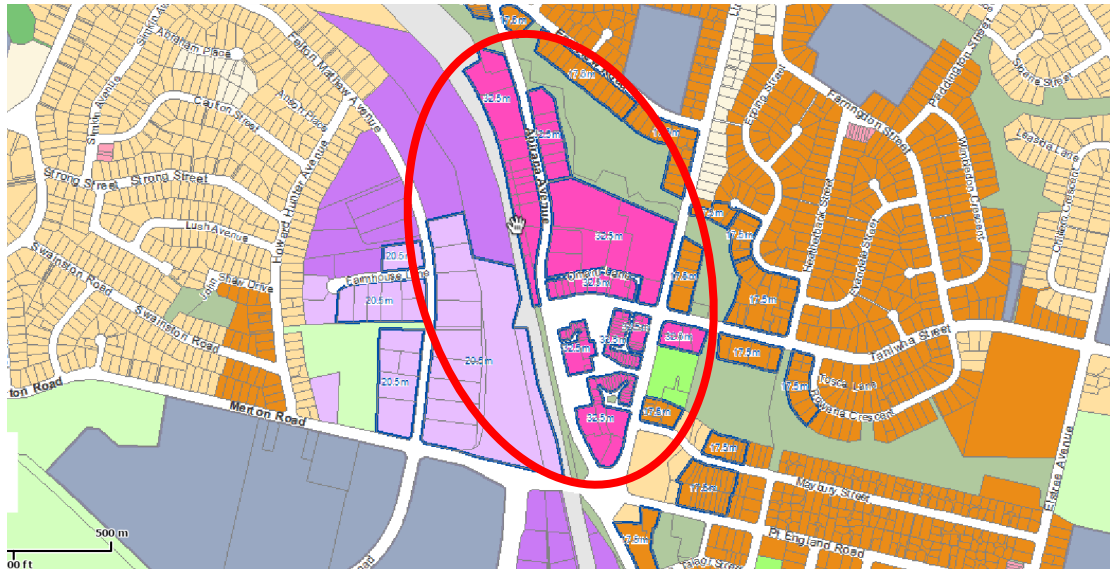


Figure 35: Glen Innes

12.88 The Tamaki Precinct overlay applies to a large area, covering the suburbs of Glen Innes, Panmure, some areas of Stonefields and Mount Wellington Highway. All the business zoned sites within Glen Innes are covered by the Tamaki Precinct overlay.

Submissions

12.89 The Council received three submissions relating to height in Glen Innes. The sites to which the submissions relate are circled in red in **Figure 35** above.

12.90 There were two submissions (4274-82, 5553-2) seeking to retain the proposed maximum height of 32.5m applying to the Glen Innes Town Centre, particularly, over three particular sites:

- 88-90 Line Road, Glen Innes
- 260 Apirana Avenue, Glen Innes; and
- 40-42 Mayfair Place, Glen Innes.

12.91 One submission (2422-31) is seeking to decrease the maximum height applying to the Town Centre to a maximum height of three storeys. The submitter did not specify the maximum height in metres in his submission.

12.92 One submission (4667-5) seeks to retain the AZHC overlay for 110-112 Felton Mathew Avenue, St Johns, a Mixed Use zoned site.

12.93 No further submissions were received in relation to any of the submissions related to height in Glen Innes.

Discussion

- 12.94 Regeneration is currently underway in Glen Innes. With the development of Talbot Park as a kick start, and the Northern Glen Innes project to follow, this is an area of change, and the suburb will go through a major transformation. The Tamaki Redevelopment Company was also formed to manage the regeneration of Tamaki. Recently, the ownership and management of approximately 2,800 Housing New Zealand properties in Tamaki were transferred to the Tamaki Redevelopment Company to encourage regeneration.
- 12.95 With the large number of redevelopment projects within the area, this Town Centre will go through significant changes in the next ten years. It is also located in an appropriate location in relation to the surrounding centres including Eastridge, St Heliers, Panmure and Stonefields. To ensure that the future neighbourhoods have adequate resource to service their needs, it is my view that the current proposed height of 32.5m in the Town Centre zoning in Glen Innes is appropriate for the area.
- 12.96 Furthermore, I consider that the Glen Innes Town Centre is consistent with the building form, scale and general amenity anticipated for a town centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

- 12.97 For the reasons outlined above, I do not support the submission (2422-31) to decrease the maximum heights for the Glen Innes Town Centre.
- 12.98 For the reasons outlined above, I support submissions 4274-82, 5553-2 to retain the notified AZHC overlay height of 32.5m in the Town Centre zone.
- 12.99 Furthermore, I do not support submission 4667-5 which seeks to retain the AZHC overlay of 20.5m in the Mixed Use zone. I support the revised height of 21m in this zone

Ellerslie

- 12.100 Ellerslie is a town centre focused around Main Highway and its intersection with Ladies Mile, Robert Street, Findlay Street and Ramsgate Street. The southern motorway runs along the western edge of the town centre and Ellerslie train station is located immediately to the west of the motorway. The train station is accessible from the town centre via a pedestrian bridge over the motorway at the intersection of Main

Highway and Roberts Street. The town centre comprises a mix of land use activities, including retail, commercial, healthcare services, a gym, cafes, bars and restaurants.

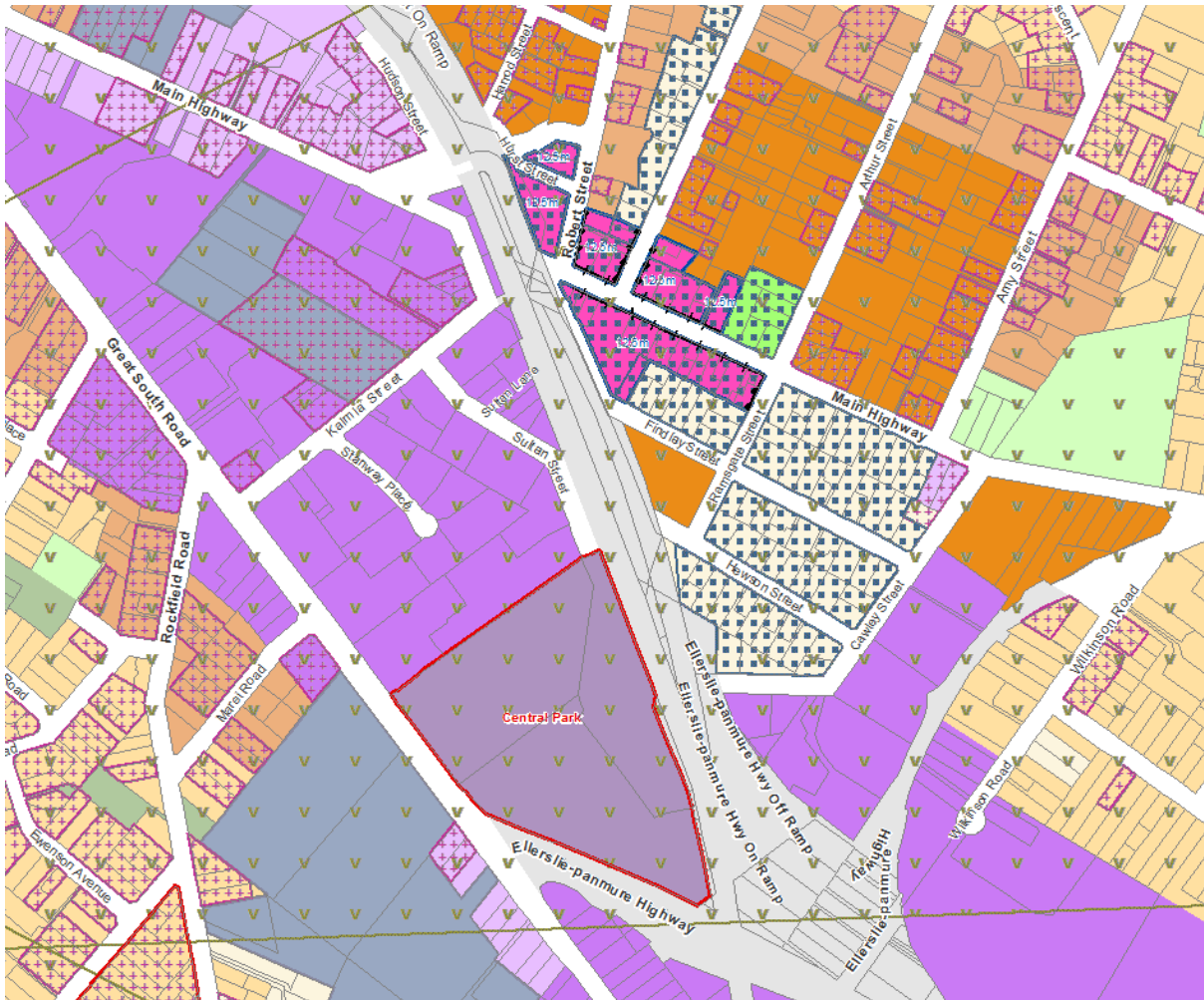


Figure 36: Ellerslie

12.101 The prevailing zones are Town Centre surrounding by Single House zone to the south and to the east, Terrace Housing and Apartment Buildings, Mixed Housing Urban and Single House zones to the north. There is also a pocket of Terrace Housing and Apartment Buildings zone to the south between Findlay Street and Hewson Street and a small area of Public Open Space – Community zone to the north of the Town Centre zone. On the eastern side of Cawley Street there is an area of Light Industry. On the western side of the Southern Motorway there is a mix of Light Industry, Mixed Use, Special Purpose - School zone and Business Park zone.

12.102 The Town Centre has no standard zone height (see details of AZHC overlay below). The Mixed Use zone has a notified height of 16.5m (proposed to be revised to 18m). The Light Industry zone has a zone height of 20m.

12.103 The topography of the town centre is relatively flat but slopes upwards to the north beyond the centre.

12.104 There are overlays in this area including:

- AZHC overlay of 12.5m (proposed to be revised to 13m) applies to the Town Centre zone.
- Volcanic Viewshaft W26 (Mt Wellington) applies to the Town Centre zone – Ellerslie and surrounding area.
- Special Character Business (proposed to be revised to Historic Character overlay) – Ellerslie overlay applies to the whole of the Town Centre zone and the adjoining Public Open Space – Community zoned land on the corner of Main Highway and Arthur Street.
- Special Character Residential Isthmus A overlay (revised as Historic Character overlay) applies to the Single House zone to the north, south and east/south east of the Town Centre zone.

Submissions

12.105 The Council received eight submissions relating to height in the Ellerslie Town Centre zone and surrounding business zones.

12.106 Three submissions (3539-2, 5716-3579 and 6852-10) seek to retain a maximum permitted height of 12.5m and three storeys in the Ellerslie Town Centre zone, as notified in the PAUP. Two submissions (5277-236 and 5280-238) seek to increase the AZHC in the Town Centre zone from 12.5m to 16.5m (4 storeys). One submission (2422-71) seeks to decrease the maximum permitted height in Ellerslie to two storeys. This submission does not define the area referred to as 'Ellerslie' to which the requested reduction in height relates. However, as the submission relates to centres, it is assumed that this submission relates to the Ellerslie Town Centre zone.

12.107 Two submissions (5566-25 and 6852-22) seek to increase the maximum permitted height for the Light Industry zone. Submission 5566-25 seeks to increase the maximum permitted height for 19-23 Kalmia Street, Ellerslie to 35m and to delete the storey controls for this property. This submitter also seeks to rezone these properties from Light Industry to Mixed Use. This will be dealt with in Topic 080 (Rezoning and Precincts). I note that this submitter 5566 has a general submission to increase the Mixed Use zone height to 35m. Submission 6852-22 seeks to increase the maximum permitted height for land between Cawley Street and the Ellerslie Panmure Highway, Ellerslie to 12 storeys, reducing down to three storeys consistent with the adjacent

Terrace Housing and Apartment Buildings zone. This submitter also seeks to rezone this area of Light Industry to Terrace Housing and Apartment Buildings zone.

12.108 There were 67 further submissions in opposition to 5277-236, two further submissions in support and one further submission supporting this submission in part.

12.109 There were 107 further submissions in opposition to 5280-238, one further submission opposing this submission in part, one further submission in support and one further submission supporting this submission in part.

12.110 There were two further submissions in opposition to 5716-3579, three further submissions in support and one further submission supporting this submission in part.

12.111 There were six further submissions in support of submissions 6852-1 and 6852-22 and one further submission opposing 6852-22 in part.

Discussion

12.112 Main Highway, Ladies Mile and Robert Street, Ellerslie are arterial roads and the town centre is located within walking distance of Ellerslie Train Station. It is an area that has good access to public transport. Ellerslie has identified historic character (as set out in the amended Ellerslie Historic Character Area statement in Anthony Matthews' evidence on Topic 029 Special Character and Pre-1944.) As noted above, the Special Character Business overlay (proposed to be revised to Historic Character overlay) applies to the whole of the Town Centre zone and the Special Character Residential Isthmus A overlay (proposed to be revised to revised Historic Character overlay) applies to the Single House zone to the north, south and east/south east of the Town Centre zone.

12.113 Volcanic Viewshaft W26 (Mt Wellington) applies to the whole of the Town Centre zone (and wider Ellerslie area). The viewshaft contours over the town centre range from approximately 56.5 to 62.5m. The viewshaft is not therefore a limitation to height in the Town Centre at the levels proposed by submitters.

12.114 It is my view that a revised maximum height of 13m (proposed to be revised from 13m) for the Town Centre zone strikes an appropriate balance between protecting the historic character of the area while supporting public transport and contributing to the vitality and vibrancy of the centre.

12.115 Furthermore, I consider that it is consistent with the building form, scale and general amenity anticipated for a town centre (with historic character) in the PAUP's hierarchy of centres and will ensure an efficient use of land.

12.116 It is my view that the standard zone height of 20m is appropriate for the Light Industry sites at 19-23 Kalmia Street, Ellerslie and between Cawley Street and the Ellerslie Panmure Highway, Ellerslie. Both submitters (5566 and 6852) seek rezoning of these properties/areas from Light Industry to Mixed Use (submitter 5566) and from Light Industry zone to Terrace Housing and Apartment Buildings zone (submitter 6852). These requests will be dealt with under topic 081 Rezoning and Precincts (Geographical Areas).

12.117 The objectives and policies for the Light Industry zone seek to avoid office activities, except where they are accessory to the primary activity on-site and residential activities, and to limit retail activity (D3.10 policies 3(a) and 4(a) and (b)). The submitters appear to be seeking additional height to accommodate these activities, which in my opinion, is contrary to the objectives and policies for the Light Industry zone.

Response

12.118 For the reasons outlined in the above paragraphs, I do not support submissions 5277-236 and 5280-238 to increase the town centre height, submission 2422-71 to decrease the town centre height, and submissions 5566-25 and 6852-22 to increase the height for sites in the Light Industry zone in Ellerslie.

12.119 Furthermore, given the revised height of 21m for the Town Centre zoned sites in Ellerslie, I do not support submissions 3539-2, 5716-3579 and 6852-1 which seek to retain the 20.5m AZHC overlay.

Onehunga

12.120 Onehunga is a town centre that centres on Onehunga Mall. It comprises a mix of retail along the historic Mall and larger shopping centres behind including a cluster of shops around a Countdown Supermarket to the west and a large discount fashion shop, Dress Smart, to the east. There is a community centre and library on Church Street. The area is serviced by rail with the Onehunga Rail Station in the south of the centre and the Auckland Transport bus network which has an interchange adjacent to the library. There is a connection to the South Western Motorway (SH20) at the

southern end of the centre. From the north of the centre to the south, the nature of the area changes from smaller scale retail to a mix of larger commercial buildings.

12.121 The prevailing zones are Town Centre, surrounded by Terraced Housing and Apartment Building to the east and Single House and Mixed Use to the west and south. There are also two Special Purposed zoned sites (Onehunga Primary School and St Joseph's School).

12.122 The Town Centre zone has a height limit of 24.5m (proposed to be revised to 27m) as provided for by the AZHC overlay.

12.123 The topography of Onehunga Mall is relatively flat, sloping gradually to the east and west and from the north above Arthur Street.

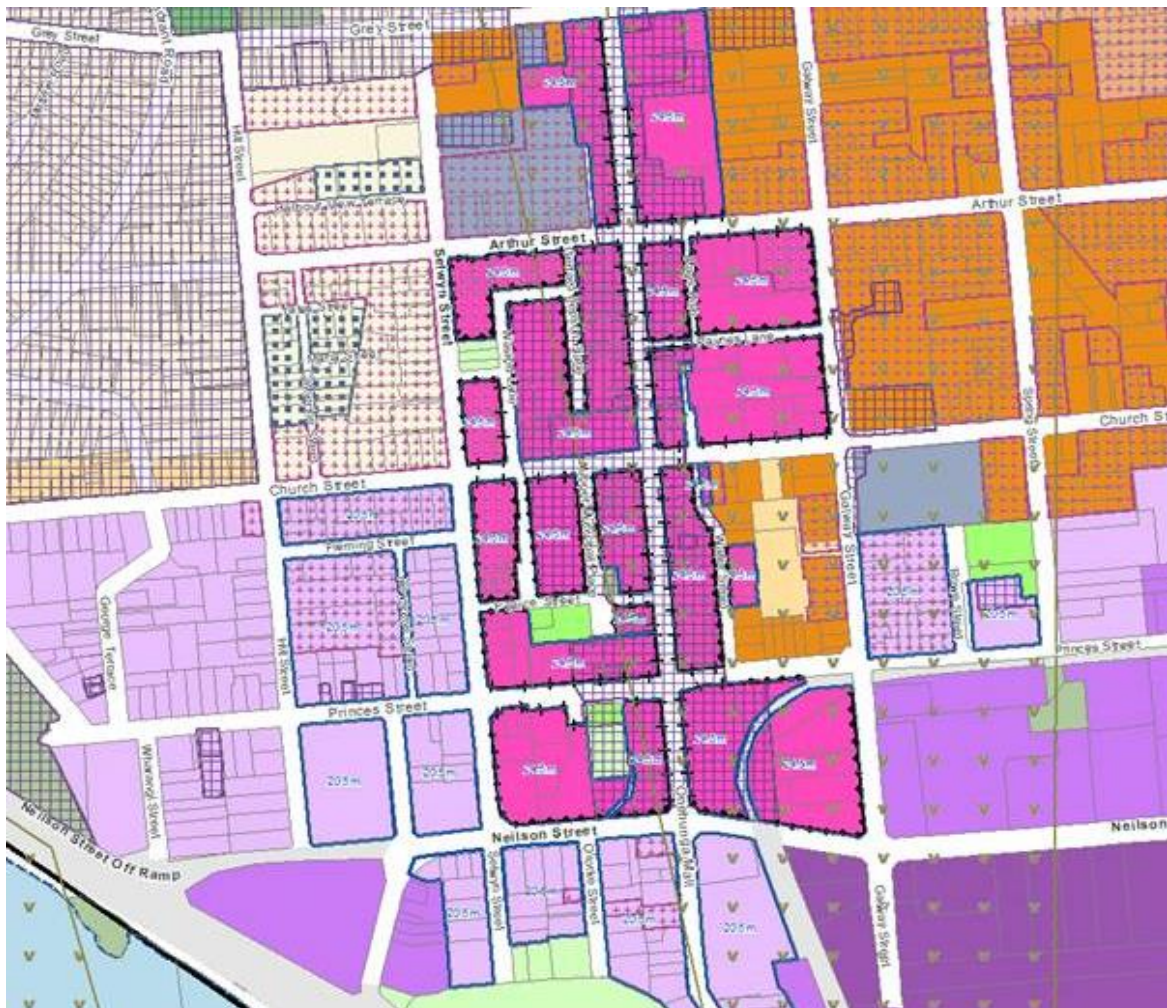


Figure 37: Onehunga

12.124 There are overlays in this area including:

- AZHC overlay of 24.5m (proposed to be revised to 27m) applies to the Town Centre zoned land and 20.5m (proposed to be revised to 21m) applies to the Mixed Use zoned land surrounding the southern end of the centre.
- Volcanic Viewshaft O11 (One Tree Hill) applies to the central and eastern parts of the town centre. Viewshaft contours vary from 19m - 34.5m over the site.
- Historic Heritage – Historic Heritage Extent of Place 2631 – Onehunga Mall Historic Heritage Area and numerous Historic Heritage Places along and around Onehunga Mall referring to specific sites.
- Natural Heritage – Outstanding Natural Features ID 183 – Scotlands Cave at the northern end of the centre off Grey Street.

Submissions

12.125 There were ten submissions relating to heights in Onehunga.

12.126 Three submissions seek to increase heights (5566-40 for 43 Galway Street, 6247-25 for block bounded by Hill Street, Princes Street, Wharangi Street, and Neilson Streets, 6355-11 for 22 George Street and 23 George Street), three seek to decrease heights (2422-39 across Onehunga, 4274-88 for 126 Onehunga Mall, 5280-233 for Onehunga Mall), two seek to delete the AZHC (6175-3 for 34-36 Galway Street, 6175-6 for 71-105 Onehunga Mall) and two submissions seek to retain the AZHC (1499-2 land bounded by Arthur Street, Grey Street, Galway Street, Church Street and Onehunga Mall, 3314-4). The majority of submissions relate to specific sites as opposed to Onehunga as a whole.

12.127 There were four further submissions, one that supported in part submission 5280-233 to decrease the height limit in Onehunga.

Discussion

12.128 Onehunga is a historic town centre in Auckland. It has a wide mix of retail and commercial businesses at a variety of scales from single shops to large malls. It also has a variety of civic functions including a library and community centre. It is serviced well by public transport with good access to Auckland Transport's rail and bus networks.

12.129 It is my view that an AZHC of 27m (proposed to revised to 24.5m) for the Town Centre zone in Onehunga is appropriate and in line with the level of growth

anticipated by zoning it as a town centre. This will provide some flexibility for future development and intensification of the centre. It will also support the provision of community and public transport infrastructure.

12.130 Notwithstanding, the historic character of the general area and specific properties are protected by the Historic Heritage Overlay. Volcanic Viewshaft O11 (One Tree Hill) also provides further restrictions on building heights through the consenting process.

12.131 For the areas zoned Mixed Use, where a 20.5m (proposed to be revised to 21m) AZHC overlay is in place, it is my view that this overlay could be increased to the west to include properties bound by Hill Street, Princes Street, Wharangi Street, and Neilson Streets only. This will increase the development potential of this zone and allow great flexibility for future development. It is still located in close proximity to the town centre and public transport infrastructure. Submissions 6355-11 seeks an increase in height for 22 and 23 George Terrace and the surrounding Mixed Use zone. The block bound by Church Street, George Terrace and Beachcroft Avenue is located near Public Open Space to the west and Mixed Housing Suburban to the north and is slightly further removed from the centre. As such, it is considered that an increase in height for this block is not appropriate.

12.132 It is my view that there should not be any additional AZHC overlays created for sites zoned Light Industry to the south of the centre and that the heights within the zones should prevail. In addition it is noted that large areas of the sites are covered by a viewshaft.

12.133 Furthermore, I consider that the zone heights are consistent with the building form, scale and general amenity anticipated for a town centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

12.134 For the reasons outlined above, I do not support the submissions which seek to increase or delete the maximum heights for the Town Centre zone in Onehunga. However, I do support an increase in the AZHC for properties in the Mixed Use zone to the west of the centre on the sites specified. I do not support an increase of heights within the Light Industry zone to the south of the centre.

Penrose

12.135 Penrose is a large industrial area centred on Great South Road, Mt Smart Road and Church Street. It comprises a mix of industrial businesses and activities that you

would typically see in this zone including manufacturers, warehousing, garages, building supplies, metal works, courier depots and lunch bars. It is in close proximity to the Southern Motorway and the South Eastern Highway. There are railway stations at Penrose and Te Papapa.

12.136 The zoning in the area is predominately zoned Light Industry with some Heavy Industry south of Church Street. A large area in the southern end of Penrose is zoned Special Purpose and is Mount Smart Stadium, a major events and sporting ground.

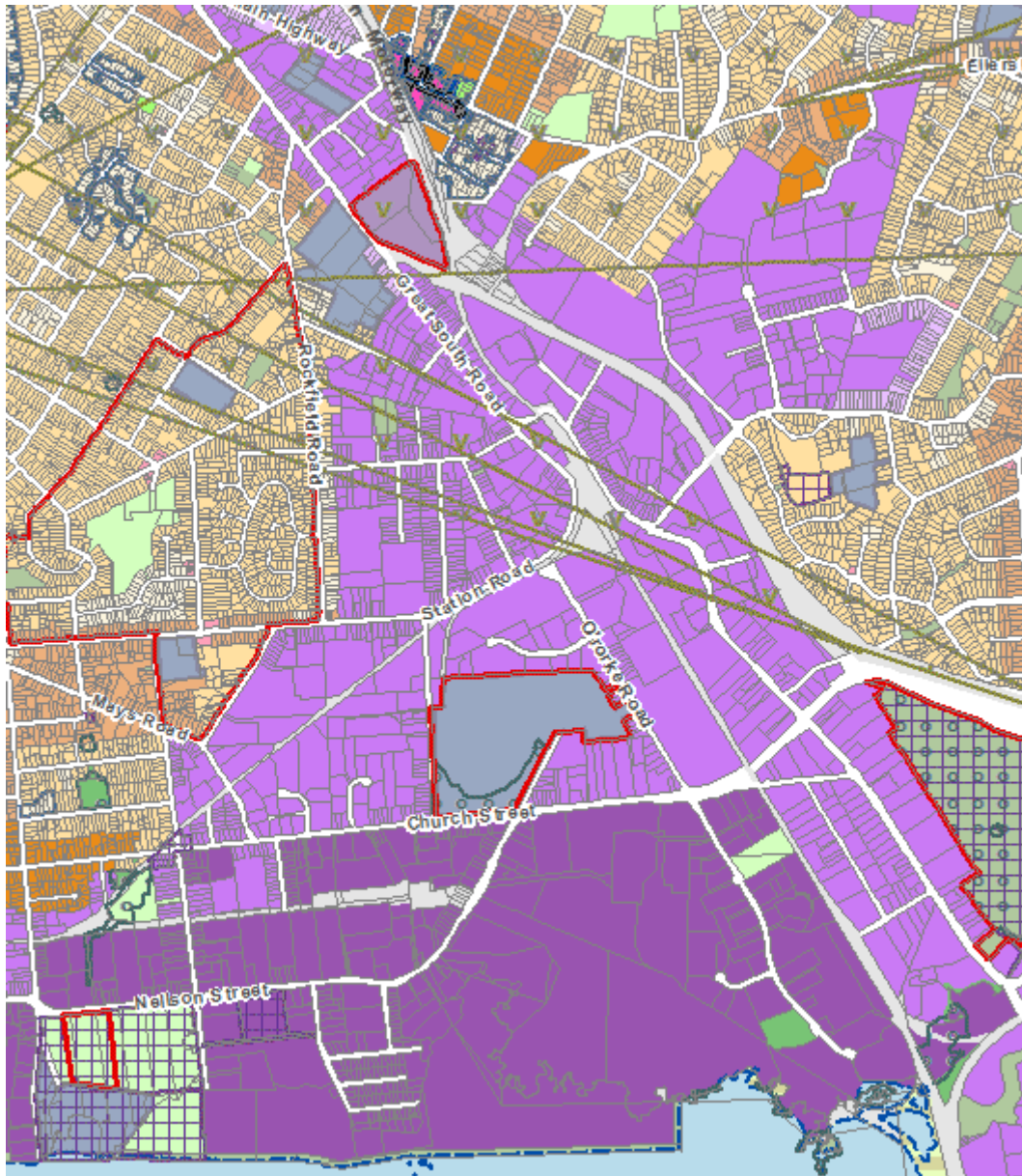


Figure 38: Penrose

12.137 There are no AZHC overlays within Penrose. As such the notified height limit of the specified Light Industry zone prevails (20m).

12.138 The topography of Penrose is flat in sections and slopes from the north to the south.

12.139 Volcanic Viewshafts O3 and O4 (One Tree Hill) apply to this area.

Submissions

12.140 There were four submissions (2463-3, 2436-4, 4816-2 and 5566-36) relating to the heights of two specific areas within Penrose.

12.141 All four submissions seek to create new AZHC overlays to specific properties within Penrose including land either side of Great South Road, 2 Walls Road Penrose, 114 Rockfield Road and 7 Felix Street.

12.142 There was one further submission in relation to submission 2463-3.

Discussion

12.143 The introduction of new AZHC overlays within individual properties zoned Light Industry seek to create an inconsistency with general zone heights and potentially change the nature of development that can be built. It is my view that the notified height for the zone of 20m is sufficiently generous to allow for a mix of development typology. Furthermore Volcanic Viewshafts O3 and O4 (One Tree Hill) already compromise the ability for built development to be designed up to the zone height through the consenting process.

12.144 It is my view that there should not be any new AZHC overlays created for sites zoned Light Industry in Penrose and that the heights within the zones should prevail. Furthermore, I consider that the heights of the PAUP are consistent with the building form, scale and general amenity anticipated for the Light Industry zone and will ensure an efficient use of land.

Response

12.145 For the reasons outlined above, I do not support the increase of height by way of an AZHC overlay over properties zoned Light Industry in Penrose.

Sylvia Park

12.146 Sylvia Park is identified as a Metropolitan Centre in the PAUP.

12.147 Sylvia Park is located immediately abutting the two major interchanges of the Auckland Southern Motorway, the South-Eastern Highway (which passes directly through the shopping centre) and Mount Wellington Highway. The Sylvia Park

complex is a 24-hectare (approximately) site, and includes more than 200 stores, and more than 4000 car parks. It is located within close proximity to bus/rail services.

12.148 The prevailing zones are Metropolitan Centre and Mixed Use, surrounded by a mixture of General Business, Terrace Housing and Apartment Building and Light Industry zoning, as shown on the map below (**Figure 39**).

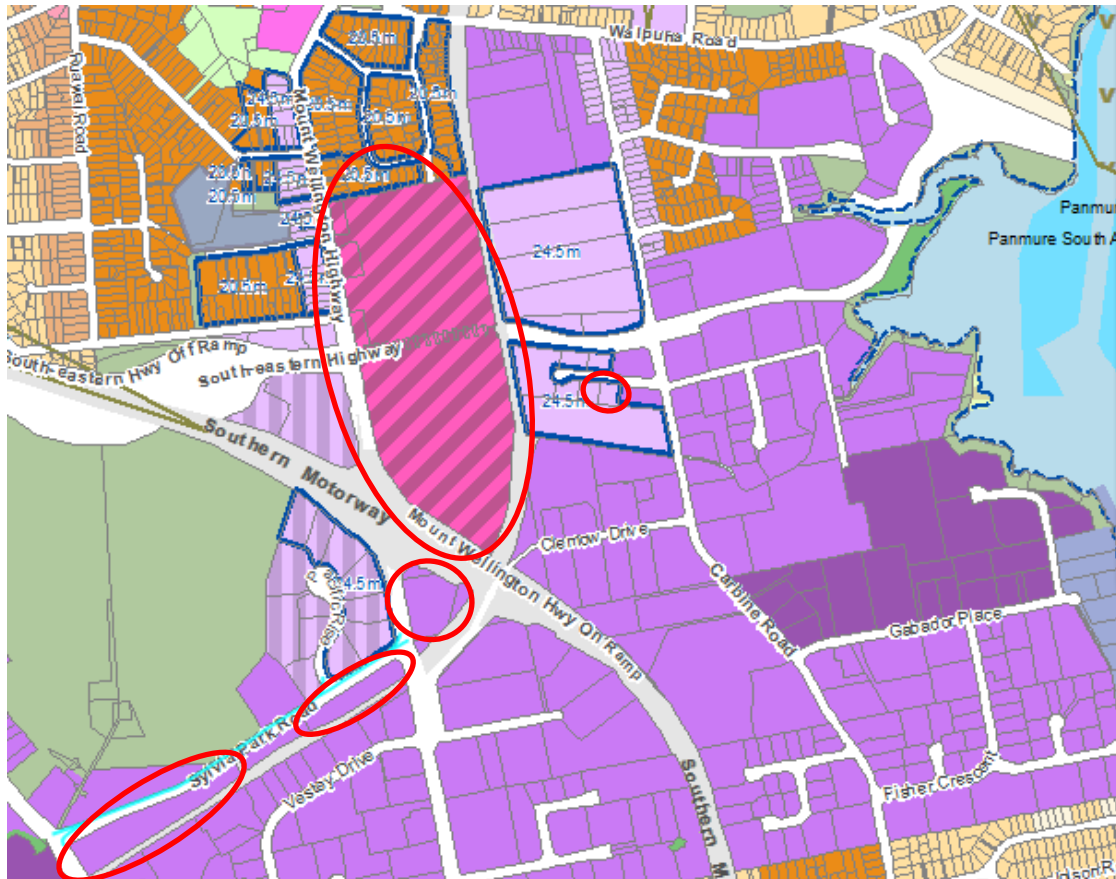


Figure 39: Sylvia Park

12.149 The Metropolitan Centre zoned sites has a standard zone height of 72.5m and the majority of Mixed Use zoned sites around Sylvia Park feature an AZHC overlay of 24.5m (proposed to be revised to 27m), while the other sites have the a height limit of 16.5m (proposed to be revised to 18m). The Light Industry zone has a height limit of 20m.

12.150 The topography of Sylvia Park is relatively flat, and this centre is not affected by any viewshafts.

12.151 The 'Sylvia Park Precinct' is the only overlay in this area that may affect the height of this local centre.

Submissions

- 12.152 There were five submissions relating to height limit in Sylvia Park. The sites to which the submissions relate are circled in red in **Figure 39** above.
- 12.153 Submission 950-6 seeks to retain the AZHC overlay over 4 Arthur Brown Place, Mount Wellington.
- 12.154 One submission (2422-24) requests that an AZHC overlay be added to the Metropolitan Centre zoned sites in Sylvia Park, and provide unlimited storey height for these land parcels.
- 12.155 One submission (5566-30) requests that the AZHC overlay be applied over to all sites within the General Business zone around the area, and delete all storey controls in relation to 1-7 Sylvia Park Road, Mount Wellington.
- 12.156 One submission (5566-33) requests that the AZHC overlay be applied over to all sites within the Mixed Use zone, and delete all storey controls in relation to 13-21 Sylvia Park Road, Mount Wellington.
- 12.157 One submission (5124-8) requests that the AZHC be applied over 430 Mount Wellington Highway, Mount Wellington, so that the additional height limit be increased from 20m (light industry zone) to 24.5m.
- 12.158 No further submissions were received on any of the submissions.

Discussion

- 12.159 As stated in the Auckland Plan, it is envisaged that the urban developments around Sylvia Park will go through transformational changes with more intensive developments. The notified height of 72.5m under the PAUP is considered appropriate for this future planned growth and is consistent with other metropolitan centres.
- 12.160 The light industry uses surrounding Sylvia Park are anticipated to stay around this area, and to serve this area as a business hub. To ensure that the built form is properly managed to reflect the type of anticipated uses (i.e. larger building foot print and less height), the maximum height limit should be limited to 20m. This will also visually assist to determine the hierarchy of land uses, with the centre being the highest height.

12.161 Whilst the Mixed Use and General Business zoned sites may afford an increased height, I consider a height limit of 27m (proposed to be revised from 24.5m) is appropriate. The PAUP currently proposes a maximum height of 20.5m for Terrace Housing and Apartment Buildings zoned sites. The difference in height between these zones ensures that the surrounding residential uses are not heavily overshadowed by business activities.

12.162 Furthermore, I consider that height limits in the Metropolitan Centre and Council's revised height limits in the Mixed Use and General Business zones are consistent with the building form, scale and general amenity anticipated for a local centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

Response

12.163 For the reasons outlined in paragraphs above, I do not support the submissions to increase the maximum heights for Sylvia Park and adjacent Mixed Use zone or General Business zone.

12.164 Furthermore, I do not support those submissions which seek to retain the maximum heights of the Mixed Use zone site, as I support Council's proposed revised position on heights for this zone.

Remuera and Meadowbank

12.165 Remuera is a relatively small area of Town Centre zone located on Remuera Road at the top of Victoria Avenue. An AZHC of 16.5m (proposed to be revised to 18m) applies over this area. The Historic Heritage Extent of Place overlay applies to one site on the eastern edge and Volcanic Viewshaft W26 (Mount Wellington) applies to the majority of the centre.

12.166 Meadowbank is also located on Remuera Road at the top of Meadowbank Road and is zoned Local Centre, with a height limit of 16.5m (proposed to be revised to 18m). No other relevant overlay applies to Meadowbank.

12.167 Both centres are surrounded by residential zoning including THAB, Mixed Housing Urban and Single House. Refer **Figure 40** below.

12.168 Remuera is characterised by predominantly two storied buildings with local shops and amenities located on the ground floor and commercial offices or residential dwellings located on the upper floor. Meadowbank comprises a wide range of land

uses including local shops and services and a large shopping at the north eastern end. Both centres are well serviced by public transport and are flat in topography.

Submissions

12.169 Nine submissions were made in respect of height in Remuera and one in Meadowbank. Of the submissions that relate to Remuera, one requests an increase in height (2422-55), five request a decrease in height (1669-2, 2162-1, 3285-3, 5347-34 and 6943-1) and three request that the notified heights be retained (5569-9, 3641-10 and 5716-3578). The submission for Meadowbank also requests that the notified height limit be retained (5569-4).

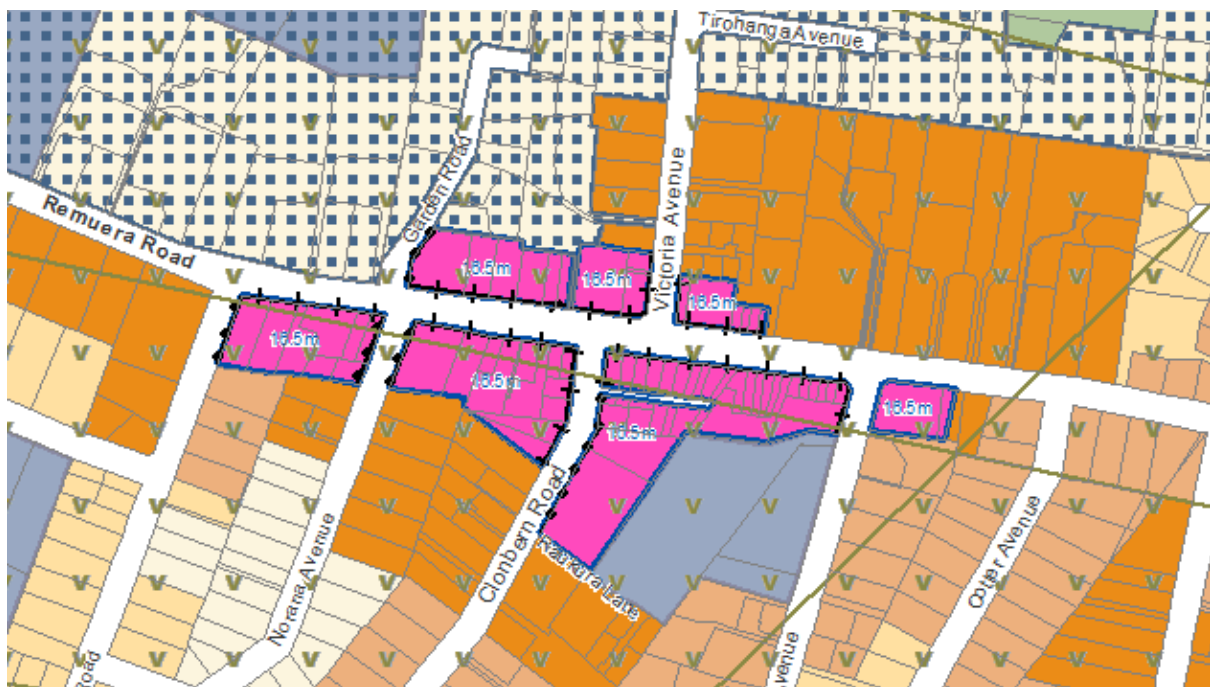


Figure 40: Remuera

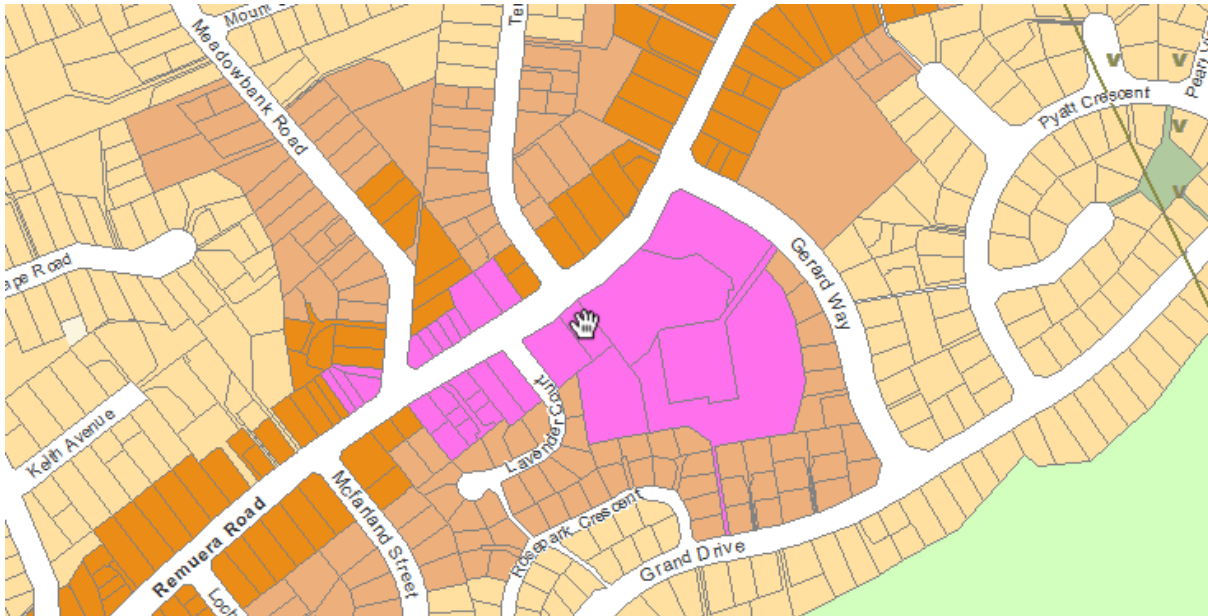


Figure 41: Meadowbank

12.170 One further submission opposes a decrease in height in Remuera and two further submitters support the retention of the notified height in Remuera whilst one opposes this retention.

Discussion

12.171 As both Meadowbank and Remuera are not subject to a Special Character overlay (revised to Historic Character overlay) and are well serviced centres in respect of transport, an 18m (proposed to be revised from 16.5m) height limit is considered an appropriate balance between allowing for intensity whilst still being sensitive to the surrounding residential zones and remaining below the floor of the viewshaft which traverses the Town Centre at various heights between 22m and 33m. It is considered that a reduction in height would not allow for the intensification of commercial, residential and community activities

Response

12.172 For the reasons given above I do not support submissions 2422-55, 1669-2, 2162-1, 3285-3, 5347-34 and 6943-1.

12.173 Furthermore, I do not support submissions 5569-9, 3641-10, 5716-3578 and 5569-4 (and corresponding further submissions) which seek to retain heights, as I support Council's position on the revised height limit for the Local Centre zone of 18m.

Panmure

12.174 Panmure is a town centre situated between Panmure Basin and Maungarei/Mt Wellington. The centre is focused largely around the Panmure roundabout on the Eilerslie-Panmure Highway and the streets radiating out from this. Panmure Interchange (bus and train station) is located within the town centre, on the northern side of the Eilerslie-Panmure Highway. The town centre comprises a mix of land use activities, including retail, commercial, fitness club, healthcare services, cafes, bars and restaurants.

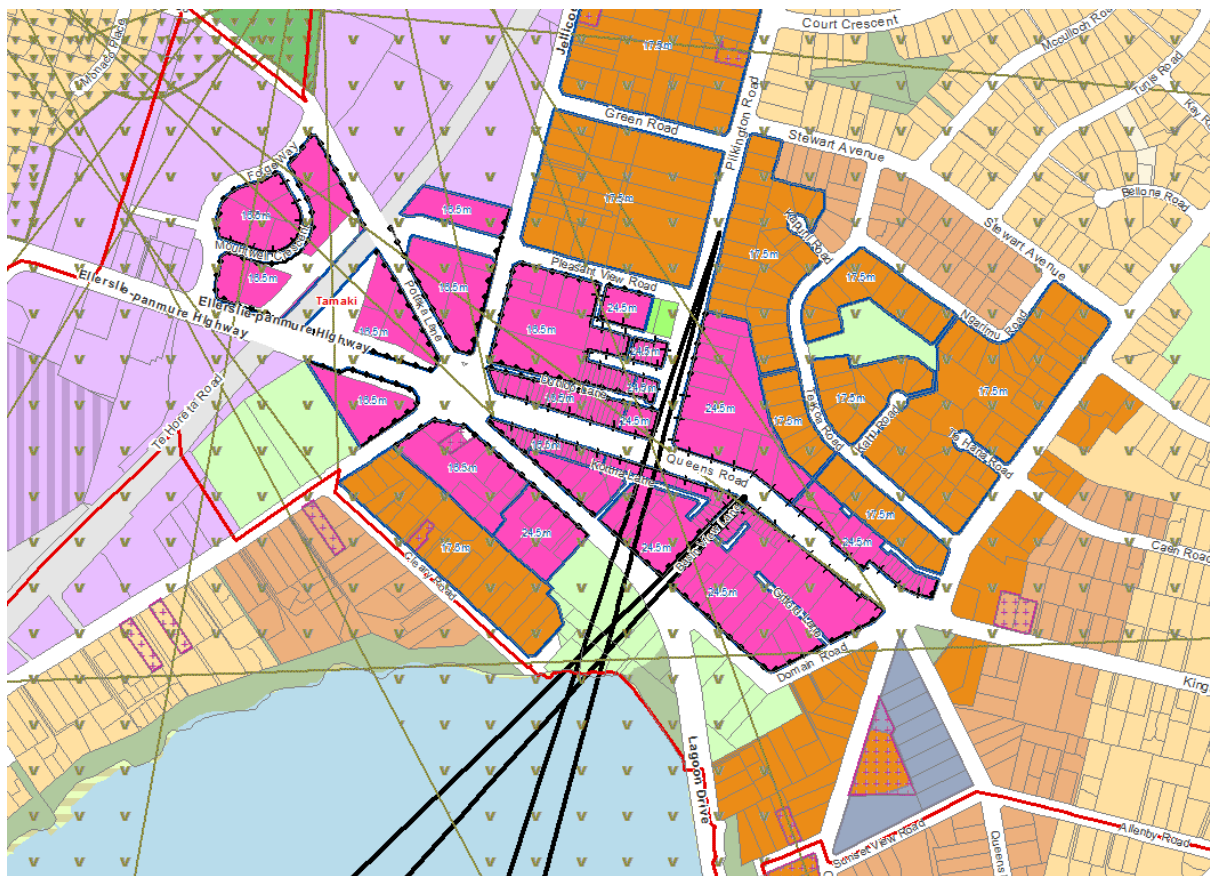


Figure 42: Panmure

12.175 The prevailing zones are Town Centre surrounded by Mixed Use zone to the north and to the west/south west and Terrace Housing and Apartment Buildings zone to the north, south and east of the town centre. There are areas of Public Open Space – Active Sport and Recreation to the north east, south and west of the town centre and pockets of General Business zone to the south west of the centre.

12.176 The Town Centre has no standard zone height (see details of AZHC overlay below). The Mixed Use zone has a standard zone height of 16.5m (proposed to be revised to 18m).

12.177 The topography of the town centre and surrounding area slopes upwards to the north and north-west towards Mt Wellington volcanic cone and slopes downwards to the south/south east towards Panmure Basin.

12.178 There are overlays in this area including:

- AZHC overlay of 16.5m (proposed to be revised to 18m) applies to the western part of the Town Centre zone and some properties to the east of the Panmure roundabout on Queens Road, Jellicoe Road, Pleasant View Road and Lagoon Drive, Panmure (as shown on the above map). AZHC overlay of 24.5m (proposed to be revised to 27m) applies to the eastern part of the Town Centre zone.
- Volcanic Viewshafts W7 (Mt Wellington - Ireland Road / Bill McKinlay Park to be deleted) W8, W9, W24 and W 26 (Mt Wellington). The different viewshafts apply to various parts of the Town Centre zone and Mixed Use zone (and the surrounding area).
- Blanket Height Sensitive Area (8m) extends over Mixed Use sites and areas of Mixed Housing Suburban and Mixed Housing Urban zones to the south of Mt Wellington volcanic cone.
- Tamaki Precinct overlay. This overlay applies to a large area, covering the suburbs of Glen Innes, Panmure, some areas of Stonefields and Mount Wellington Highway. All the business zoned sites within Panmure is covered by the Tamaki Precinct overlay, as illustrated on **Figure 43** below.

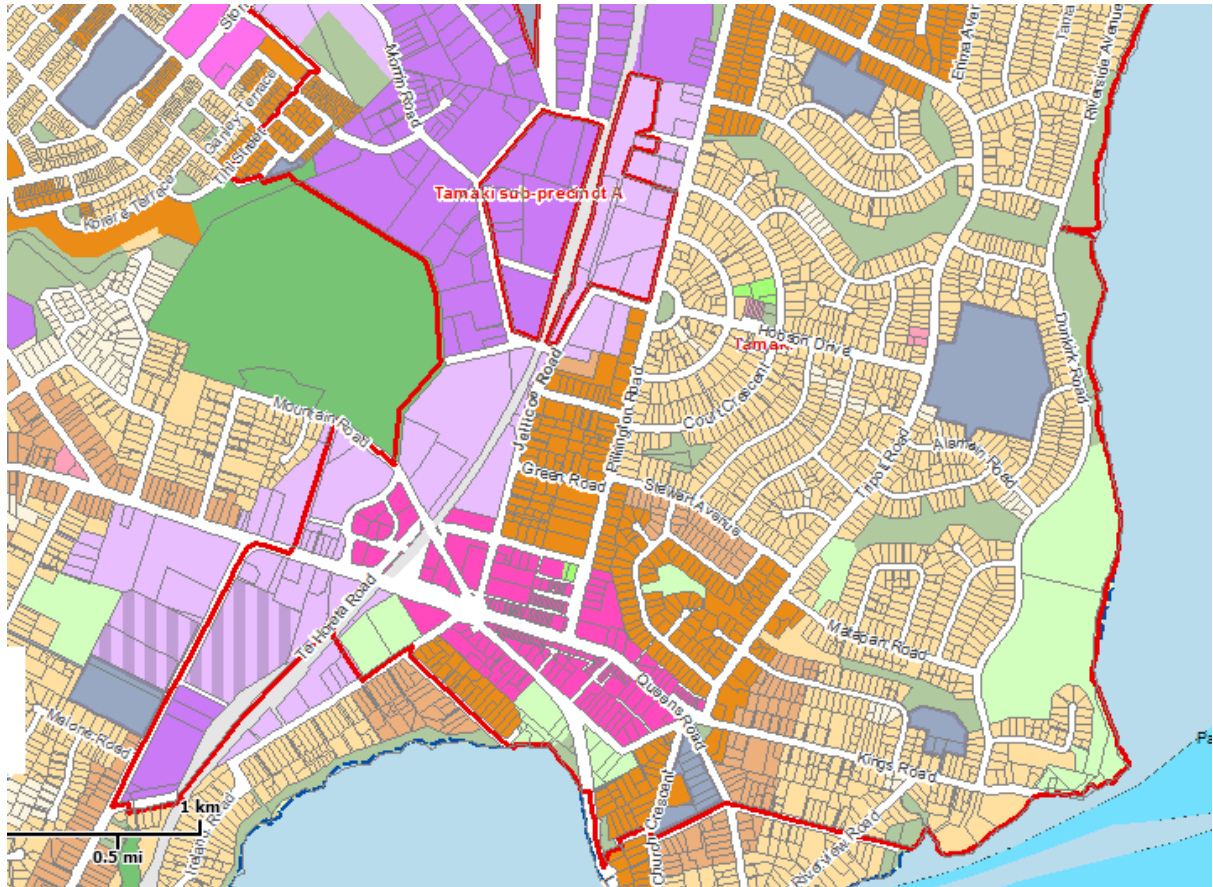


Figure 43: Tamaki Precinct overlay

Submissions

12.179 There were nine submissions relating to height in the Panmure Town Centre zone and surrounding Mixed Use zone.

12.180 One submission (5319-2) seeks to retain the notified AZHC of 16.5m for the area between Forge Way and Mountwell Crescent, Mt Wellington. Four submission points (2422-43, 3853-1, 4178-2 and 855-11) seek to increase the maximum permitted height limit in the Panmure Town Centre zone. The various heights sought by these submitters are outlined below:

- unlimited storey height in the Panmure - CBD precinct area (2422-43)
- enable greater height and more intensification - unspecified increase (3853-1)
- increase the maximum permitted height to 35m (4178-2)
- Increase the maximum building height for the area west of Jellicoe Road, Panmure from 16.5 to 24.5m (855-11).

12.181 One submission (7409-3) seeks to remove the AZHC overlay from the town centre to the east of Jellicoe Road and to increase the maximum permitted height to the west of the Panmure railway station.

12.182 One submission (855-3) seeks to reduce the maximum height of buildings in the Panmure Town Centre from 24.5m to 16.5m.

12.183 Two submission points (5566-27 and 3853-10) seek to increase the maximum permitted height for Mixed Use zone sites in Panmure. The details of the heights sought are outlined below:

- Increase the maximum permitted height at 63-95 Ireland Rd, Panmure to 35m and to delete all storey controls in relation to these properties (5566-27). This submitter also has a general submission point to increase the Mixed Use zone height to 35m. This is addressed in the evidence by Mr Trevor Mackie.
- Enable greater height and intensification (height unspecified) in the Mixed Use zone at Panmure (3853-10).

12.184 There was one further submission in support of submission points 3853-1 and 3853-10.

12.185 There was one further submission in opposition to submission 855-3 and 2 further submissions in support of submission 855-11.

Discussion

12.186 Panmure is part of the Auckland Manukau Eastern Transport Initiative (AMETI) scheme which comprises an integrated package of improvements to all modes of transport in the Panmure area. It includes removing through traffic from the town centre, improvements around the Panmure rail station, and reconfiguring and signalling the Panmure roundabout. This is expected to have social, economic and environmental benefits for the Panmure area. It is therefore an area that has good access to public transport. Panmure is also located within the Tamaki Regeneration Area and the town centre is identified in the Auckland Plan as an area of significant change.

12.187 As noted in the overlays section above, Panmure is subject to volcanic viewshafts W7 (deleted), W8, W9, W24 & W26 (Mt Wellington). The viewshaft contours that apply to the various parts of the town centre are as follows:

Area west of Jellicoe Road

- Forge Way/Mountwell Crescent - viewshaft contours vary from approximately 9m-15m.

- Potaka Lane/Jellicoe Road/Ellerslie-Panmure Highway – viewshaft contours vary from approximately 5.5m-16.5m

Town Centre (excluding west of Jellicoe Road)

- Viewshaft contours vary from approximately 6.5m-45.5m.

Mixed Use zone

- Viewshaft contours for the Mixed Use zone range from approximately 0.5m near Mt Wellington Volcanic cone in the 8m Height Sensitive Area to 54.5m. Over 63-95 Ireland Road, Panmure the viewshaft contours range from approximately 16.5m to 19.5m, well below the 35m height limit sought by the submitter.

11.122 A Blanket Height Sensitive Area of 8m applies over Mixed Use sites to the south of Mt Wellington (59, 59A Mountain Road and 486-492 and 510 Ellerslie Panmure Highway).

12.188 It is my view that a maximum height of 18m (proposed to be revised from 16.5m) for the western side of the Panmure Town Centre zone and 27m (proposed to be revised from 24.5m) for the eastern side of the Town Centre are appropriate. These heights take the volcanic viewshafts into account while supporting public transport and contributing to the vitality and vibrancy of the centre.

12.189 Furthermore, I consider that these heights are consistent with the building form, scale and general amenity anticipated for a town centre in the PAUP's hierarchy of centres and will ensure an efficient use of land.

12.190 For the reasons outlined in the above paragraphs, I do not support submissions 2422-43, 3853-1 and 3853-10, 4178-2, 855-3 and 855-11, 5566-27 and 7409-3 and their corresponding further submissions.

12.191 Furthermore, I do not support submission 5319-2 which seeks to retain the AZHC overlays over Panmure Town Centre, and instead support Council's revised heights of 18m and 27m for this centre.

Mt Wellington

12.192 Mount Wellington is a local centre, located only minutes away from Sylvia Park, a Metropolitan Centre. The Mount Wellington Shopping Centre, is the anchor of this local centre, located at the prominent corner of Mount Wellington Highway and Penrose Road. This shopping centre is a single level retail complex with approximately 560 car parks. This shopping complex includes a Countdown

supermarket and 20 complementary commercial stores including retail, takeaways, café, liquor, and a Sky TV store. There is a row of neighbourhood shops (11 shops) immediately opposite to the Mount Wellington Shopping Centre. The built form of these shops is predominately one to two storeys high.

12.193 The commercial area described above are zoned Local Centre – Mount Wellington. To accommodate the anticipated growth within the surrounding area, the Local Centre zoning has been extended onto three adjacent residential properties to the west of the neighbourhood shops, on the northern side of Penrose Road. To the northeast of the Mount Wellington Shopping Centre, is a recently consented retail development under construction. This complex is located on the northeast corner of Mount Wellington Highway and Waipuna Road. This corner is zoned Mixed Use, with a standard notified height of 16.5m (proposed to be revised to 18m) under the PAUP.

12.194 The Local Centre is bound by a mixture of Terrace Housing and Apartment Buildings zone site to the north and west, Mixed Use zone sites to the east, and Public Open Space zone sites (Hamlin Park) to the south, as shown in **Figure 44**.

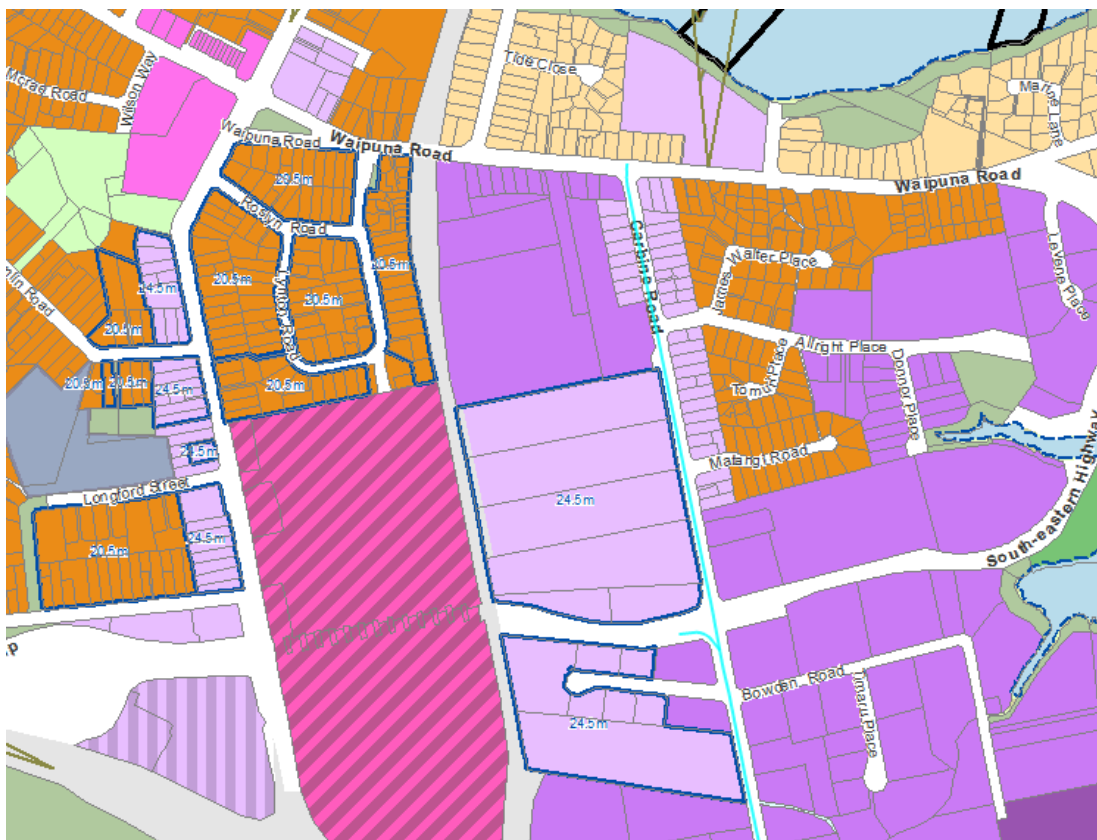


Figure 44: Mount Wellington

12.195 The Local Centre zone has a notified height of 16.5m (proposed to be revised to 18m).

12.196 The Mount Wellington Local Centre zoned area falls gently from the western end of Penrose Road down to the intersection when it merges onto Waipuna Road.

12.197 There are no overlays in this area that would affect the height of this local centre.

Submissions

12.198 The Council received three submissions relating to height in Mount Wellington. The sites to which the submissions relate are circled in red in **Figure 44** above.

12.199 There were two submissions seeking to retain the notified AZHC overlay on various sites:

- Maximum height of 24.5m (proposed to be revised to 27m) over the Mixed Use zone at 25-29 Carbine Road, Mount Wellington (3477-25 Dilworth Trust Board)
- Maximum height of 24.5m (proposed to be revised to 27m) over the Mixed Use zone sites on the south and east of the Mount Wellington Shopping Centre (3863-54 DNZ Property Fund Limited).

12.200 One submission (3863-55 – DNZ Property Fund Limited) is seeking to increase the maximum height applying to the Mount Wellington Shopping Centre (Local Centre zoned) by inserting an AZHC overlay allowing a maximum height of 24.5m. The submitter did not specify the number of storeys in their submission.

12.201 The Council received one further submission in support for each of the submissions listed above.

Discussion

12.202 Mount Wellington is a neighbourhood shopping centre. Unlike the Metropolitan Sylvia Park Centre, Mount Wellington Local Centre was always envisaged as servicing the local area, immediate residential neighbourhood, rather a sub-regional centre servicing the wider area.

12.203 Mount Wellington Local Centre is located between the large format retail complex along the northern side of Mount Wellington Highway, and Sylvia Park towards the southern side of Mount Wellington Highway. The proposed height of 18m (proposed to be revised from 16.5m) is considered appropriate for the centre. The function and classification of this centre is a Local Centre, which intends to service the immediate

neighbourhood, rather than a larger catchment. Any extension of height would increase development potentials for this area, which is inconsistent with the anticipated built form in accordance to the hierarchy of centres.

12.204 In my opinion, the AZHC overlay covers the Terrace Housing and Apartment Buildings, and Mixed Use sites is appropriate, as the increase in development potential is to service the Sylvia Park complex. However, any increase in height with the Mount Wellington Local Centre area would be inappropriate, as the growth should be anchored around Sylvia Park, rather than Mount Wellington.

Response

12.205 For the reasons outlined above, I do not support submission point 3865-55 and any corresponding further submissions to increase the maximum heights for the Mount Wellington Local Centre.

12.206 Furthermore, I do not support submissions 3477-25 and 3863-55 and any corresponding further submissions to retain the AZHC overlay on sites zoned Mixed Use zones. Rather, I support Council's revised position on the overlay to 27m.

13. CONCLUSION

13.1 We have considered the submissions received on the notified provisions that seek site or area specific height relief in relation to the Business zones in the Central Area. We have also considered the joint mediation statement for this topic, including agreements reached by submitters and Council in mediation. Further, we have considered the evidence of Trevor Mackie, Jeremy Wyatt and Peter Raeburn.

13.2 We have evaluated the site specific height requests in the planning context, including the statutory context and other relevant planning documents. Having regard to section 32 of the RMA, we consider that the positions on site or area specific height relief set out in **Attachment B** most appropriately meet the purpose of the Act.

Hannah Thompson, Hamish William Scott and Lee-Ann Mary Lucas

27 July 2015

ATTACHMENT A

Qualifications and Experience of Witnesses

Hannah Thompson

Qualifications and Affiliations

2008 - Bachelor of Resource and Environmental Planning (Honours), Massey University

2009 - Master of Legal Studies (Honours), University of Auckland

Grad Plus NZPI

Career Summary

Planner, Central and Islands Planning, 2013-present.

Planner, Good Earth Matters, 2012-2013

Planner, Barker and Associates, 2010-2011

Hamish Scott

Qualifications and Affiliations

2012 - Master of Planning Practice (Honours). University of Auckland

Grad.NZPI

Career Summary

Planner. Central and Islands Planning. Auckland Council, 2013-present

Unitary Plan Integration Contractor. Unitary Plan. Auckland Council, 2013

Lee-Ann Mary Lucas

Qualifications

1990 - Bachelor in Regional Planning, Massey University, Palmerston North, New Zealand.

Career Summary

Principal Planner of the Central and Islands area team, Auckland Council: August 2014 – present.

Principal Policy Analyst, Policy Planning and Bylaws, Auckland Council: October 2010 – August 2014 (seconded to the Integration Team, Unitary Plan from January 2011 – August 2014).

Strategic Policy Analyst, Transport and Urban Development, Auckland Regional Council: 2007 –2010.

Strategic Policy Analyst, Policy and Planning, Auckland Regional Council: 2000 – 2007.

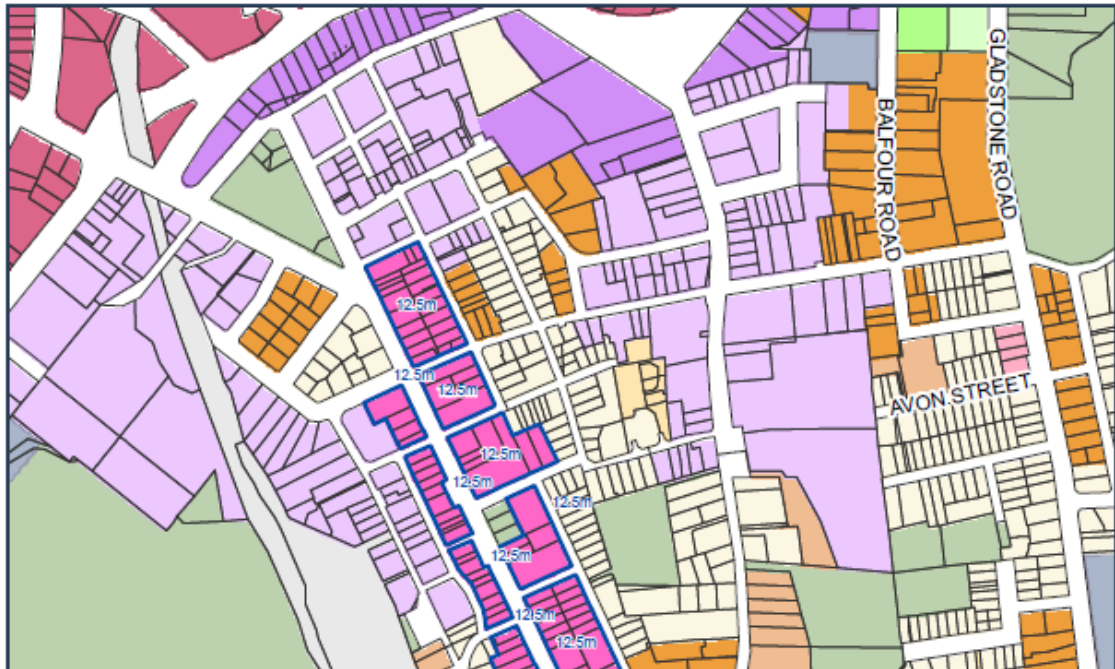
Team Planner, Special Projects and Monitoring, Auckland City Council: 1997 – 2000.

Team Leader, Hobson – Eastern Bays Area Office, Auckland City Council: 1995 – 1997.

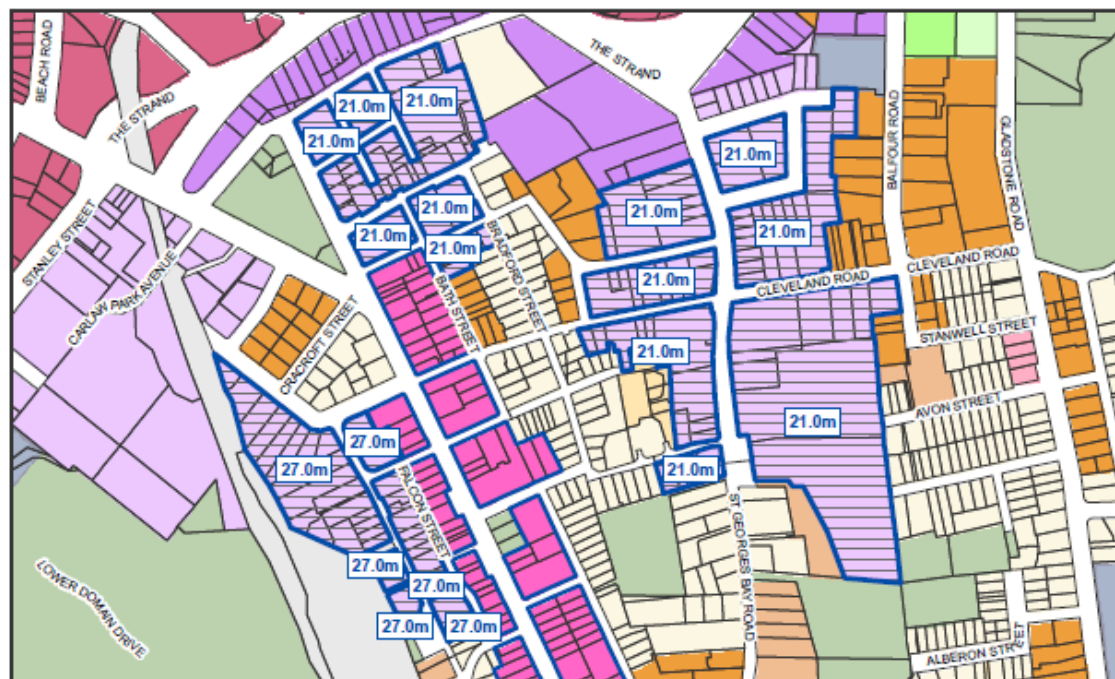
Resource Consent Planner (enforcement to acting senior), Glenfield Area Office, North Shore City Council: 1990 – 1995.

ATTACHMENT B

Recommended Revised Heights



Additional Height Controls - as notified

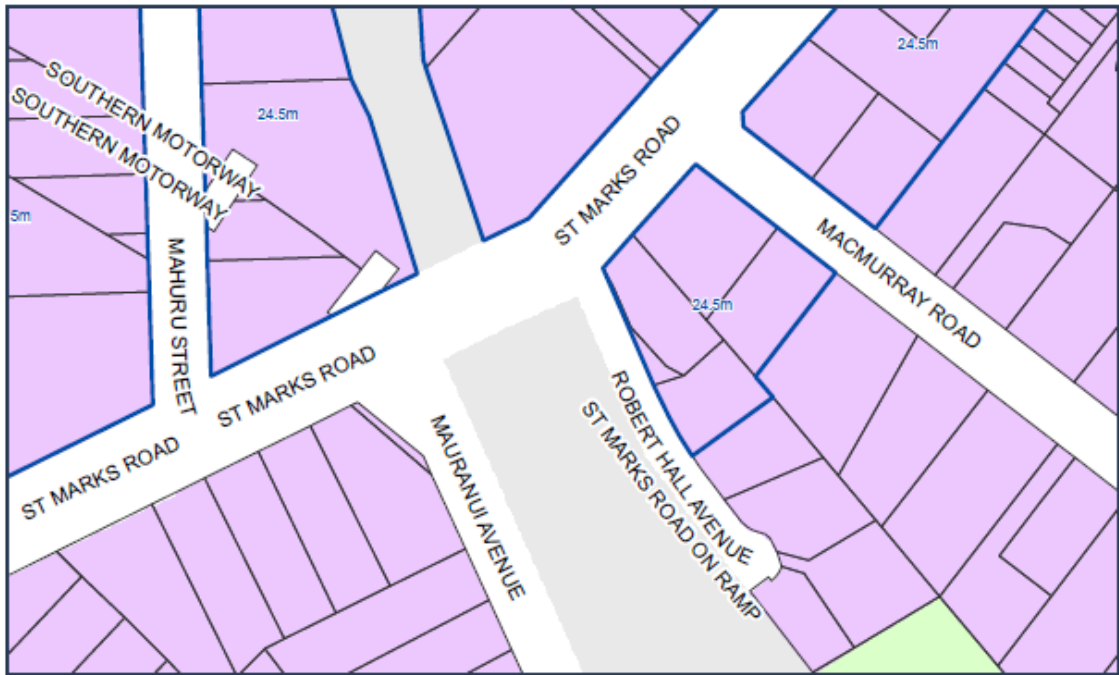


Additional Height Controls - amended

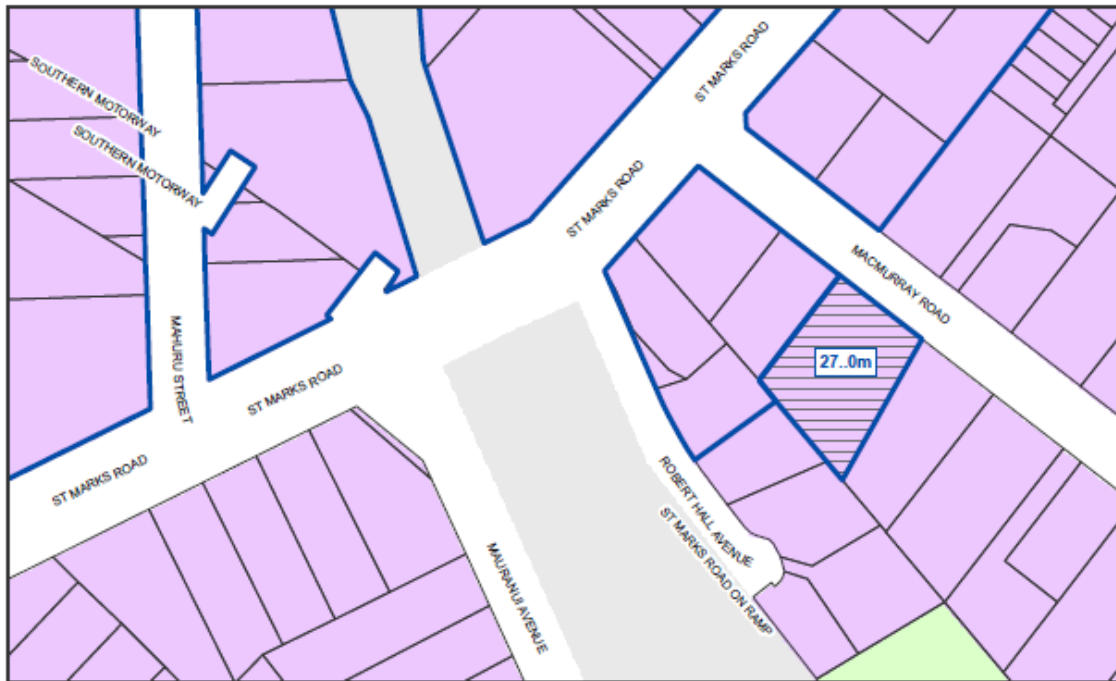
Parnell



- Additional Height Controls- as notified
- Additional Height Control amended





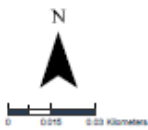
Additional Height Controls - as notified

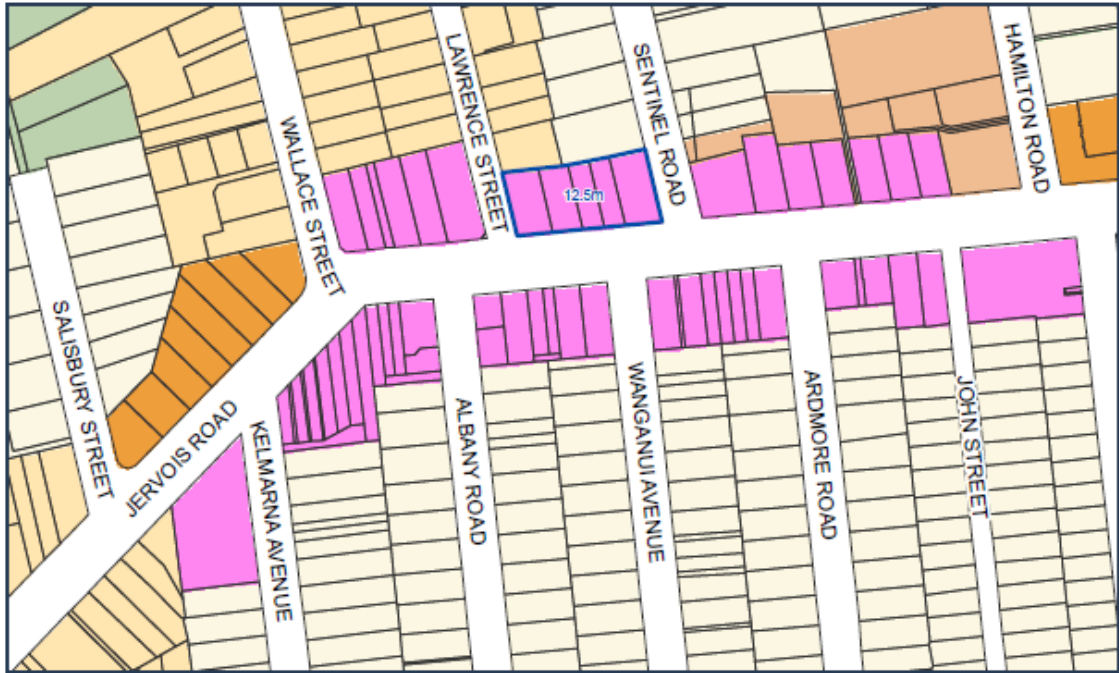


Additional Height Controls - amended

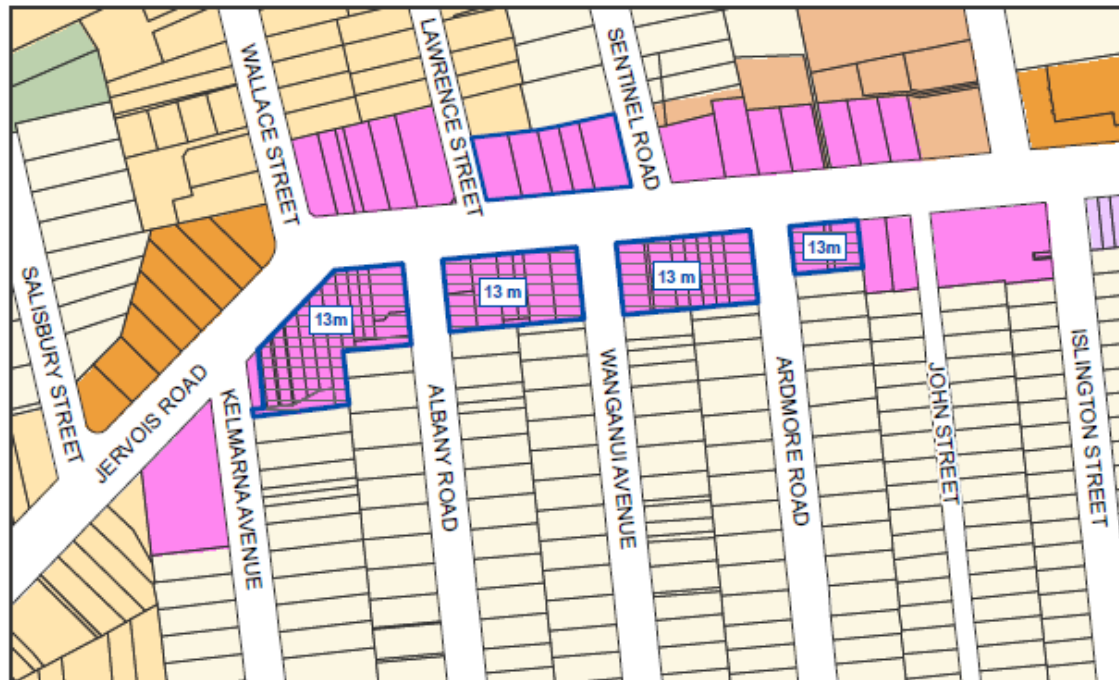
Remuera

-  Additional Height Controls- as notified
-  Additional Height Control amended





Additional Height Controls - as notified



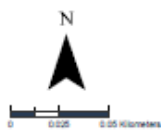
Additional Height Controls - amended

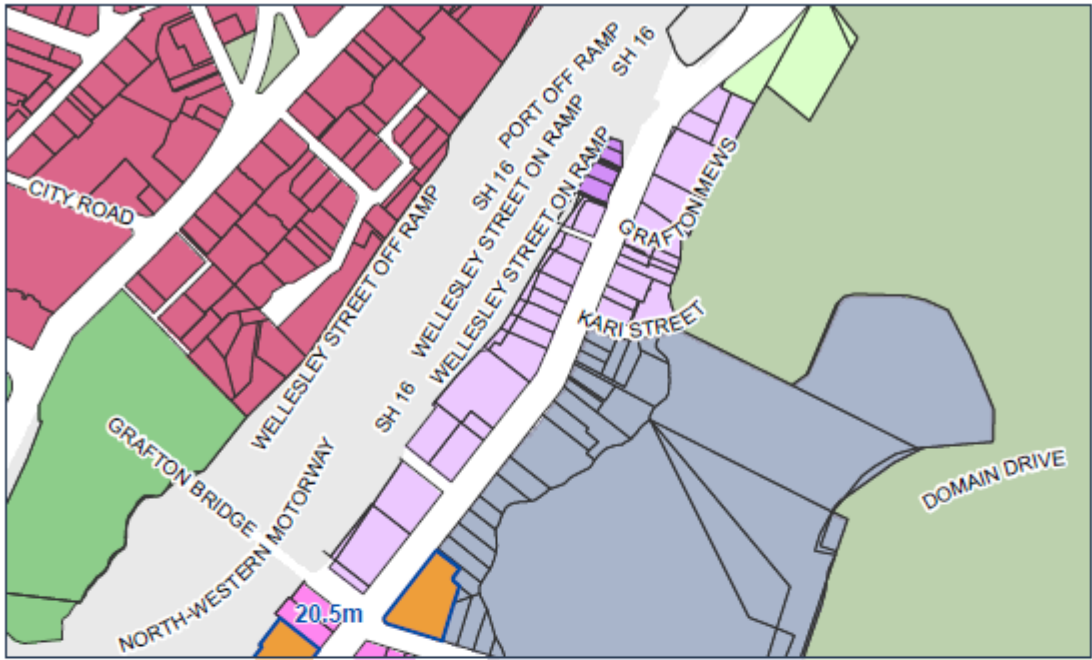
Jervois Road



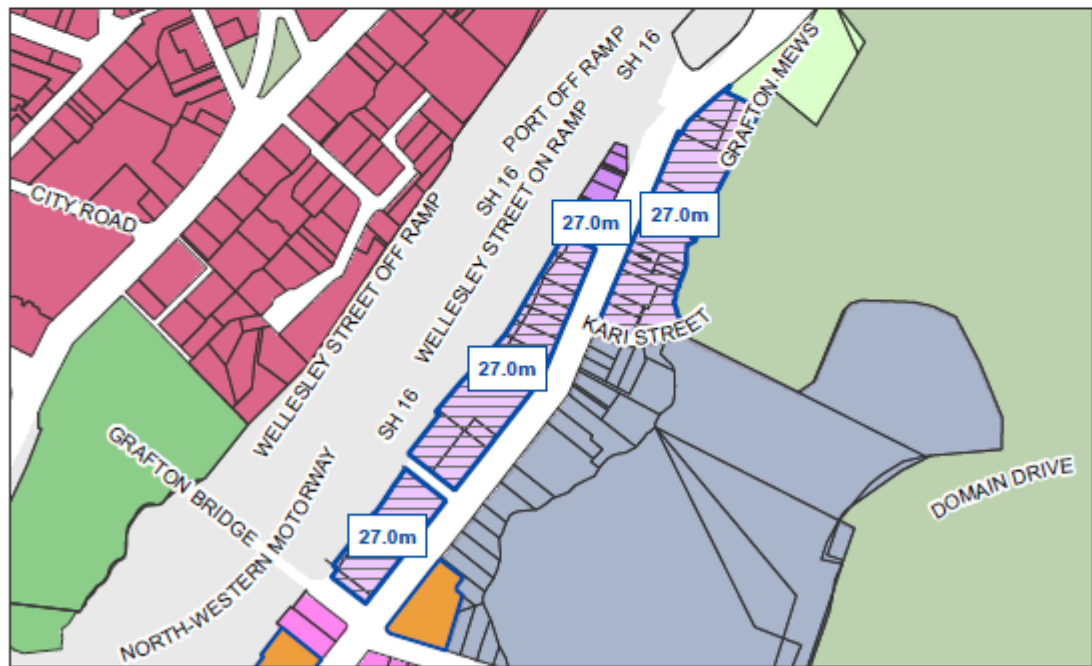
Additional Height Controls- as notified

Additional Height Control amended

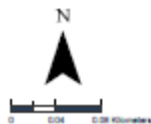




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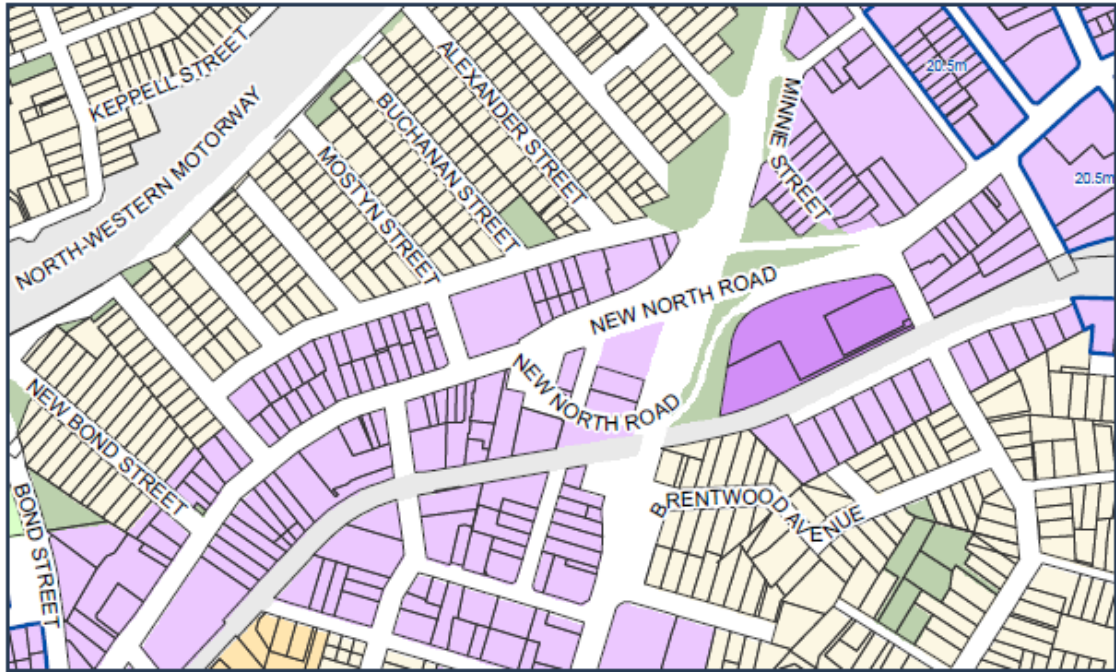


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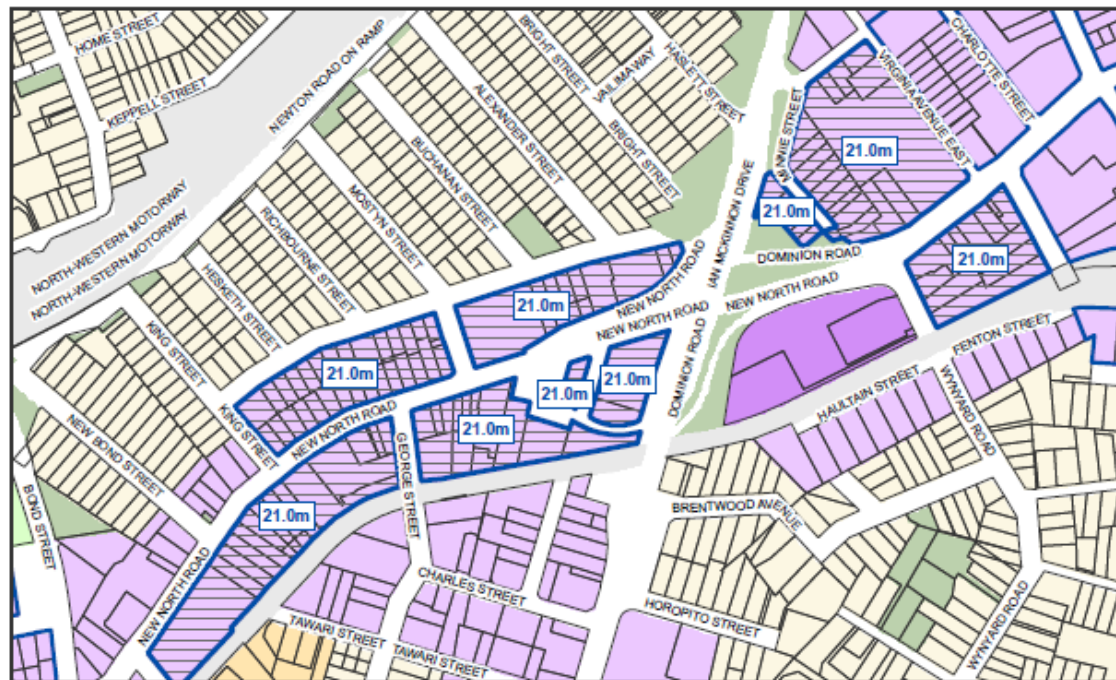


Grafton

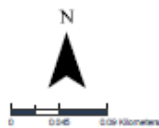
- Additional Height Controls- as notified
- Additional Height Control amended





Additional Height Controls - as notified

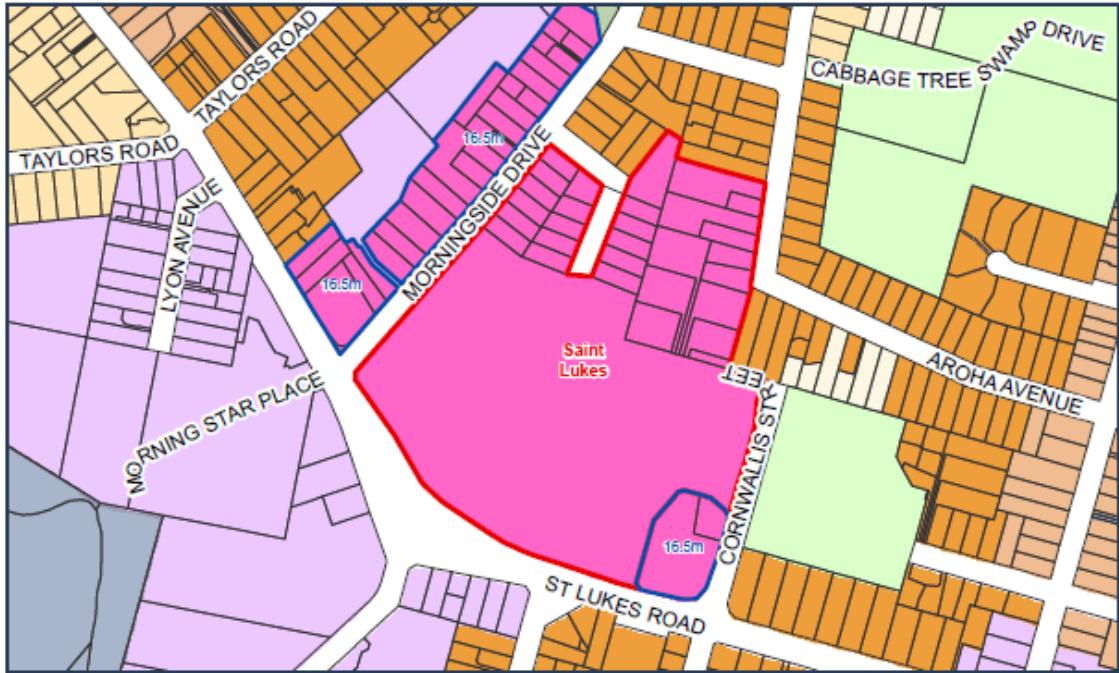


Additional Height Controls - amended

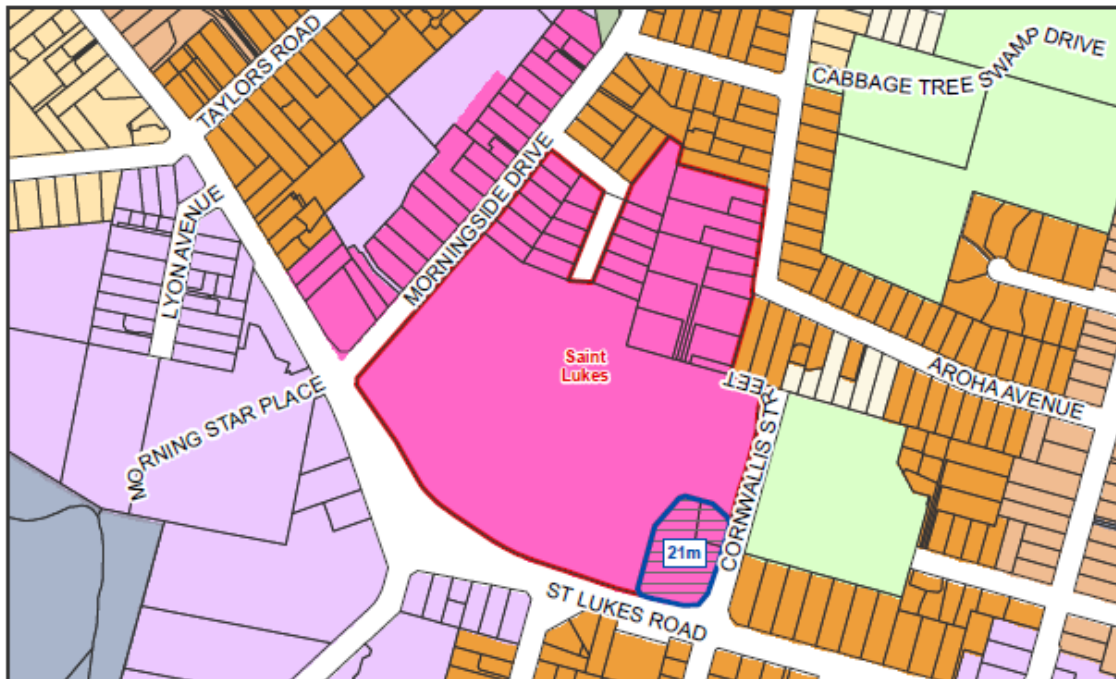


Newton

-  Additional Height Controls- as notified
-  Additional Height Control amended





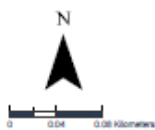
Additional Height Controls - as notified

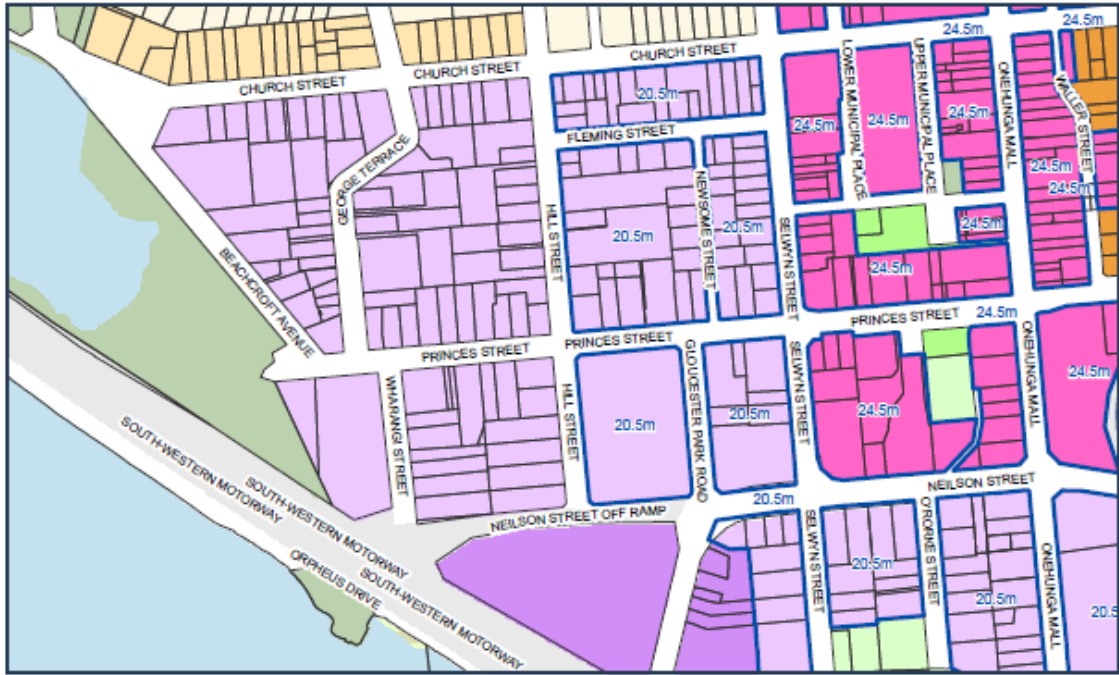


Additional Height Controls - amended

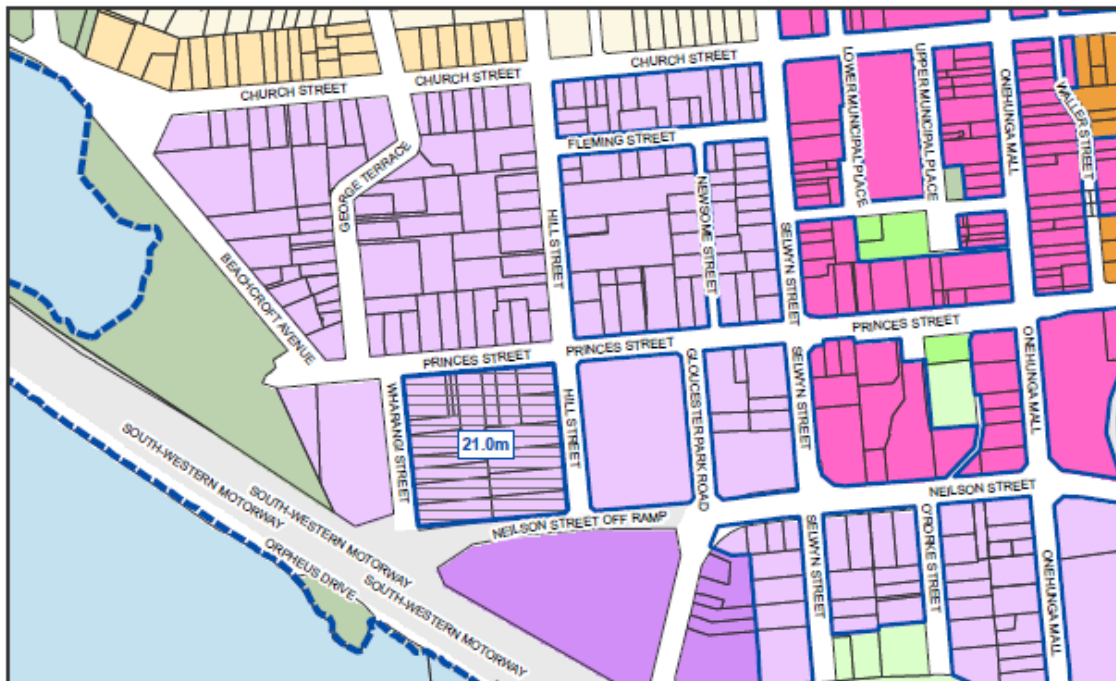
St Lukes

-  Additional Height Controls- as notified
-  Additional Height Control amended

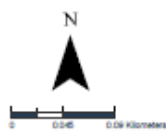




Additional Height Controls - as notified

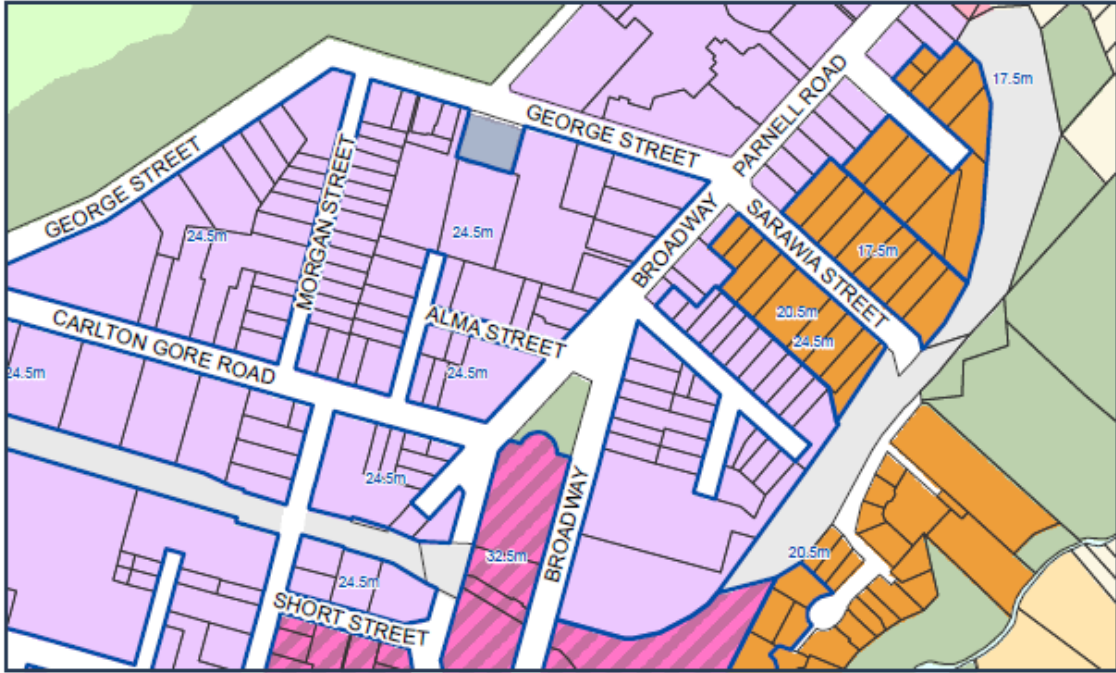


Additional Height Controls - amended

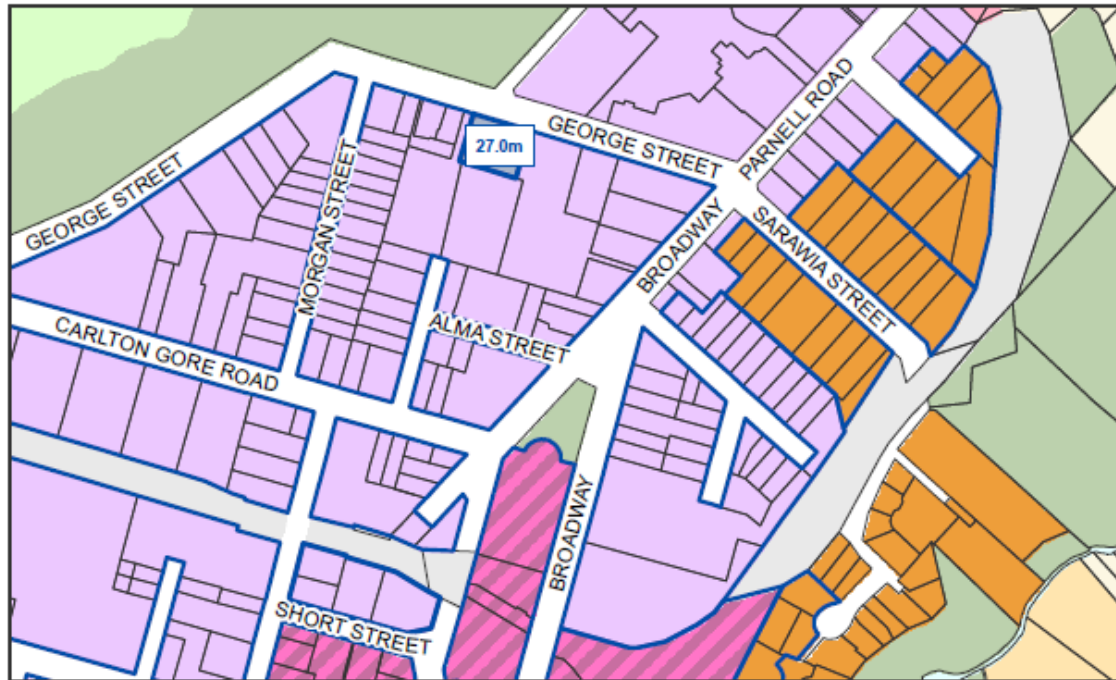


Onehunga

- Additional Height Controls- as notified
- Additional Height Control amended





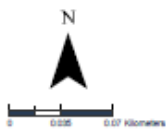
Additional Height Controls - as notified



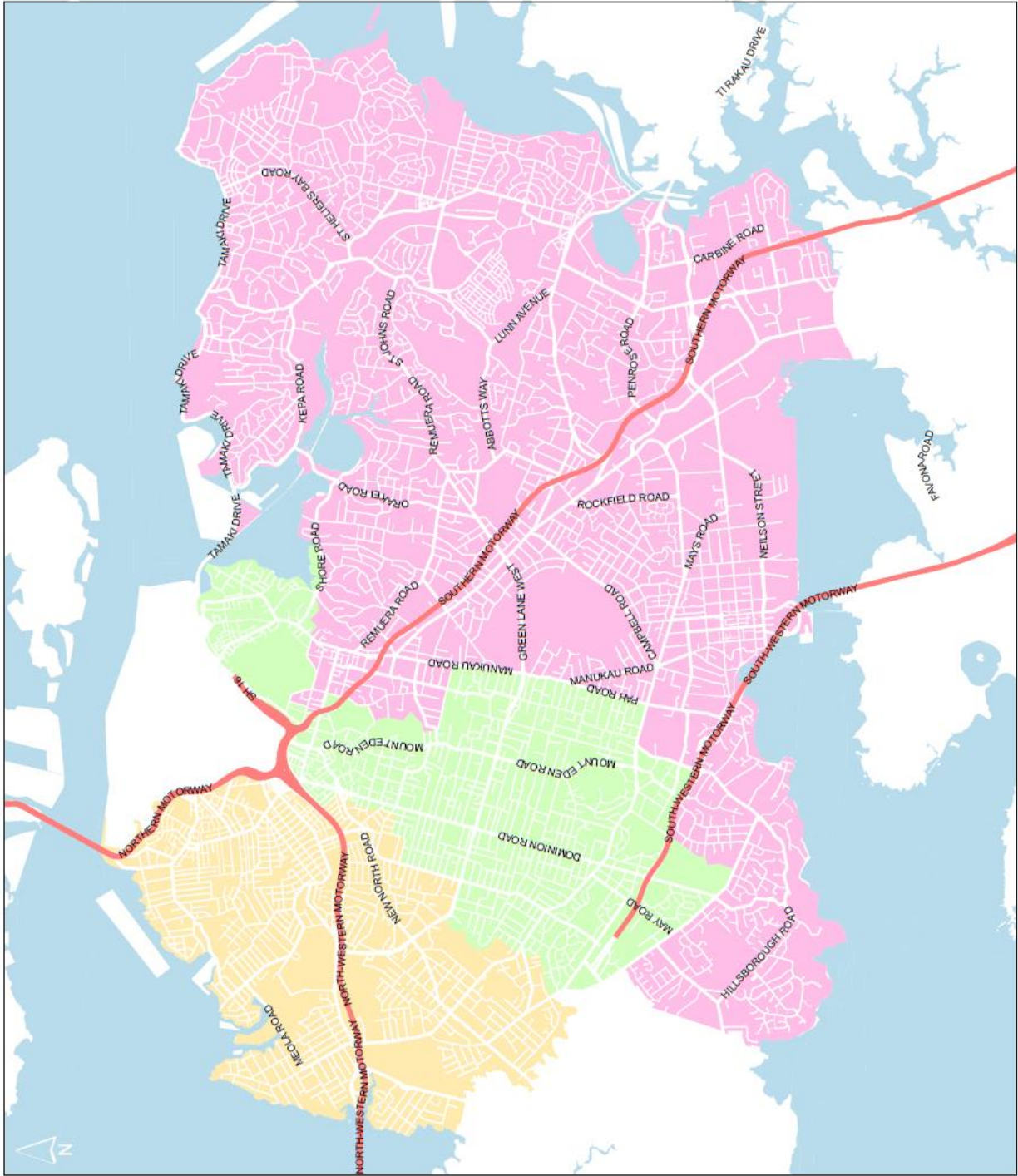
Additional Height Controls - amended

Newmarket

-  Additional Height Controls- as notified
-  Additional Height Control amended



ATTACHMENT C



Proposed Auckland Unitary Plan Submissions
Zone requests

CENTRAL ISTHMUS

- Legend
- Height Submission Areas
- A
 - B
 - C

1:57,001 @ A3
000900 m

This map has been checked. Auckland Council does not warrant as to the accuracy and completeness of any information contained in this map. Auckland Council is not liable for any errors, omissions or use of this information.

Date: 14/07/2015

ATTACHMENT D

Submissions and Further Submissions Spreadsheet

Sub#/Point	Name	Summary	Centre	Change (retain height / amend height - sought by submitter)	PAUP Zone (and Precinct if applicable)	Zone Height	Revised Zone/AZHC Height	Zone /Precinct Challenged? (relevant for determining links to other streams)	Applicable Overlays as Notified (Additional Height Control, Viewshafts, Special character etc)	Overlay Status - does submitter challenge this? Where is the overlay at in the IHP schedule?	Support/Don't Support	FSubs Support	Further Submitter	FSubs Support in part	Further Submitter	FSubs Oppose	Further Submitter	FSubs Support Oppose In Part	Further Submitter
2748-8	The Warehouse Limited	Delete the Additional Zone Height Control, Balmoral so that the maximum permitted [building] height applying to the Balmoral Local Centre zone is increased to 16.5m.	Balmoral	Amend to increase height	Local Centre	16.5m	18m	No	Yes - AZHC 12.5m, Special Character - Business overlay applies to some sites within the Local Centre (588-592 to 650 Dominion Rd, 533-535 to 583 Dominion Rd and 641 to 651 Dominion Rd).	Do not challenge overlay on Local Centre but seek removal of the Special Character overlay from 16 Rocklands Ave (zoned Single House) beside centre.	Don't support	3	2588 - J D and HMW Young Family Trust and COP Trustees No. 6 Limited, 2589 - A F Porter Family Trust, 3459 - Oxtan Family Trust	0	0	2	3297 - Kiwi Income Property Trust and Kiwi Property Holdings Limited, 3525 - Radio New Zealand Limited	0	0
4274-79	Minister of Police	Retain the 12.5m height limit in the Local Centre zone over 1-3 Halston Rd, Balmoral	Balmoral	Retain AZHC	Local Centre	16.5m	18m	No	AZHC - 12.5m	Not challenged	Don't support	0	0	0	0	0	0	0	0
5036-19	Weaver Hind Limited	Amend overlay to add a height limit of 12.5m at 89 College Hill Road, Ponsonby and to all of the Mixed Use zoned sites from St Marys Bay Road to New Street - refer Appendix B of submission for details.	College Hill	Amend to reduce height	Mixed Use	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	1	3358 - Mansons TCLM Limited	0	0
5041-2	Saint Marys Bay Association Incorporated	Amend rule 4.2 to include an additional height limit (12.5m) on Mixed use zoned properties along College Hill Road, Ponsonby, as identified in Attachment A of the submission - page 9/9 - refer submission	College Hill	Amend to reduce height	Mixed Use	16.5m	18m	No	No	N/A	Don't support	2	325 - Herne Bay Residents Association Incorporated, 3236 - Westhaven Marina Users Association	0	0	1	3358 - Mansons TCLM Limited	0	0
5492-20	Miranda and Michael Lang	Apply the AZHC to 91 College Hill, Ponsonby and to all of the Mixed Use sites from St Marys Bay Road to New Street restricting the maximum height to 12.5m.	College Hill	Amend to reduce height	Mixed Use	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	0	0	0	0
5968-21	Masfen Holdings Limited	Amend height rules for Eastridge Shopping Centre, 209 Kepa Road (Lot 1 DP 167 500) and 215 Kepa Road (Lot 2 DP 167 500), Mission Bay to specify a maximum height of 20.5m and 32.5m to apply to different parts of the site; and a setback of 6m for building mass above 16.5. Refer to submission page 12-13/100.	Kepa Road / Eastridge	Amend to increase height (seeking a concept plan for the site with variable heights)	Local Centre	16.5m	18m	No	No	N/A	Don't support	1	3459 - Oxtan Family Trust	1	3497 - Mission Bay Kohimarama Residents Association	0	0	0	0
3017-13	Air New Zealand	Increase Built Environment AZHC overlay 4.2 at "Data Centre" (Lot 1 DP 57515 - NA 14C/1218) [infer 10-12 Exmouth Street, Eden Terrace].	Eden Terrace	Amend to increase height	Mixed Use	16.5m	18m	No	Yes - Additional height control - 20.5m, Volcanic viewshafts E10 and E16 Mt Eden apply.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks increase.	Don't support	0	0	0	0	0	0	0	0
3943-13	Julie A Kelleway	Apply an Additional Zone Height Overlay to Prospect Terrace south (east and west side) to Brixton Road, Mt Eden, to a maximum height of 10m/2 storey	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	Yes - Mixed Use zone is challenged unless an AZHC is imposed	Yes - AZHC (12.5m as notified (13m in tracked changes)) applies to the Local Centre zone and Mixed Use zone between Prospect Terrace and Paice Ave and Grange Road. Volcanic viewshaft E6 Mt Eden (applies to most of area restricting development to 29m on the back of properties on corner of Herbert Road). Special character Eden Valley - Business overlay applies to part of the area. 426 and 443 Dominion Road and 132 Grange Road are scheduled Historic Heritage buildings.	078 - AZHC overlay IHP hearing Oct 2015. Submitter seeks reduction. 020 - Special Character overlay IHP hearing June 2015. Not challenged by submitter.	Don't support	0	0	0	0	0	0	0	0
4110-12	Colin Lucas	Amend the Additional Height Controls overlay for Eden Valley Local Centre from 12.5m/3 storey to 10m/2 storey.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	Yes	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
4110-14	Colin Lucas	Add an AZHC of 10m/2 storeys to the area zoned Mixed Use on Dominion Road, between Prospect Terrace and Brixton Road.	Eden Valley	Amend to reduce height	Mixed Use	16.5m	18m	Yes - unless AZHC is imposed	Yes - AZHC (12.5m as notified (13m in tracked changes)) as notified (13m in tracked changes)) applies to the Mixed Use zone between Prospect Terrace and Paice Ave and Grange Road reducing height. Volcanic viewshaft E6 Mt Eden (applies to most of area). Special character Business - Eden Valley overlay applies (between Prospect Terrace and Milton Rd). 426 and 443 Dominion Road are scheduled Historic Heritage buildings.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0

4242-10	Brian Donnelly	Amend additional height control for Eden Valley local centre from 12.5m/3 storeys to 10m/2 storeys.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
4273-2	Waitemata Trust Limited	Delete overlay from Eden Valley, specifically at sites listed in submission [page 1/4].	Eden Valley	Amend to increase height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes - delete overlay altogether specifically at sites listed in submission [page 1/4].	Don't support	0	0	0	0	0	0	0	0
4662-12	Susan Blayney	Amend the height limit of Dominion Road from Prospect Terrace, to Brixton Road, Mt Eden from 16.5m to 10m. The 16.5 / 4 storey limit will shade and dominate adjoining residential properties and also create a canyon effect down Dominion Rd, which is already a narrow road.	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
5502-6	Kelly Tecke	Reduce height provided for in the Eden Valley Local Centre area from 12.5m / 3 storeys to 10m / 2 storeys.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
5502-7	Kelly Tecke	Apply the overlay to the area south from Prospect Terrace to Brixton Road, East and West of Dominion Road, Mount Eden to limit the maximum height to 10m / 2 storeys.	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks to extend the overlay and lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
5535-11	Frank Grgec	Reduce the maximum height applying to the Eden Valley Local Centre from 12.5m / 3 Storeys to 10m / 2 Storeys.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
5648-48	Astrid Modrow	Amend the AZHC for Eden Valley Local Centre, Mt. Eden from 12.5m/3 storey to 10m/2 storey.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	1	3459 - Oxton Family Trust	0	0	0	0	0	0
5648-49	Astrid Modrow	Add an AZHC for Dominion Road, Mt. Eden (from Prospect Terrace East and West side, to Brixton Road) which restricts height to a maximum of 10m/2 storey	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to extend the overlay and lower height limit through AZHC	Don't support	1	3459 - Oxton Family Trust	0	0	0	0	0	0
5652-12	David Gilbert	Amend AZHC for Eden Valley Centre, Mt. Eden from 12.5m/3 storey to 10m/2 storey	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
5884-10	Victoria J Park	Reduce Additional Height Controls - Eden Valley from 16.5m/4 storey down to 10m/2 storey maximum.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	2	1166 - Victoria J Park, 1688 - Andrew J M Park	0	0	0	0	0	0

5912-13	Mark and Karen Donnelly	Amend proposed Additional Height control for Eden Valley Local Centre to reduce from 12.5m / 3 storey to a maximum 10m / 2 storey	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	
5912-15	Mark and Karen Donnelly	Amend Mixed Use zone for Dominion Road south from Prospect Terrace, East and West side to Brixton Rd, Mt Eden by applying an Additional Height Control to maximum 10m / 2 storey. Permitted height will shade and dominate adjoining residential properties and create a canyon effects down Dominion Road, which is already a narrow road.	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	
5929-13	Eden Park Neighbours' Association Incorporated	Amend proposed Additional Height control for Eden Valley Local Centre to reduce from 12.5 / 3 storey to maximum 10m / 2 storey.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	145	340 - Louisa McClure, 499 - Jeremy Gorham, 501 - John and Deborah Gill, 510 - Justine C McNeice, 526 - Sarah Smith, 528 - Simon R Hobbs, 530 - Stuart J Yorston, 533 - Mandy McMullin, 534 - Annette Quesado, 535 - Patrick Vallely, 541 - Ana M Rivera, 543 - Frank Grgec, 545 - Wendy Hughes, 547 - Hemant Choiudhary, 548 - Jonathan D	0	0	0	0	0	0	0
5929-15	Eden Park Neighbours' Association Incorporated	Amend Mixed Use zone for Sandringham Road south from Prospect Terrace, East and West side to Brixton Rd, Mt Eden by applying an Additional Height Control to maximum 10m / 2 storey.	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to extend the overlay and lower height limit through AZHC	Don't support	145	340 - Louisa McClure, 499 - Jeremy Gorham, 501 - John and Deborah Gill, 510 - Justine C McNeice, 526 - Sarah Smith, 528 - Simon R Hobbs, 530 - Stuart J Yorston, 533 - Mandy McMullin, 534 - Annette Quesado, 535 - Patrick Vallely, 541 - Ana M Rivera, 543 - Frank Grgec, 545 - Wendy Hughes, 547 - Hemant Choiudhary, 548 - Jonathan D	0	0	0	0	0	0	0
6221-13	Christine MacKenzie	Amend the AZHC over the Eden Valley Local Centre from 12.5 to 10m/ two storeys	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	

6221-14	Christine MacKenzie	Add an additional height overlay to the Mixed use zone at Prospect terrace, east and west to Brixton Road to reduce the height from 16.5m to 10m / two storeys.	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks to extend the overlay and lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
6460-12	Heritage Landscapes	Amend Eden Valley Local Centre additional height control from 12.5m per 3 storey to 10m per 2 storey.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
7076-14	Gayatri Roxanne Jaduram	Amend the height limit for the Eden Valley Local Centre from 12.5m to 10m	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
7076-15	Gayatri Roxanne Jaduram	Amend height limit of Mixed Use zone from Prospect Terrace to Brixton Road, Mt Eden from 16.5m to 10m	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	No. Submitter seeks to extend the overlay and lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
7291-14	John W Colebrook	Delete overlay provisions for Eden Valley local centre and amend to maximum of 10m/2 storey.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
7291-15	John W Colebrook	Delete Mixed Use zone on Dominion Rd south from Prospect Tce, east and west side to Brixton Rd and amend to apply AZHC to max of 10m/2 storey.	Eden Valley	Amend to reduce height	Predominantly Mixed Use, Local Centre, Single House and Mixed Housing Suburban (corner of Brixton Rd)	16.5m	18m	Yes - seeks to delete Mixed Use Zone (7291-15)	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes), but only from Prospect Tce to Paice Avenue and not further south. Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
7407-11	Wendy Hughes	Delete the Additional height control of 12.5m/3 storeys for the Eden Valley centre and replace with a maximum permitted height of 10m/2storeys.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0
2422-71	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Ellerslie.	Ellerslie	Amend to reduce height	Town Centre	Refer AZHC overlay	13m	No	Yes - submission point does not define an area. The following overlays apply to Ellerslie town centre. AZHC sets height of 12.5m. Volcanic viewshaft W26 covers the whole of the town centre. Special character business overlay - Ellerslie.	No	Don't support	0	0	0	0	0	0	0	0
3539-2	Ellerslie Business Association	Retain 4.2 Building height being a maximum permitted height of 12.5m in the Ellerslie Town Centre.	Ellerslie	Retain zone height	Town Centre	Refer AZHC overlay	13m	No	Yes - AZHC sets height of 12.5m. Volcanic viewshaft W26 covers the whole of the town centre. Special character business overlay - Ellerslie.	No	Don't support	0	0	0	0	0	0	0	0

5277-236	The Urban Design Forum New Zealand	Amend Additional Building Height Overlay for Ellerslie Town Centre from 12.5m to 16.5m (4 Storeys).	Ellerslie	Amend to increase height	Town Centre	Refer AZHC overlay	13m	Yes - seeks expansion of the Town Centre zone to Findlay Street (5277-235)	Yes - AZHC sets height of 12.5m. Volcanic viewshaft W26 covers the whole of the town centre. Special character business overlay - Ellerslie.	No	Don't support	2	2688 - Sultan Trust, 3601 - Sally Peake	1	2279 - Jenny and Eamon Holdings Limited	67	56 - Point Chevalier Residents Against THABs Incorporated, 507 - Franco Belgiorno-Nettis, 517 - Judith Bern, 761 - Robert Richard Kornman, 764 - Murray Nicholson, 767 - Victoria and Malcolm McPherson, 770 - Devereus Howe-Smith Realty (Bayleys Resl	0	0
5280-238	The New Zealand Institute of Architects	Amend Additional Building Height Overlay for Ellerslie Town Centre from 12.5m to 16.5m (4 Storeys).	Ellerslie	Amend to increase height	Town Centre	Refer AZHC overlay	13m	Yes - seeks expansion of the Town Centre zone to Findlay Street (5280-237)	Yes - AZHC sets height of 12.5m. Volcanic viewshaft W26 covers the whole of the town centre. Special character business overlay - Ellerslie.	No	Don't support	1	2558 - Generation Zero	1	2279 - Jenny and Eamon Holdings Limited	107	56 - Point Chevalier Residents Against THABs Incorporated, 507 - Franco Belgiorno-Nettis, 517 - Judith Bern, 619 - Anne and Colin Andrews, 669 - Sarah Thorne, 761 - Robert Richard Kornman, 764 - Murray Nicholson, 767 - Victoria and Malcolm McPherson, 770 -	1	2209 - The Character Coalition
5716-3579	Auckland Council	Retain 12.5m/3 storeys height limit in Ellerslie around the main highway area [Refer to Orakei Local Board Views, Volume 26, page 50/103].	Ellerslie	Retain zone height	Town Centre	Refer AZHC overlay	13m	No	Yes - AZHC sets height of 12.5m. Volcanic viewshaft W26 covers the whole of the town centre. Special character business overlay - Ellerslie.	No	Don't support	3	3079 - John Sanderson, 3412 - Waiheke Island Community Planning Group Incorporated, 3748 - David Lourie	1	2279 - Jenny and Eamon Holdings Limited	2	347 - K Vernon, 3038 - Lyn Hume	0	0
6852-1	Ellerslie Residents Association	Retain Ellerslie Town Centre to a maximum height limit of 12.5m or three storeys	Ellerslie	Retain zone height	Town Centre	Refer AZHC overlay	13m	No	Yes - AZHC sets height of 12.5m. Volcanic viewshaft W26 covers the whole of the town centre. Special character business overlay - Ellerslie.	No	Don't support	6	1493 - Sandy Pont, 1512 - John W Colebrook, 2238 - Christine C MacKenzie, 3588 - Lisa M Frank, 3638 - Marilyn Appleton, 3683 - Melanie Metson	0	0	0	0	0	0
5566-25	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 19-23 Kalmia St, Ellerslie.	Ellerslie	Amend to increase height and delete storey controls	Light Industry	20m	20m	Yes - seeking change to Mixed Use zone (5566-24)	Yes - Volcanic Viewshaft W26 - Mt Wellington covers the Light Industry zone.	No	Don't support	0	0	0	0	0	0	0	0

2422-31	Gary Russell	Amend the PAUP to provide a maximum height of 3 storeys at Glen Innes.	Glen Innes	Amend to reduce height	Town Centre	Refer AZHC overlay	32.5m	No	AZHC overlay - 32.5m	078 - hearing Oct. Submitter seeks reduction in height.	Don't support	0	0	0	0	0	0	0	0	
4274-82	Minister of Police	Retain the 32.5m height limit in the Town Centre zone over 88-90 Line Rd, Glen Innes	Glen Innes	Retain AZHC height	Town Centre	Refer AZHC overlay	32.5m	No	AZHC overlay - 32.5m	Not challenged	Don't support	0	0	0	0	0	0	0	0	
5553-2	Cheng Phu and Tant Kean and G I Rentals	Retain the height limit of 32.5m or 8 storeys in Glen Innes Town Centre and in particular 260 Apirana Avenue, and 40-42 Mayfair Place.	Glen Innes	Retain AZHC height	Town Centre	Refer AZHC overlay	32.5m	No	AZHC overlay - 32.5m	Not challenged	Don't support	0	0	0	0	0	0	0	0	
4667-5	KOL Holding Limited	Retain the AZHC for 110-112 Felton Mathew Avenue, St Johns.	Glen Innes	Retain AZHC height	Mixed Use	Refer AZHC overlay	16.5m	18m	No	AZHC overlay 20.5m	Not challenged	Don't support	0	0	0	0	0	0	0	
5727-26	Lisa Cameron	Adopt an 'AZHC- Additional Height Controls' overlay in an area around Grafton [West of the University of Auckland, Grafton campus] allowing a height of 24.5m or 6 storeys. Refer to map on page 11/12 of submission.	Grafton	Amend to increase height	Mixed Use	Refer AZHC overlay	16.5m	18m	No	No	N/A	Support	0	0	0	0	1	2906 - Graham Dunster	0	0
4087-14	Bryce Pearce	Add an AZHC for increased height along Great North Road between Ponsonby Road and Surrey Crescent.	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	1	668 - Bunnings Limited	0	0	0	0	0	0	
4271-3	Maidstone Holdings (No. 11) Trust	Add a new AZHC to 199 Great North Road, Grey Lynn to provide for the same height as elsewhere along Great North Road [24.5m/6 storeys].	Great North Rd	Amend to increase height	Mixed Use	Refer AZHC/ 16.5m/ 13.5-14.5m	18m	No	No	N/A	Don't support	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0	
5974-9	Matthew Searle	Amend to increase height control to the sides of Great North Road between Ponsonby Road, Ponsonby and Surrey Crescent, Grey Lynn, to enable a higher height limit.	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	1	668 - Bunnings Limited	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0	
6210-13	TransportBlog	Add an 'Additional Zone Height Control' overlay to both sides of Great North Road between Ponsonby Road and Surrey Crescent, Grey Lynn, to allow a higher height limit.	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	3	668 - Bunnings Limited, 2558 - Generation Zero, 3799 - Louis Mayo	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0	
6927-10	Greg Nikoloff	Add an "Additional height control" overlay to the sides of Great North Road between Ponsonby Road and Surrey Crescent to enable a higher height limit.	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	0	0	0	0	0	0	0	0	
6942-14	Tet V Lee	Increase the height limit to the properties along Great North Road between Ponsonby Road and Surrey Crescent	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	1	668 - Bunnings Limited	0	0	0	0	0	0	
7051-11	Ora Taiao: The New Zealand Climate and Health Council	Provide an AZHC overlay for additional height along the sides of Great North Road, between Ponsonby Road and Surrey Crescent.	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	2	3350 - Samson Corporation Limited and Sterling Nominees Limited, 3699 - Sudhvir Singh	0	0	0	0	0	0	
8857-12	Georgianne Griffiths	Apply an overlay enabling a higher height limit to both sides of Great North Rd, between Ponsonby Rd and Surrey Cres, Grey Lynn	Great North Rd	Amend to increase height	Town Centre/ Mixed Use and THAB	Refer AZHC/ 16.5m/ 13.5-14.5m	Varies	No	Town Centre AZHC - 12.5m (includes Special Character overlay); MU AZHC - 24.5M (up to Kirk Str); specific to Ponsonby end.	078 - AZHC overlay - IHP hearing Oct - submitter does not challenge these. Seeks extension.	Don't support	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0	

3245-11	Michael Blanch	Add additional height limits to the [Mixed Use] zone in Nolan Rd, Greenlane. Submission refers to business zoned land on the southern side of Nolan Road. This is zoned Light Industry.	Greenlane	Amend to reduce height	Light Industry	20m	20m	Yes	Viewshafts - One Tree Hill O1, O2 and O10 and Mt Wellington W26	No	Don't Support	0	0	0	0	0	0	0	0
3434-5	Kimberley Trust and Kimberley Housing Charitable Trust	Add the AZHCoverlay to 1-15 Marewa Road and 17-23 Marewa Road, Greenlane, to a maximum height of 20.5.	Greenlane	Amend to increase height	Mixed Use/ Local Centre	16.5m	18m	No	View shaft - One Tree Hill O1		Don't support	1	2164 - Kindercare Learning Centres	0	0	0	0	0	0
1332-14	Fuego Limited	Amend to increase the Business Local Centre maximum height to at least 24.5 m with no building height in storeys control, with particular regard to 2 Barrington Road Avenue, Grey Lynn.	Grey Lynn	Amend to increase height	Local Centre	16.5m	18m	No	No	N/A	Don't support	1	3146 - Cowie Street Investments	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0
2835-6	B A Trustees Limited	Delete the additional height control on the property at 584 Great North Road or increase the height for Business Local Centres to at least 24.5m.	Grey Lynn	Amend to increase height	Local Centre	16.5m	18m	No	AZHC - 12.5m for front half of property. Includes Special Character overlay (form and scale)	078 - AZHC overlay - IHP hearing Oct 2015. Submitter seeks removal of this overlay. 029 - Special Character - IHP hearing - June 2015. Submitter seeks removal of this overlay	Don't support	0	0	0	0	3	2290 - Northland Town Planners Ltd, 2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0
3534-7	Antipodean Properties Limited	Remove the overlay from 144-150 Williamson Avenue, Grey Lynn.	Grey Lynn	Amend to increase height	Local Centre	16.5m	18m	No	AZHC overlay - 12.5m; Special Character overlay (form and scale)	078 - AZHC overlay - IHP hearing Oct 2015. Submitter seeks removal of this overlay. 029 - Special Character - IHP hearing - June 2015. Submitter seeks removal of this overlay	Don't support	0	0	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0
3174-1	Eric and Joanna Van der Sluis	Reduce the height limit of 158 to 258 Jervois Road, Herne Bay from four storeys to two or three storeys.	Herne Bay	Amend to reduce height	Local Centre/Mixed Housing Suburban	16.5m	18m	No	No	N/A	Support in part	0	0	0	0	1	829 - Wisimca Company Limited	0	0
3695-3	Pamela Ingram Architect Limited	Amend to impose an AZHCof 12.5m (3 storey maximum) on Jervois Road, Herne Bay. Refer to submission page 8/10 for details.	Herne Bay	Amend to reduce height	Mixed Use	16.5m	18m	No	Yes - 62-68 and 72 Jervois Road subject to AZHC overlay of 12.5m and Special Character Business - Ponsonby overlay. 74-106 and 108-114 to 122 Jervois Road subject to Special Character - Residential Isthmus A overlay. 43, 65 and 106 Jervois Road subject to Historic Heritage Place (scheduled buildings) and Extent of Place overlays.	No	Support in part	0	0	0	0	0	0	0	0
4274-94	Minister of Police	Amend the height limit of 12 Jervois Rd, Ponsonby from 12.5m to 16.5m.	Herne Bay	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Yes - Additional height control 12.5m and Special Character Business - Ponsonby	No	Don't support	0	0	0	0	0	0	0	0
5881-6	Michael and Paulette Snowden	Delete the 'Additional Zone Height Controls: Additional Height Controls - Jervois Road, 12.5m/3 storeys' for 155-163 Jervois Road and replace with the general height rule for the Local Centre - Jervois Road.	Herne Bay	Amend to increase height	Local Centre	16.5m	18m	No	Yes - AZHC overlay 12.5m and Special Character - Residential Isthmus A overlay.	Yes - seeks removal of the AZHC overlay (topic 078 hearing in Oct 2015) and Special Character overlay (topic 079 hearing in Feb 2016)	Don't support	2	829 - Wisimca Company Limited, 3367 - Isma Trust	0	0	1	3147 - Waitakere Ranges Protection Society Incorporated	0	0
6511-5	Nigel and Sascha Mortimer	Apply a 12.5m height limit to the Local Centre zone on Jervois Road, Herne Bay.	Herne Bay	Amend to reduce height	Local Centre	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	1	1770 - Kanji Chimanlal et al	0	0
5881-5	Michael and Paulette Snowden	Retain rule 4.2 (building height) for 155-163 and 165-167 Jervois Road.	Herne Bay	Retain Zone height	Local Centre - Herne Bay	16.5m	18m	No	AZHC - 12.5m; Special Character - not height specific	Yes - seeks removal of the AZHC overlay (topic 078 hearing in Oct 2015) and Special Character overlay (topic 079 hearing in Feb 2016)	Don't support	2	829 - Wisimca Company Limited, 3367 - Isma Trust	0	0	1	3147 - Waitakere Ranges Protection Society Incorporated	0	0
2946-2	Toni Nelson	Amend the rules for the Gables/Speight site [1 Kelmarna Avenue, Herne Bay] to require a three storey (12.5m) height limitation.	Herne Bay	Amend to reduce height	Local Centre	16.5m	18m	Yes - to Neighbourhood Centre. 066-068 - Rezoning IHP hearing - 1 Jan	No	N/A	Don't support	0	0	0	0	0	0	0	0

6247-54	Samson Corporation Limited and Sterling Nominees Limited	Amend the maximum permitted height to 24.5 metres and 8 storeys of the land within the blocks contained by Dominion Road, Horopito Street, and View Road; and the land within Dominion Road, Charles Street, and George Street, Mt Eden	Kingsland	Amend to increase height	Mixed Use/ Mixed Housing Suburban	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	0	0	0	0
7285-4	Martin Waiguny	Reject the additional height restriction of 12.5m (3 Story) for Kingsland local centre.	Kingsland	Amend to increase height	Local Centre	16.5m	18m	No	Yes - subject to AZHC overlay 12.5m, Special Character Business - Kingsland overlay (except 502-504 and 517 New North Road, Kingsland). Historic Heritage Place (scheduled buildings) at 460-466, 463-475, 468-472 and 478 New North Road, Kingsland and Extent of Place overlays.		Don't support	0	0	0	0	0	0	0	0
5569-4	Emma Quantrell	Retain the 4 storey height limit for the Meadowbank Neighbourhood Centre.	Meadowbank	Retain zone height	Neighbourhood Centre	12.5m	13m	No	No	N/A	Don't support	0	0	0	0	0	0	0	0
3746-2	Kohimarama Residents Association Incorporated	Add a Height Control Overlay over the Mixed Use and Local Centre zoned areas fronting onto Tamaki Drive, Atkin and Patterson Avenues, limiting maximum future building height to 10m.	Mission Bay	Amend to reduce height	Mixed Use/ Local Centre	16.5m	18m		No		Don't support	1	3497 - Mission Bay Kohimarama Residents Association	0	0	0	0	0	0
5623-2	Don Stock	Include the business area of Mission Bay in the AZHCOverlay and limit heights to 12.5m	Mission Bay	Amend to reduce height	Local Centre	16.5m	18m		No		Don't support	1	3497 - Mission Bay Kohimarama Residents Association	0	0	1	929 - Drive Holdings Limited and Retail Holdings Limited	0	0
6247-30	Samson Corporation Limited and Sterling Nominees Limited	Amend the maximum permitted height of the centre of the block contained by New North Road, Inwood Street, and Western Springs Road, Morningside to 24.5 metres with a maximum of 8 storeys.	Morningside	Amend to increase height	Local Centre	16.5m	18m	No	No		Don't support	0	0	0	0	0	0	0	0
5566-76	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 632 New North Rd, Mt Albert.	Morningside	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	No	No		Don't support	0	0	0	0	0	0	0	0
5566-79	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 1 Gordon Rd, Morningside.	Morningside	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	No	No		Don't support	0	0	0	0	0	0	0	0
5566-50	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2(3) Building Height and AZHC to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 953-975 New North Rd, Mt Albert. Site is close to Mt Albert Town Centre and public transport with rail station 0.1km away.	Mt Albert	Amend to increase height and delete storey control	Town Centre	Refer AZHC overlay	18m	066-068 Rezoning scheduled for Jan 2016. Seeking changes to Town Centre zone	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	Yes. 066-068 Rezoning scheduled for Jan 2016.	Don't support	0	0	0	0	0	0	0	0
5566-54	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Additional Height Controls to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 947 New North Rd, Mt Albert.	Mt Albert	Amend to increase height and delete storey control	Town Centre	Refer AZHC overlay	18m	066-068 Rezoning scheduled for Jan 2016. Seeking changes to Town Centre zone	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	078 - AZHC hearing in Oct. Submitter seeks to increase height of AZHC	Don't support	0	0	0	0	0	0	0	0
5566-58	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Additional Height Controls to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 945A New North Rd, Mt Albert.	Mt Albert	Amend to increase height and delete storey control	Town Centre	Refer AZHC overlay	18m	066-068 Rezoning scheduled for Jan 2016. Seeking changes to Town Centre zone	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	078 - AZHC hearing in Oct. Submitter seeks to increase height of AZHC	Don't support	0	0	0	0	0	0	0	0
5566-62	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Additional Height Controls to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 941-943 New North Rd, Mt Albert.	Mt Albert	Amend to increase height and delete storey control	Town Centre	Refer AZHC overlay	18m	066-068 Rezoning scheduled for Jan 2016. Seeking changes to Town Centre zone	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	078 - AZHC hearing in Oct. Submitter seeks to increase height of AZHC	Don't support	0	0	0	0	0	0	0	0
5566-66	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Additional Height Controls to provide for a maximum permitted height of 31m for sites in the Town Centre zone and delete all storey controls in relation to 915-927 New North Rd, Mt Albert.	Mt Albert	Amend to increase height and delete storey control	Town centre	Refer AZHC overlay	18m	066-068 Rezoning scheduled for Jan 2016. Seeking changes to Town Centre zone	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	078 - AZHC hearing in Oct. Submitter seeks to increase height of AZHC	Don't support	0	0	0	0	0	0	0	0

5566-70	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 22B Willcott St, Mt Albert. Site is close to Mt Albert Town Centre and public transport with rail station 0.1km away.	Mt Albert	Amend to increase height and delete storey control	Mixed Use	16.5m	18m	066-068 Rezoning scheduled for Jan 2016. Seeking changes to Town Centre zone	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	078 - AZHC hearing in Oct. Submitter seeks to increase height of AZHC	Don't support	0	0	0	0	0	0	0	0	
2422-62	Gary Russell	Retain the provisions (height) for Mt Albert.	Mt Albert	Retain	Town Centre	Refer AZHC overlay	18m	No	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	No	Don't support	0	0	0	0	1	3168 - Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	0	0	
6841-10	Ei Callao Limited	Retain the AZHC of 16.5m/4 storeys for the Town Centre zone in Mt Albert, particularly 861-863 New North Road, Mt Albert.	Mt Albert	Retain	Town Centre	Refer AZHC overlay	18m	No	Yes - AZHC 16.5m and Volcanic view shaft A13 Mt Albert	No	Don't support	0	0	0	0	0	0	0	0	
1893-6	Judith Holtebrinck	Reduce the height of buildings in Mount Eden Village from 4 storey.	Mt Eden	Amend to reduce height	Local Centre and Mixed Use (area not defined in submission)	16.5m	18m	Yes - seeks to rezone Mt Eden Village from Local to Neighbourhood Centre	Yes - AZHC 12.5m and Volcanic Viewshafts E1, E2, E3, E4 and E5 Mt Eden and height sensitive areas apply. Special character Business (Mt Eden) applies	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	
1893-8	Judith Holtebrinck	Restrict the height of buildings in and around Mount Eden Village - 9m in the Village.	Mt Eden	Amend to reduce height	Local Centre and Mixed Use (area not defined in submission)?	16.5m	18m	Yes - seeks to rezone Mt Eden Village from Local to Neighbourhood Centre	Yes - AZHC 12.5m and Volcanic Viewshafts E1, E2, E3, E4, E5 and E6 Mt Eden and height sensitive areas apply. Special character Business (Mt Eden) applies	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	
3943-11	Julie A Kelleway	Amend the AZHC overlay for Eden Valley Local Centre, Mt. Eden, to reduce maximum height from 12.5m/3 storey to 10m/2 storey	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	
4640-8	Mount Eden Society Incorporated	Amend Mt Eden Village Centre to have a height limit of 8m and maximum two storeys.	Mt Eden	Amend to reduce height	Local Centre	16.5m	18m	Yes - seeks to rezone Mt Eden Village to a less dense zone with a height restriction of 8m	Yes - AZHC 12.5m and Volcanic Viewshafts E1, E2, E3, E4, E5 and E6 Mt Eden and height sensitive areas apply. Special character Business (Mt Eden) applies	Yes. Submitter seeks to lower height limit through AZHC. 066-068 Rezoning scheduled for Jan 2016	Don't support	1	1535 - Mark Donnelly	0	0	0	0	0	0	0
4662-11	Susan Blayney	Amend the height limit of Eden Valley Local Centre from 12.5m to 10m/2 storey. Historical character of the local centre would be compromised with a 3 storey height limit.	Eden Valley	Amend to reduce height	Local Centre	16.5m	18m	Yes - seeks Mixed Use zone be rejected in Mt Eden	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to lower height limit through AZHC. 066-068 Rezoning scheduled for Jan 2016	Don't support	0	0	0	0	0	0	0	0	
5884-8	Victoria J Park	Amend Additional Height Controls - Mount Eden from 12.5m/3 storey, down to 10m/2 storey maximum.	Mt Eden	Amend to reduce height	Local Centre	16.5m	18m	Yes - seeks Mixed Use zone be rejected in Mt Eden	Yes - AZHC 12.5m and Volcanic Viewshafts E1, E2, E3, E4, E5 and E6 Mt Eden and height sensitive areas apply. Special character Business (Mt Eden) applies	Yes. Submitter seeks to lower height limit through AZHC. 066-068 Rezoning scheduled for Jan 2016	Don't support	2	1166 - Victoria J Park, 1688 - Andrew J M Park	0	0	0	0	0	0	
6076-7	David Phillimore	Amend the height rules for Mt Eden to '8 m and maximum two storeys'. Seek incorporation of Mt Eden Village Centre Plan height limit from Isthmus plan.	Mt Eden	Amend to reduce height	Local centre	16.5m	18m	No	Yes - AZHC 12.5m and Volcanic Viewshafts E1, E2, E3, E4, E5 and E6 Mt Eden and height sensitive areas apply. Special character Business (Mt Eden) applies	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	
6165-7	Mangawhau Properties Limited	Amend the height rules for Mt Eden to: '8 m and maximum two storeys'. Seek incorporation of Mt Eden Village Centre Plan height limit from Isthmus plan.	Mt Eden	Amend to reduce height	Local centre	16.5m	18m	No	Yes - AZHC 12.5m and Volcanic Viewshafts E1, E2, E3, E4, E5 and E6 Mt Eden and height sensitive areas apply. Special character Business (Mt Eden) applies	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	0	

6645-7	Andrew J M Park	Amend the additional height control over Mt Eden Village and Eden Valley Centre from 12.5m and 3 storeys to 10m and 2 storeys	Mt Eden	Amend to reduce height	Local centre	16.5m	18m	No	Yes - Additional height control applies to the Local Centre reducing height to 12.5m as notified (13m in tracked changes). Viewshafts E1, E2, E3, E4, E5 and E6 Mt Eden and height sensitive areas apply to Village. Volcanic viewshaft E6 Mt Eden (applies to the southern area of the centre). Special character Business - Eden Valley overlay applies.	Yes. Submitter seeks to lower height limit through AZHC	Don't support	1	1166 - Victoria J Park	0	0	0	0	0	0
2422-56	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Stoddard Road.	Stoddard Road	Amend to reduce height	Assume Town Centre zone	Refer AZHC overlay	18m	No	Yes - Additional height control applies to Town Centre of 16.5m. Viewshafts at northern (A2 and A3) ends and Height Sensitive Area at southern end.	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0	0	0	0	0	0	0	
3863-54	DNZ Property Fund Limited et al	Retain the Additional Zone Height Controls of 20.5m and 24.5m for the properties that lie south and east of the Mount Wellington Shopping Centre (Corner Mt Wellington Highway and Penrose Road, Mt Wellington) that are zoned Terrace Housing and Apartment Buildings and Mixed Use.	Mt Wellington	Retain AZHC	Mixed Use	16.5m	18m				Don't support	1	2114 - James Kirkpatrick Group Limited	0	0	0	0	0	
3863-55	DNZ Property Fund Limited et al	Amend the Additional Zone Height Controls to apply a maximum height of 24.5m to the Mount Wellington Shopping Centre [Corner Mt Wellington Highway and Penrose Road, Mt Wellington, as shown on p 50/50 vol 1 of submission].	Mt Wellington	Amend to increase height	Local Centre	16.5m	18m	No	No	n/a	Don't support	1	2114 - James Kirkpatrick Group Limited	0	0	0	0	0	
5319-2	Mountwell Properties Limited	Retain the 16.5m AZHC for the area between Forge Way and Mountwell Crescent, Mt Wellington.	Panmure	Retain AZHC	Town Centre	Refer AZHC overlay	18m		AZHC - 16.5m	Not challenged	Don't support	0	0	0	0	0	0	0	
950-6	Frank and Gwynneth Lawlor, Jean Carbon and Rita Radley	Retain the AZHCOverlay of 24.5m applying to 4 Arthur Brown Pl, Mt Wellington	Mt Wellington	Retain AZHC	Mixed Use	16.5m	18m		Yes - AZHC of 24.5m		Don't support	0	0	0	0	0	0	0	
5566-85	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend the Overlay to provide for a maximum permitted height of 32.5m in relation to Broadway, Newmarket: Remuera - Balm (see map on page 85/94 of submission for details).	Newmarket	Retain AZHC	Metropolitan Centre and Newmarket 1 Precinct	72.5m	72.5m	No	AZHC overlay of 32.5m and Special Character overlays. Viewshafts over property (E11, E12, E13 and T7) restrict height to 31.5m on Remuera Rd frontage otherwise 32.5m is max height. Submitter requests deletion of T7. Does not apply to this block.	078 - AZHC overlay - IHP hearing Oct. Submitter seeks increased height. 020 - Volcanic viewshafts - IHP hearing June 2015. Submitter seeks removal of T7. Council recommend deletion of this viewshaft - refer Evidence in IHP hearings.	Don't support	0	0	0	0	0	0	0	
6268-8	Breakwater No.3 Trustee Company Limited as Trustee for the Breakwater Trust	Amend the AZHCOverlay in Newmarket to extend from Crowhurst street in the East to Mountain Road in the West	Newmarket	Amend to increase height	Mixed Use/ Newmarket Precinct 2	16.5m	18m	No	AZHC overlay at Newmarket end) - 24.5m; Special Character overlay(not height specific) and various volcanic view shafts	078 - AZHC overlay - IHP hearing Oct. Requests overlay be increased along Khyber Pass Rd.	Don't Support	1	855 - Les Mills Holdings Limited	0	0	0	0	0	
4270-2	Bosnyak Investments Limited	Retain Newmarket AZHCof 24.5m/6 storeys.	Newmarket	Retain AZHC	Mixed Use	16.5m	18m	Yes - to Metropolitan Centre. 066-068 - Rezoning IHP hearing - Jan 2016	AZHC - 24.5m. Volcanic View shafts - E11, E12, E13 (Mt Eden). Restrict height to 32m at lowest point.	020 - Volcanic View shafts - IHP hearing June 2015. Submitter seeks removal of Volcanic view shafts.	Don't support	0	0	0	0	0	0	0	
4307-7	The Strand Trust	Retain the overlay for 255 Broadway, Newmarket.	Newmarket	Retain AZHC	Metropolitan Centre/ Newmarket 2 precinct	72.5m	72.5m	No	AZHC - 32.5m; Special Character (no height); various volcanic view shafts	N/A	Don't support	0	0	0	0	0	0	0	

6268-8	Breakwater No.3 Trustee Company Limited as Trustee for the Breakwater Trust	Amend the AZHCOverlay in Newmarket to extend from Crowhurst street in the East to Mountain Road in the West	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	Special Character overlay (no height) and Volcanic view shafts - E8 and E9 - restrict height to 21 and 22m	069 - Special Character IHP hearings - June 2015. 020 -volcanic view shafts IHP hearing June 2015 . Submitter seeks removal of these.	Don't support	1	855 - Les Mills Holdings Limited	0	0	0	0	0	0
3477-24	Dilworth Trust Board	Retain the overlay [Newmarket] at 99 and 101 Remuera Road, 8 and 9 St Marks Road, 470-474, 476-480 and 500 Broadway, Newmarket.	Newmarket	Retain AZHC	Mixed Use	16.5m	18m	No	AZHC - 24.5m; Special Character (no height), various volcanic view shafts	N/A	Don't support	1	950 - South Cross Hospitals Limited	0	0	0	0	0	0
2422-26	Gary Russell	Amend the PAUP to provide unlimited storey height at Newmarket.	Newmarket	Amend to delete storey limits	Metropolitan Centre/ Mixed Use zones and Newmarket 1 Precinct	72.5m/ 16.5	Varies	no	AZHC - 32.5m; Special Character overlay (no height) and various volcanic view shafts limiting height to 24.5m in some areas and the low 30' through the bulk of the centre.	078 -AZHC IHP Hearing Oct. 069 - Special Character IHP hearing June 2015. not challenged.	Don't support	0	0	0	0	1	2942 - Scentre (New Zealand) Limited	0	0
5566-96	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend the Overlay to provide for a maximum permitted height of 32.5m in relation to 2-38 Nuffield St, Newmarket.	Newmarket	Amend to increase height over portion of site	Metropolitan Centre zone and Mixed Use zone. Newmarket 1 Precinct applies to Metropolitan Centre zone	72.5m, 24.5m	Varies	Yes - rezone part of site from MU to Metropolitan Centre and balance of eastern side of Mahurur Street to St Marks road. . 069 - Precinct Hearings Jan 2016.	AZHC (32.5m), Special Character (not height specific) and volcanic view shafts E11, E12, E13 and T7.	078 - AZHC hearing in Oct. Applicant seeks application of AZHC over portion of site. 020 - Volcanic viewshafts - IHP hearing June 2015. Submitter seeks removal of T7. Council recommend deletion of this viewshaft - refer Evidence in IHP hearings.	Don't support	0	0	0	0	0	0	0	0
6551-1	Newmarket Community Association	Amend rules to reduce maximum building heights in Newmarket to what is allowed in [Auckland Isthmus] Plan change 196 (Newmarket Growth Area Structure Plan). [No specific heights specified]	Newmarket	Amend to reflect Plan Change 196 Isthmus Dt Plan	Metropolitan Centre zone and Mixed Use zone. Newmarket 1 Precinct applies to Metropolitan Centre zone	72.5m, 24.5m	Varies	Yes in part	AZHC - 32.5m; Special Character overlay (no height) and various volcanic view shafts limiting height to 24.5m in some areas and the low 30' through the bulk of the centre.		Don't support	1	3459 - Oxton Family Trust	0	0	8	942 - F Hayes & Co Ltd, 1033 - P Bolot Family Trust, 1045 - Teed Street Properties, 1047 - Upland Properties, 1690 - Masfen Holdings Limited, 2089 - 88 Broadway Limited, 2942 - Scentre (New Zealand) Limited, 3051 - The Strand Trust	0	0
6551-13	Newmarket Community Association	Amend maximum building height restrictions within the Newmarket Metropolitan zone to take into account the size of the site, for example up to 4 storeys for smaller sites and higher limits for larger sites.	Newmarket	Amend to reflect size of site.	Metropolitan Centre zone and Mixed Use zone. Newmarket 1 Precinct applies to Metropolitan Centre zone	16.5m	18m	Yes in part	AZHC - 32.5m; Special Character overlay (no height) and various volcanic view shafts limiting height to 24.5m in some areas and the low 30' through the bulk of the centre.		Don't support	1	3459 - Oxton Family Trust	0	0	2	2942 - Scentre (New Zealand) Limited, 3168 - Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	0	0
2968-381	Westfield (New Zealand) Limited	Delete Additional Height overlay from Westfield's sites at 277 and 309 Broadway and Nuffield Street, as shown in 'Submission 8 Schedule 2: Map of Westfield's site in Newmarket' on p 19/43 vol 4 of submission, so that the height limits of 32.5m and 24.5m are removed. [13/43 vol 4]	Newmarket	Amend to increase height	Metropolitan Centre/ Mixed Use and Newmarket Precinct 1	72.5m/ 16.5m	Varies	No	AZHC - Metropolitan Centre - 32.5m/ Mixed Use zone - 24.5m; Special Character overlay (not height specific) and various volcanic view shafts	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Submitter challenges rules within these.	Don't support	0	0	0	0	0	0	0	

3817-2	Teed Street Properties	Delete from 201-203 Broadway, Newmarket and surrounding sites with the same zone [Metropolitan Centre zone] in Newmarket area.	Newmarket	Amend to increase height	Metropolitan Centre/ Newmarket Precinct 1	16.5m	18m	No	AZHC overlay - 32.5m, Special Character overlay and Volcanic view shafts - Mt Eden E11 and E12	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Submitter seeks removal. 029 - Special Character - IHP hearing June 2015. Submitter seeks removal.	Don't support	3	868 - DNZ Property Fund Limited et al, 3051 - The Strand Trust, 3168 - Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	0	0	0	0	0	0
3860-3	P Bolot Family Trust	Delete AZHC- Newmarket overlay from 213 Broadway, Newmarket.	Newmarket	Amend to increase height	Metropolitan Centre/ Newmarket Precinct 1	16.5m	18m	No	AZHC overlay - 32.5m, Special Character overlay and Volcanic view shafts - Mt Eden E11 and E12	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Submitter seeks removal. 029 - Special Character - IHP hearing June 2015. Submitter seeks removal.	Don't support	1	3051 - The Strand Trust	0	0	0	0	0	0
3863-46	DNZ Property Fund Limited et al	Amend the Additional Zone Height Controls for the Newmarket area to provide for additional height.	Newmarket	Amend to increase height	Metropolitan Centre and Mixed Use zones/ Newmarket Precinct 1	72.5m , 24.5m	Varies	No	AZHC - Metropolitan Centre - 32.5m/ Mixed Use zone - 24.5m; Special Character overlay (not height specific) and various volcanic view shafts	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Not challenged. 029 - Special Character - IHP hearing June 2015. Not challenged.	Don't support	3	2114 - James Kirkpatrick Group Limited, 2878 - The Warehouse Limited, 3051 - The Strand Trust	4	942 - F Hayes & Co Ltd, 1033 - P Bolot Family Trust, 1045 - Teed Street Properties, 1047 - Upland Properties	0	0	0	0
3863-47	DNZ Property Fund Limited et al	Amend the AZHC for the blocks between Morrow, Eden and Teed Street, Newmarket (from Broadway to Gillies Ave), to provide the same maximum height control that applies to the Metropolitan Centre (as determined through the submission process) and/or to enable building height in the Newmarket area up to the volcanic viewshaft control (whichever is the greater).	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	Yes - Metropolitan Centre	AZHC - Mixed Use zone - 24.5m; Special Character overlay (not height specific) and various volcanic view shafts	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Not challenged. 029 - Special Character - IHP hearing June 2015. Not challenged.	Don't support	2	2114 - James Kirkpatrick Group Limited, 3051 - The Strand Trust	4	942 - F Hayes & Co Ltd, 1033 - P Bolot Family Trust, 1045 - Teed Street Properties, 1047 - Upland Properties	0	0	0	0
3879-3	Upland Properties	Delete AZHC- Newmarket overlay from 205-209 Broadway and 1 Teed St, Newmarket.	Newmarket	Amend to increase height	Metropolitan Centre/ Newmarket Precinct 1	16.5m	18m	No	AZHC overlay - 32.5m, Special Character overlay and Volcanic view shafts - Mt Eden E11 and E12	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Submitter seeks removal. 029 - Special Character - IHP hearing June 2015. Submitter seeks removal.	Don't support	0	0	0	0	0	0	0	0
4211-3	F Hayes and Company Limited	Delete the Additional zone height controls - Newmarket.	Newmarket	Amend to increase height	Metropolitan Centre and Mixed Use zones/ Newmarket Precinct 1	72.5m, 24.5m	Varies	No	AZHC (32.5m) over Metro Centre zone and (24.5m) over Mixed Use zone, Special Character overlay and various Volcanic view shafts	078 AZHC IHP hearing - Oct 2015. Submitter seeks removal. 020- Volcanic viewshafts - IHP hearing June 2015. Submitter seeks removal. 029 - Special Character - IHP hearing June 2015. Submitter seeks removal.	Don't support	2	3051 - The Strand Trust, 3168 - Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	0	0	2	3146 - Cowie Street Investments, 3304 - Academic Colleges Group Limited	0	0
5968-28	Masfen Holdings Limited	Amend the maximum height for the Newmarket Metropolitan Centre zone to 72.5m.	Newmarket	Amend to increase height	Metropolitan Centre	72.5m	72.5m	No	AZHC (32.5m), Special Character and various volcanic view shafts		Don't support	2	868 - DNZ Property Fund Limited et al, 3459 - Oxton Family Trust	0	0	1	831 - AMP Capital Investors New Zealand Limited and AMP Capital Property Portfolio Limited	0	0
1354-12	New Investments Limited	Provide a maximum height of 32.5m/8 storeys at 10-12 Kingdon Street Newmarket.	Newmarket	Amend to increase height	Mixed Use	16.5m	27m	yes - to Metropolitan Centre and apply precinct. 069 - Precincts IHP hearing Jan 2016. 066-068 - Rezoning IHP hearing - Jan 2016.	AZHC overlay (24.5m), Special Character overlay (not height specific) and Mt Eden Volcanic view shaft E11 restricts height to 30.5m.	078 - AZHC overlay - IHP hearing Oct. Submitter seeks increased height. 020 - Volcanic view shafts - IHP hearing - June 2015.	Don't support	0	0	0	0	0	0	0	0

3625-7	Southpark Corporation Limited	Amend the permitted height to 30m at 33-37 George Street, 10-12 Clayton Street and 13-15 Mergan Street, Newmarket. Refer to submission for details (volume 2, pp. 7/15 - 8/15).	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	AZHC overlay - 24.5m; Special Character overlay and Volcanic view shaft - Mt Eden E8	078 AZHC IHP hearing - Oct 2015. Partially challenged. 020 - Volcanic viewshafts - IHP hearing June 2015. Not challenged. 029 - Special Character - IHP hearing June 2015. Submitter seeks removal.	Don't support	0	0	0	0	0	0	0	0
4368-1	BHV Properties (2013) Limited	Add the 'Additional Zone Height Control: Newmarket, 24.5m/6 storeys' overlay to 18-26 Broadway, Newmarket.	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	Volcanic view shaft - Mt Eden E11 restrict height to 11m across rear half of sites.	078- AZHC IHP hearing date - Oct 2015. Submitter seeks addition of AZHC.	Don't support	0	0	0	0	0	0	0	0
5968-34	Masfen Holdings Limited	Amend the height limit on 9-15 Davis Crescent, Newmarket to 56.5m.	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	Yes - rezone to Metropolitan Centre. 066-068 - Rezoning IHP hearing - Jan 2016.	AZHC overlay - 24.5m; Special Character overlay (not height specific) and Volcanic view shaft - E11 restricts development across the front of the property to 21.5m.	078 - AZHC overlay - IHP hearing Oct. Submitter seeks increased height. 020 - Volcanic view shafts - IHP hearing June 2015	Don't support	1	3459 - Oxtan Family Trust	0	0	0	0	0	0
6247-60	Samson Corporation Limited and Sterling Nominees Limited	Amend the maximum permitted height of the Mixed Use zone area as it applies to 27 - 31 Gillies Avenue, Epsom, to 24.5 metres and 8 storeys	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	AZHC overlay - 24.5m; Special Character overlay (not height specific) and various volcanic view shafts restricting height to less than 25m in the south portion of the property.	078 AZHC IHP hearing - Oct 2015. Seeks application. 020 - Volcanic viewshafts - IHP hearing June 2015. Not challenged. 029 - Special Character - IHP hearing June 2015. Submitter seeks removal.	Don't support	8	942 - F Hayes & Co Ltd, 944 - Gadol Corporation Ltd, 964 - Geffen Holdings, 1023 - Heatherloch Holdings, 1033 - P Bolot Family Trust, 1045 - Teed Street Properties, 1047 - Upland Properties, 1051 - Zelig Corporation	1	1048 - Westir Properties	0	0	0	0
6556-17	Alister Kitchen	Reject height limit of 16.5m and 4 storeys at 41-43 Gillies Ave, Epsom [Mixed Use zone - 4.2 Building Height].	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	Special Character overlay (not height specific) and various volcanic view shafts (E11, E12, E13) restricting development to less than 24m (less than 22m for the bulk of it)	Not challenged.	Don't support	0	0	0	0	0	0	0	0
5141-1	Lowndes 2000 Limited	Retain building height of 111 Carlton Gore Road, Newmarket, as 24.5m	Newmarket	Retain AZHC	Mixed Use	16.5m	18m	No	AZHC - 24.5m; Special Character overlay (not height specific; Volcanic View shaft E8 (not restrictive).	Not challenged.	Don't support	0	0	0	0	0	0	0	0
3753-2	Southbourne Holdings Limited	Amend the height to 32.5m for 2-4 Crowhurst St, Newmarket, subject to appropriate building design control.	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	Yes - to Metropolitan Centre. 066-068 - Rezoning IHP hearing - Jan 2016	AZHC overlay - 24.5m; Special Character overlay (not height specific) and various volcanic view shafts.	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height. 020 - Volcanic view shafts IHP hearing - June 2015. Not challenged. 069 - Sp Ch overlay - IHP hearing June 2015. Not challenged.	Don't support	0	0	0	0	0	0	0	0
4368-1	BHV Properties (2013) Limited	Add the 'Additional Zone Height Control: Newmarket, 24.5m/6 storeys' overlay to 18-26 Broadway, Newmarket.	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	Special Character (not height specific); Volcanic view shaft - Mt Eden E11 restricts height from 11-12m across back of property.	078 - AZHC overlay - IHP hearing Oct. Submitter seeks increased height. 029 - Special Character - IHP hearing June 2015. Not challenged. 020 - Volcanic view shafts - IHP hearing June 2015. Not challenged.	Don't support	0	0	0	0	0	0	0	0
4425-2	Academic Colleges Group	Include the ACG Parnell Primary School site at 39 George Street, Newmarket within the AZHC overlay of 24.5m.	Newmarket	Amend to increase height	School	16.5m	18m	66-068 - Rezoning IHP hearing - Jan 2016. Seek change to Mixed Use.	Special Character (no specific height)	078 - AZHC IHP hearing Oct 2015. Submitter seeks AZHC. Special character not challenged.	Support	0	0	0	0	0	0	0	0

1173-3	Civil Cost Limited	Amend rule 4.2 Maximum height by increasing the maximum height for 24 Mountain Road and/or 34 Seccombes Road Epsom from 16.5m to 20m or impose a height overlay of 20m.	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	Volcanic view shafts - E8 and E9 - enable height greater than 20m.	078 - AZHC HP hearing Oct 2015. Submitter seeks an AZHC.	Don't support	1	423 - Civil Cost Limited	0	0	0	0	0	0	
5011-3	KLC Property Limited	Increase height control for 408 Khyber Pass Road, Newmarket to 32.5m, subject to appropriate building design controls.	Newmarket	Amend to increase height	Mixed Use/ Newmarket Precinct 2	16.5m	18m	Yes - to Metropolitan Centre. 066-068 - Rezoning IHP hearing - Jan 2016. Precinct not challenged.	AZHC - 24.5m, Special Character (not height specific) and Volcanic view shafts - Mt Eden E8 and E11. Restricts development on adjacent property (included in submission) to 32 and below in the northwest corner.	078 - AZHC overlay - IHP hearing Oct. Submitter seeks increased height. 029 - Special Character - IHP hearing June 2015. Not challenged. 020 - Volcanic view shafts - IHP hearing June 2015. Not challenged.	Don't support	0	0	0	0	0	0	0	0	
5566-18	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 127-133 Manukau Rd, Epsom.	Newmarket	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	no	Various volcanic view shafts	No.	Don't support	0	0	0	0	0	0	0	0	
5000-44	Les Mills Holdings Limited	Amend overlay to apply to all properties fronting Khyber Pass Road between Broadway and Mountain Road/Park Road.	Newmarket	Amend to increase height	Metropolitan Centre / Mixed Use; Newmarket 1 and 2 precincts apply on some sites at Newmarket end.	72.5m/ 16.5m	Varies	No	AZHC - 32.5/ 24.5m, Special Character overlay (not height specific) and Volcanic view shafts - Mt Eden E8, E9 and E11 (restricting height to 21 and 22m in southern section of the properties between Maungawhau Road and Mountain Road).	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height. 020 - Volcanic view shafts IHP hearing - June 2015. Submitter challenges height under these. 069 - Sp Ch overlay - IHP hearing June 2015. Not challenged.	Don't support	0	0	0	0	0	0	0	0	
5000-45	Les Mills Holdings Limited	Apply a maximum height limit of 32.5m to all properties fronting Khyber Pass Road between Broadway and Mountain Road/Park Road (including 269 and 369 Khyber Pass Road).	Newmarket	Amend to increase height	Mixed Use/ Newmarket Precinct 1 and 2 at Newmarket end.	72.5m/ 16.5m	Varies	No	AZHC - 32.5/ 24.5m; Special Character overlay (not height specific) and Volcanic view shafts - Mt Eden E8, E9 and E11 - restrict height to 21 and 22m in southern section of the properties.	078 - AZHC overlay - IHP hearing Oct 2015 - Seeks extension of AZHC. No challenge to Sp Ch overlay. 020 - Volcanic view shafts - IHP hearing June 2015 - submitter seeks amendments of these.	Don't support	0	0	0	0	0	0	0	0	
7237-8	Saint Marks Women's Health Limited	Amend rule 4.2 (building height) applying to 4-6 Robert Hall Place and 1 MacMurray Road, Remuera to provide for the additional height overlay of 24.5m (not withstanding volcanic cones view protection controls)	Newmarket	Amend to increase height	Mixed Use	16.5m	18m	No	AZHC of 24.5m appears to apply to part of 4-6 Robert Hall Place. Applicable view shafts are - E13 Mt Eden (1 Macmurray Road) and H1 Mt Hobson (4-6 Robert Hall Avenue) Viewshaft contours over north western corner of 1 MacMurray Road vary from 22-24m and over the south eastern corner 16.5-17.5m. Viewshaft contours over 4-6 Robert Hall Avenue (southern part) vary from 17-19.5m.	078 - AZHC overlay - IHP hearing Oct 2015. Submitter seeks extension of overlay to their property. View shafts are not challenged.	Support	1	950 - South Cross Hospitals Limited	0	0	0	0	0	0	0
4823-95	Stephen Davis	Amend the AZHC overlay in the area of Newton/Eden Terrace, south of Newton Road to allow for an 8 storey limit.	Newton	Amend to increase height	Various - Town Centre and Mixed Use	16.5m	18m		AZHC overlay, Special Character overlay and various view shafts		Support in part	1	997 - Air New Zealand	0	0	0	0	0	0	

5478-49	Generation Zero	Amend the AZHC for the Mixed Use zone south of Newton Rd from 20.5m to 32.5m.	Newton	Amend to increase height	Various - Town Centre and Mixed Use	16.5m	18m		AZHC overlay, Special Character overlay and various view shafts		Support in part	6	997 - Air New Zealand, 3338 - Housing New Zealand Corporation, 3699 - Sudhvir Singh, 3732 - Isabella Cawthorn, 3734 - Daniel Leighton, 3799 - Louis Mayo	1	3468 - SFH Consultants Limited	122	55 - David A Bullick, 56 - Point Chevalier Residents Against THABs Incorporated, 199 - Robert McCallum, 216 - Howick Ratepayers and Residents Association Incorporated, 254 - Grant Reynolds, 302 - Donald G Mackereth, 303 - R E and C J Reynolds, 325 - Herne Bay	0	0
5566-82	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 32-36 Normanby Rd, Mt Eden.	Newton	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m		Various volcanic view shafts		Support in part	0		0	0	0	0	0	0
5727-23	Lisa Cameron	Amend the 'Additional Zone Height Controls: Addition Height Controls Newton' by increasing height from 20.5m and 5 storeys to 32.5m and 8 storeys. Refer to map on page 9/12 of submission.	Newton	Amend to increase height	Mixed Use	16.5m	18m		AZHC = 20.5m, Special Character overlay (some) and various view shafts.		Support in part	0		0	0	1	2906 - Graham Dunster	0	0
5727-24	Lisa Cameron	Amend the 'Additional Zone Height Controls: Addition Height Controls Newton' by increasing height from 20.5m and 5 storeys to 24.5m and 6 storeys. Refer to map on page 9/12 of submission.	Newton	Amend to increase height	Mixed Use	16.5m	18m		AZHC = 20.5m, Special Character overlay (some) and various view shafts.		Support in part	0		0	0	1	2906 - Graham Dunster	0	0
5821-1	Newton Residents and Business Group	Amend the height control in the Newton area from 32.5m to 20m and 5 storeys. This relates to the quadrant bounded by St Benedicts St, Alex Evans Street Rd, and Newton Rd.	Newton	Amend to reduce height	Mixed Use	16.5m	18m		AZHC overlay, Special Character overlay and various view shafts		Don't support	0		0	0	0	0	0	0
5982-3	Robert and Dianne Wynn-Parke et al	Amend heights in the area bounded by Ian McKinnon Drive, Alex Evans, Symonds Street & Newton Road, Newton, from 32.5m down to 15m	Newton	Amend to reduce height	Various - Town Centre and Mixed Use	Refer AZHC overlay (town centre), 16.5m Mixed Use	18m	No	AZHC overlay 16.5 applies to the Newton Town Centre and AZHC 32.5m applies to the Mixed Use zone. Special Character Business - Upper Symonds Street overlay applies to the Town Centre and Mixed Use sites close to Upper Symonds Street. Various volcanic view shafts apply.	No	Don't support	0		0	0	0	0	0	0
5982-4	Robert and Dianne Wynn-Parke et al	Amend heights in the area bounded by Symonds St, Khyber Pass, Grafton, and the Motorway to 20m	Newton	Amend to reduce height	Mixed Use	16.5m	18m	No	AZHC overlay - 20.5m for most of block; Special Character overlay (not height specific) and various view shafts restrict height to less than 20m along both Symonds Street and Khyber Pass Road.	078 - AZHC IHP hearing June 2015. Submitter seeks constant application of overlay over block to 20m. 029 - Special Ch IHP hearing - June 2015. 020 - Volcanic viewshafts - IHP hearing June 2015. Submitter does not challenge view shafts.	Don't support	0		0	0	0	0	0	0
5982-5	Robert and Dianne Wynn-Parke et al	Amend heights in the area bounded by Khyber Pass Road, The Railway Line, New North Road, Newton, to 32.5m	Newton	Amend to increase height	Various - Town Centre, Light Industry and Mixed Use	Refer AZHC overlay (town centre), 16.5m Mixed Use	Varies	No	AZHC overlay 16.5m over Newton and Upper Symonds Street Town Centre, 20.5m AZHC over Mixed Use sites, Special Character Business - Upper Symonds Street overlay and various volcanic view shafts.	No	Support in part	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	0	0	0	0
5982-6	Robert and Dianne Wynn-Parke et al	Amend heights in the area bounded by New North Road, Ian McKinnon Drive, Newton Road and Symonds St, Eden Terrace, to 32.5m	Newton	Amend to increase height	Various - Town Centre and Mixed Use	Various	Varies	No	AZHC overlay, Special Character overlay and various view shafts	Not challenged	Support in part	0		0	0	0	0	0	0
6396-1	Auckland Indian Association Incorporated	Allow multiple level development at 145 & 155 New North Road [increase the height limit].	Newton	Amend to increase height	Mixed Use	16.5m	18m	No	n/a		Don't support	0		0	0	0	0	0	0
6771-1	Jason Gerrard	Reduce Mixed Use height of 20.5m on Akiraho St, Mt Eden, to take into consideration character housing opposite.	Newton	Amend to reduce height	Mixed Use	16.5m	18m	No	AZHC and various volcanic view shafts		Don't support	0		0	0	0	0	0	0

6815-4	Uptown Business Association	Amend the height of all sites zoned Mixed Use around the Newton/Upper Symonds St Town Centre, to 32.5m, particularly the sites located between Symonds St and Ian McKinnon Drive.	Newton	Amend to increase height	Mixed Use	16.5m	18m	No	Some AZHC and Special Character overlays, Various volcanic view shafts.		Don't support	2	997 - Air New Zealand, 3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	0	0	0	0	0
2422-63	Gary Russell	Retain the provisions (height) for Newton.	Newton	Retain AZHC	Town Centre	Refer AZHC overlay	18m	No	AZHC overlay 16.5m over Newton and Upper Symonds Street Town Centre, Special Character Business - Upper Symonds Street overlay and volcanic view shafts E10 and E16 (Mt Eden). Building Frontage overlay - Key retail frontage. Historic Heritage Place (scheduled buildings) at 30 St Benedicts Street and 2 Mount Eden Road and corresponding Extent of Place overlays.	Not challenged	Don't support	0		0	0	0	0	0	0	0
6558-5 Submission withdrawn in full 26 May 2015	Mediaworks Holdings Limited	Retain the height limit of 16.5m in the Town Centre (Newton-Upper Symonds St) zone, in particular the properties on the south side of New North Road between Korari Street and Flower Street, Eden Terrace.	Newton	Retain AZHC	Town Centre	Refer AZHC overlay	18m	No	AZHC overlay 16.5m over Newton and Upper Symonds Street Town Centre, Special Character Business - Upper Symonds Street overlay and volcanic view shafts E10 and E16 (Mt Eden). Building Frontage overlay - Key retail frontage. Historic Heritage Place (scheduled buildings) at 30 St Benedicts Street and 2 Mount Eden Road and corresponding Extent of Place overlays.		Don't support	0		0	0	0	0	0	0	0
6558-6 Submission withdrawn in full 26 May 2015	Mediaworks Holdings Limited	Retain the height limit of 20.5m in the Mixed Use zone, at 2 and 3 Flower Street, Eden Terrace.	Newton	Retain AZHC	Mixed Use	16.5	21m	No	AZHC 20.5m and volcanic viewshafts E10 and E16 (Mt Eden)		Don't support	1	3326 - Sky Network Television Limited	0	0	0	0	0	0	0
6975-3	Karaka Mate Limited	Retain overlay which permits heights to 32.5m/8 storeys at 32 Karaka St, Newton.	Newton	Retain AZHC	Mixed Use	16.5m	32.5m	No	AZHC overlay - 32.5m and volcanic viewshafts E10 and E16 (Mt Eden)	Not challenged	Don't support	0		0	0	0	0	0	0	0
1499-2	Oyster Management Limited	Amend the additional height control layer to include land bounded by Arthur Street, Galway Street, Church Street and Onehunga Mall, Onehunga.	Onehunga	Retain height	Town Centre	Refer AZHC overlay	27m	No	Yes - Additional Height Control of 24.5m applies. There are Historic Heritage Places at 197 and 223-225 Onehunga Mall (category B buildings) and their corresponding extent of place. Volcanic Viewshaft O11 One Tree Hill applies. Viewshaft contours vary from 27.5-34.5m.	Seeks clarification as to whether AZHC takes precedence over Volcanic Viewshafts height limits (1499-3).	Don't support	1	1744 - Onehunga Business Association	0	0	0	0	0	0	0
2422-39	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Onehunga.	Onehunga	Amend to reduce height	Town Centre	Refer AZHC overlay	27m	No	Yes - AZHC - 24.5m. Volcanic viewshaft O11 One Tree Hill applies to eastern part of the centre. Various Historic Heritage Places and Extent of Place in Onehunga Town Centre.	Not challenged	Don't support	0		0	0	0	0	0	0	0
3314-4	Royal Oak Trust Investments Limited	Retain the AZHC for the Onehunga Mall area.	Onehunga	Retain AZHC	Town Centre	Refer AZHC overlay	27m	No	Yes - AZHC - 24.5m. Volcanic viewshaft O11 One Tree Hill applies to eastern part of the centre. Various Historic Heritage Places and Extent of Place in Onehunga Town Centre.	Yes - remove 131 Arthur Street from the Onehunga Mall Historic Heritage Area (3314-1)	Don't support	1	532 - Antipodean Properties Limited	0	0	0	0	0	0	0
4274-88	Minister of Police	Retain the 20.5m height limit in the Town Centre zone over 126 Onehunga Mall, Onehunga	Onehunga	Amend to reduce height	Town Centre	Refer AZHC overlay	27m	No	Yes - AZHC applies (24.5m). Volcanic viewshaft O11 One Tree Hill applies to eastern part of the site. Viewshaft contour of 24m. Historic Heritage Extent of Place - Onehunga Mall Historic Heritage Area applies.	Not challenged	Don't support	0		0	0	0	0	0	0	0

5280-233	The New Zealand Institute of Architects	Amend maximum building height limits for Onehunga Mall, Onehunga as shown in the submission [refer to page 45/104] to relate better to the historic context of the area.	Onehunga	Amend to reduce height	Town Centre	Refer AZHC overlay	27m	No	Yes - AZHC applies (24.5m). Volcanic viewshaft O11 One Tree Hill applies to eastern part of the area. Historic Heritage Extent of Place - Onehunga Mall Historic Heritage Area applies.	No	Don't support	1	2558 - Generation Zero	1	2279 - Jenny and Eamon Holdings Limited	107	56 - Point Chevalier Residents Against THABs Incorporated, 507 - Franco Belgiorno-Nettis, 517 - Judith Bern, 619 - Anne and Colin Andrews, 669 - Sarah Thorne, 761 - Robert Richard Kornman, 764 - Murray Nicholson, 767 - Victoria and Malcolm McPherson	770 -	2209 - The Character Coalition
5566-40	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 43 Galway St, Onehunga.	Onehunga	Amend to increase height and delete storey controls	Light Industry	20m	20m	Yes - seeks rezoning to Mixed Use zone (5566-39).	Yes	No	Don't support	0	0	0	0	0	0	0	0
6175-3	Colyer Mair Assets Limited	Remove the AZHC from 34-36 Galway Street, Onehunga.	Onehunga	Remove AZHC	Town Centre	Refer AZHC overlay	27m	Yes - seeks rezoning from Town Centre to Light Industry zone (6175-1)	Town Centre AZHC - 24.5m, Volcanic View shaft O11 (One Tree Hill) - height limited to less than 24.5m along Neilson Street frontage.	078 - AZHC IHP hearing Oct 2015. Seeks removal of AZHC height.	Don't support	0	0	0	0	0	0	0	
6175-6	Colyer Mair Assets Limited	Remove the AZHC from 71-105 Onehunga Mall, Onehunga (odd numbers only).	Onehunga	Remove AZHC	Mixed Use	16.5m	18m	Yes - seeks rezoning from Mixed Use to Light Industry zone (6175-4)	AZHC - 20.5m	078 - AZHC IHP hearing Oct 2015. Seeks removal of AZHC height on eastern side of Onehunga Mall.	Don't support	0	0	0	0	0	0	0	
6247-25	Samson Corporation Limited and Sterling Nominees Limited	Amend the maximum permitted height to 20.5 metres with a maximum of seven storeys for the block contained by Hill Street, Princes Street, Wharangi Street, and Neilson Street, Onehunga.	Onehunga	Amend to increase height	Mixed Use	16.5m	18m	No	Yes	No	Support	0	0	0	0	0	0	0	
6355-11	Rolf Masfen Trust	Add the AZHC overlay to 22 George [Terrace] and 23 Church Street, Onehunga and the surrounding Mixed Use area to increase the maximum building heights in this area to 24.5m.	Onehunga	Amend to increase height	Mixed Use	16.5m	18m	No	No	N/A	Don't support	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	0	0	0	
2422-43	Gary Russell	Amend the PAUP to provide unlimited storey height in the Panmure - CBD precinct area.	Panmure	Amend to increase height	Town Centre, Mixed Use only	Refer AZHC overlay, 16.5m	18m	Yes - Challenge Precinct	AZHC - 24.5m and 16.5m and various Mt Wellington volcanic view shafts apply. These restrict development to less than 16m for the majority of the area.	078 - AZHC IHP hearing Oct 2015. Submitter seeks unlimited height. 020 - Volcanic view shafts - IHP hearing June 2015 - submitter doesn't challenge these.	Don't support	0	0	0	0	0	0	0	

3853-1	Panmure Business Association	Amend 4.2 Building height rules of the Town Centre zone at Panmure to enable greater height and more intensification, as stated in the submission [refer page 3/5].	Panmure	Amend to increase height	Town Centre	Refer AZHC overlay	Varies	No	Yes - Additional Height Control applies to the town centre 16.5m/24.5m. Volcanic viewshafts W6, W7, W8,W9,W24 and W26 Mt Wellington apply to various parts of the town centre. Height sensitive area over Mixed Use sites to the south of Mt Wellington (59, 59A Mountain Road and 486-492 and 510 Ellerslie Panmure Highway)	No	Don't support	1	3083 - Tamaki Redevelopment Company	0	0	0	0	0	0
3853-10	Panmure Business Association	Amend 4.2 Building height rules of the Mixed Use zone at Panmure to enable greater height and more intensification, as stated in the submission [refer page 3/5].	Panmure	Amend to increase height	Mixed Use	16.5m	18m		Yes		Don't support	1	3083 - Tamaki Redevelopment Company	0	0	0	0	0	0
4178-2	Andre Jorna	Amend the building height limit for Panmure Town Centre to 35m.	Panmure	Amend to increase height	Town Centre	Refer AZHC overlay	Varies	No	Yes - Additional Height Control applies to the town centre 16.5m/24.5m. Volcanic viewshafts W6, W7, W8,W9,W24 and W26 Mt Wellington apply to various parts of the town centre. Height sensitive area over Mixed Use sites to the south of Mt Wellington (59, 59A Mountain Road and 486-492 and 510 Ellerslie Panmure Highway)	Yes - seeks removal of volcanic viewshafts applying to Mt Wellington (topic 020 Viewshafts hearing on 26 June 2015).	Don't support	0	0	0	0	0	0	0	0
5566-27	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 63-95 Ireland Rd, Panmure.	Panmure	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	No	None	N/A	Don't support	0	0	0	0	0	0	0	0
7409-3	Keith Sharp	Remove additional height control from the Panmure town centre to the east of Jellicoe Road, and if necessary increase the permitted height to the west of the Panmure railway station.	Panmure	Delete AZHC and increase permitted zone height	Town centre/ Tamaki Precinct	Refer AZHC overlay	Varies	No	AZHC Town Centre - 16.5m eastern side and 24.5m western side of town centre; various volcanic view shafts restrict height to as low as 7.00m.	078 - AZHC IHP hearing Oct 2015. Seeks removal of AZHC height on east of Jellicoe and application on west.	Don't support	0	0	0	0	0	0	0	0
855-11	Panmure Community Action Group	Increase the maximum building height for the area west of Jellicoe Road, Panmure from 16.5 to 24.5m.	Panmure	Amend to increase height	Mixed Use/ Town Centre	16.5m, Refer AZHC overlay	18m	No	AZHC - Town Centre 16.5m and various Mt Wellington volcanic view shafts which restrict height to less than 16.5m for most of Jellicoe Road.	078 - AZHC IHP hearing Oct 2015. Submitter seeks increase in height. 020 - Volcanic view shafts - IHP hearing June 2015 - submitter supports these.	Don't support	2	1674 - Mountwel Properties Limited, 3083 - Tamaki Redevelopment Company	0	0	0	0	0	0
855-3	Panmure Community Action Group	Reduce the maximum height of buildings in the Panmure Town Centre from 24.5m to 16.5m.	Panmure	Amend to reduce height	Town Centre	Refer AZHC overlay	Varies	No	Yes - Additional Height Control applies to the town centre 16.5m/24.5m. Volcanic viewshafts W6, W7, W8,W9,W24 and W26 Mt Wellington apply to various parts of the town centre. Height sensitive area over Mixed Use sites to the south of Mt Wellington (59, 59A Mountain Road and 486-492 and 510 Ellerslie Panmure Highway)	No	Don't support	0	0	0	0	1	3083 - Tamaki Redevelopment Company	0	0

2016-13	Parnell Business Association (Parnell Inc.)	Amend AZHC - Parnell from 12.5m and 3 storeys to 20.5m with no storey control.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Additional Height Control - 12.5m, Special Character -Business Parnell, Auckland Museum Viewshaft, Volcanic Viewshafts and Height Sensitive Areas	Not challenged	Don't support	7	1690 - Masfen Holdings Limited, 2842 - Rolf Masfen Trust, 2844 - 777 Investments Limited, 2853 - Masfen Holdings Limited, 2858 - J A Masfen Property Account, 2863 - Peter and Joanna Masfen, 3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	2	2910 - Parnell Heritage Incorporated, 3055 - Parnell Community Committee Incorporated	0	0
2016-9	Parnell Business Association (Parnell Inc.)	Add an AZHC permitting a maximum height of 32.5m for sites with a street frontage to Parnell Rd, located from the intersection of Parnell Road and St Stephens Avenue to Newmarket.	Parnell	Amend to increase height	Various	Various	Varies	No	AZHC - Mixed Use 24.5m, Special Character overlay (not height specific), Auckland Museum View shaft and Volcanic Viewshafts T1 and E8		Don't support	5	1690 - Masfen Holdings Limited, 2142 - Irene and Michael J Rosser, 2150 - The General Trust Board of the Diocese of Auckland, 3152 - Domain Heritage Trust, 3395 - The Bledisloe Estate Trust	0	0	2	2910 - Parnell Heritage Incorporated, 3055 - Parnell Community Committee Incorporated	0	0
2422-72	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Parnell.	Parnell	Amend to reduce height	Various		Varies		Various		Don't support	0	0	0	0	5	2842 - Rolf Masfen Trust, 2844 - 777 Investments Limited, 2853 - Masfen Holdings Limited, 2858 - J A Masfen Property Account, 2863 - Peter and Joanna Masfen	0	0
2604-6	James Crisp Limited	Amend for Parnell Town Centre to allow buildings heights up to 16.5m (4 storeys).	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	AZHC - Town Centre - 12.5m: Special Character overlay (not height specific), Auckland Museum View shaft and Volcanic Viewshafts T1 and E8		Don't support	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0
2604-7	James Crisp Limited	Delete overlay from Parnell Town Centre.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	AZHC overlay - 12.5m; , Special Character -Business Parnell (not height specific), Auckland Museum Viewshaft, Volcanic Viewshafts and Height Sensitive Areas	078 - AZHC IHP hearing Oct 2015. Seeks removal of AZHC height.	Don't support	0	0	0	0	0	0	0	0
3122-5	Bledisloe Estate Trust	Apply the AZHC to the extent of land bounded by Parnell Road, George Street, Titoki Street, and Maunsell Road, including 537 Parnell Road, Parnell, to provide for a corresponding maximum building height control of 24.5 metres.	Parnell	Amend to increase height	Mixed Use	16.5m	18m	No	None	078 - AZHC IHP hearing Oct 2015. Submitter seeks application for greater height.	Don't support	1	3304 - Academic Colleges Group Limited	0	0	0	0	0	0

3770-17	Parnell Heritage Incorporated	Require a maximum height for new buildings on Scarborough Terrace, Parnell to be 12.5m	Parnell	Amend to reduce height	Town Centre (also Single House and THAB)	12.5m	13m	No	Additional Height Control Special Character -Business Parnell - 12.5m; Auckland Museum Viewshaft, Volcanic Viewshafts and Height Sensitive Areas	Submitter seeks application of AZHC overlay of 12.5m on all properties on Scarborough Terrace incl residential.	Don't support	3	602 - Joanna Boileau, 880 - Shelagh Coop, 2910 - Parnell Heritage Incorporated	0	0	5	560 - Pengellys Properties Limited, 2842 - Rolf Masfen Trust, 2844 - 777 Investments Limited, 2858 - J A Masfen Property Account, 2863 - Peter and Joanna Masfen	0	0
4219-2	Pengellys Properties Limited	Apply the 20.5m additional height overlay to 127-131 St Georges Bay Road and 147-155 The Strand Parnell	Parnell	Amend to increase height	Light Industry	20m	20m		No	N/A	Don't support	0	0	0	0	0	0	0	0
4248-2	Attn: Christopher N W Britain	Amend the "Additional Height Overlay - Parnell" affecting sites along Parnell Road zoned "Town Centre - Parnell" to enable a maximum height of 20.5 metres	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m		AZHC - Town Centre - 12.5m: Special Character overlay (not height specific), Auckland Museum View shaft and Volcanic Viewshafts T1 and E8	078 - AZHC - IHP hearing Oct 2015. Submitter seeks increase.	Don't support	5	2842 - Rolf Masfen Trust, 2844 - 777 Investments Limited, 2853 - Masfen Holdings Limited, 2858 - J A Masfen Property Account, 2863 - Peter and Joanna Masfen	0	0	0	0	0	0
4422-21	The General Trust Board of the Diocese of Auckland	Amend the height limit from 12.5m to 16.5m for 400 Parnell Road, Parnell.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Additional Height Control - 12.5m	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height.	Don't support	0	0	0	0	0	0	0	0
4422-22	The General Trust Board of the Diocese of Auckland	Amend the height limit from 12.5m to 16.5m for 4 St Stephens Avenue, Parnell.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Additional Height Control - 12.5m	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height.	Don't support	0	0	0	0	0	0	0	0
5327-2	Irene and Michael J Rosser	Add an AZHC of 20.5m or 5 storeys to 532, 534 and 536 Parnell Rd, Parnell and the rest of the land between Cowies St and Sarawia St. See map on page 7/7 of submission for details.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m		Additional Height Control, Special Character -Business Parnell, Auckland Museum Viewshaft, Volcanic Viewshafts and Height Sensitive Areas		Don't support	2	3146 - Cowie Street Investments, 3800 - Nigel and Gloria Hosken	0	0	0	0	0	0
5566-1	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 47 Parnell Rise, Parnell.	Parnell	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	No	No	N/A	Don't support	1	855 - Les Mills Holdings Limited	0	0	1	2910 - Parnell Heritage Incorporated	0	0
5566-12	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 511 Parnell Rd, Parnell.	Parnell	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	2	2910 - Parnell Heritage Incorporated, 2913 - Guy Brocklehurst	0	0
5566-7	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 53-61 Parnell Rise, Parnell.	Parnell	Amend to increase height and delete storey controls	Mixed Use	16.5m	18m	No	City Centre Fringe Office, Pre-1994 Building Demolition Control		Don't support	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0
6355-2	Rolf Masfen Trust	Increase the maximum height for 16 York Street, Parnell, and the surrounding Mixed Use zoned properties to 24.5m.	Parnell	Amend to increase height	Mixed Use	16.5m	18m		City Centre Fringe Office, Auckland Museum Viewshaft		Support in part	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0

6732-1	Joanna A Masfen and 777 Investments Limited and Masfen Holdings Limited	Increase the maximum height from 12.5m to 20.5m for the Parnell Town Centre zone, particularly 203-207, 209-215 and 235 Parnell Road, Parnell.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Additional Height Control, Special Character -Business Parnell, Auckland Museum Viewshaft, Volcanic Viewshafts and Height Sensitive Areas		Don't support	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0	1	2910 - Parnell Heritage Incorporated	0	0
9238-7	Lugano Estate Holdings Limited	Add an AZHC for the Mixed Use zone within Parnell to enable a maximum height of between 20.5m and 32.5m.	Parnell	Amend to increase height	Mixed Use	16.5m	18m		City Centre Fringe Office, Auckland Museum Viewshaft, Volcanic Viewshafts		Support in part	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0
9242-7	Platinum Investments Limited	Add an AZHC for the Mixed Use zone within Parnell to enable a maximum height of between 20.5m and 32.5m.	Parnell	Amend to increase height	Mixed Use	16.5m	18m		City Centre Fringe Office, Auckland Museum Viewshaft, Volcanic Viewshafts		Support in part	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0
9246-7	Giack Enterprises Limited	Add an AZHC for the Mixed Use zone within Parnell to enable a maximum height of between 20.5m and 32.5m.	Parnell	Amend to increase height	Mixed Use	16.5m	18m		Auckland Museum Viewshaft, Volcanic Viewshafts		Support in part	0	0	0	0	0	0	0	0
5630-2	Cleveland Properties Limited	Provide an "Additional Zone Height Control" of between 20.5m(min) and 32.5m, for the Mixed Use zone in the Parnell area.	Parnell	Amend to increase height	Mixed Use	16.5m	18m	No	Auckland Museum Viewshaft, Volcanic Viewshafts	No maximum GFA	Support in part	5	2842 - Rolf Masfen Trust, 2844 - 777 Investments Limited, 2853 - Masfen Holdings Limited, 2858 - J A Masfen Property Account, 2863 - Peter and Joanna Masfen	0	0	1	2910 - Parnell Heritage Incorporated	0	0
5681-1	Aletta Limited	Add an AZHC overlay for the Mixed Use zone in Parnell to enable a maximum height of between 20.5 and 32.5 metres.	Parnell	Amend to increase height	Mixed Use	16.5m	18m	No	Auckland Museum Viewshaft, Volcanic Viewshafts	No maximum GFA	Support in part	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0
5932-8	Mistdale Enterprises Limited	Add the overlay to the sites zoned Mixed Use in Parnell to enable a maximum height between 20.5m and 32.5m.	Parnell	Amend to increase height	Mixed Use	16.5m	18m	No	Auckland Museum Viewshaft, Volcanic Viewshafts	No maximum GFA	Support in part	0	0	0	0	1	2910 - Parnell Heritage Incorporated	0	0
5968-26	Masfen Holdings Limited	Amend the maximum height for 69 - 79 St Georges Bay Road (Lot 1 and 2 DP 80621), Parnell to 16.5m, 24.5m and 32.5m for different parts of the site, and a 6m setback for building mass above 16.5m, where height is to be taken above the RL [Reduced Level] of the nearest boundary point. Refer to submission for details, page 20-30/100.	Parnell	Amend to increase height	Mixed Use	16.5m	18m	051-054 - Business IHP hearing - 7 Sept	Auckland Museum Viewshaft, Volcanic Viewshafts	No maximum GFA	Support in part	1	3459 - Oxtan Family Trust	0	0	1	2910 - Parnell Heritage Incorporated	0	0
4422-20	The General Trust Board of the Diocese of Auckland	Amend the height limit from 12.5m to 16.5m for 1 and 3 St Georges Bay Road, Parnell.	Parnell	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Additional Height Control - 12.5m	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height.	Don't support	0	0	0	0	0	0	0	
5566-90	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend the Overlay to provide for a maximum permitted height of 32.5m in relation to Broadway, Newmarket: Balm-Mahuru (see map on page 85/94 of submission for details).	Newmarket	Retain AZHC	Metropolitan Centre	72.5m	72.5m	no	AZHC overlay - 32.5m. Special character overlay (not height specific).	020 - Volcanic viewshaft challenged - refer IHP hearings June 2015.	Don't support	0	0	0	0	0	0	0	
5874-1	Joint Investment Holdings Limited	Add overlay to New North road from Bond Street in the west through to Virginia Avenue East and Ngahura Street in the east to permit a mix of 32.5m and 20.5m maximum heights. See figure 1 on submission page 6/6 for detail	Newton	Amend to increase height	Mixed Use	16.5m	18m	No	No	Pre-1944 Demolition control. Special character Residential Isthmus A overlay over sites to the north (on northern side of Aitken Terrace).	Don't support	0	0	0	0	0	0	0	

2016-12	Parnell Business Association (Parnell Inc.)	Add an AZHC to Mixed Use zoned sites adjacent to St Georges Bay Rd, Parnell and an area adjacent to Cheshire St and Heather St, Parnell to enable a varying maximum permitted height up to 32.5m.	Parnell	Amend to increase height	Mixed Use	16.5m	18m	No	Auckland Museum Viewshaft, Volcanic Viewshafts, Historic Heritage:	No maximum GFA	Support in part	6	1690 - Masfen Holdings Limited, 2842 - Rolf Masfen Trust, 2844 - 777 Investments Limited, 2853 - Masfen Holdings Limited, 2858 - J A Masfen Property Account, 2863 - Peter and Joanna Masfen	0	0	1	2910 - Parnell Heritage Incorporated	0	0
2436-3	R M Lerner and J K Radley	Add an AZHC of 20.5m or five storeys to land either side of Great South Road, Penrose. Refer to full submission for a map of the area [page 8/8].	Penrose	Amend to increase height	Light Industry	20m	20m	Yes - seeks rezoning from Light Industry to General Business or Mixed Use Zone (2436-1)	Yes	No	Don't support	1	1219 - EJV Property Investments Limited	0	0	0	0	0	0
2436-4	R M Lerner and J K Radley	Add an AZHC of 20.5m or five storeys to 2 Walls Road, Penrose.	Penrose	Amend to increase height	Light Industry	20m	20m	Yes - seeks rezoning from Light Industry to General Business or Mixed Use zone (2436-2).	Yes	No	Don't support	0	0	0	0	0	0	0	0
4816-2	B and Z Finance Limited	Increase the building height allowance to 24.5 metres/6 storeys at 114 Rockfield Road, Penrose (including the surrounding properties as identified in Appendix A on page 5/5) by adding the area to the Additional Height Zone control overlay.	Penrose	Amend to increase height	Light industry	20m	20m	Yes - seeks rezoning from Light Industry to Mixed Use zone.	Yes	No	Don't support	0	0	0	0	0	0	0	0
5566-36	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 7 Felix St, Penrose.	Penrose	Amend to increase height and delete storey controls	Light industry	20m	20m	Yes - rezone to Mixed Use (5566-35)	No	N/A	Don't support	0	0	0	0	0	0	0	0
2422-73	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Ponsonby.	Ponsonby	Amend to reduce height	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC		Don't support	0	0	0	0	1	3301 - The Estate of Peter Nigel Black	0	0
5186-1	54 Ponsonby Road Joint Venture Limited	Delete the 'Additional Zone Height Control' overlay from 54 Ponsonby Road, Ponsonby, and in general from south of Richmond Road intersection on Ponsonby Road.	Ponsonby	Delete AZHC	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC - 12.5m	078 - AZHC IHP hearing June 2015. Submitter seeks deletion of AZHC.	Don't support	0	0	0	0	0	0	0	0
5716-58	Auckland Council	Apply Additional Zone Height Controls overlay to 1B Ponsonby Road, Freeman's Bay. Refer to submission [map at Volume 2, page 33/209].	Ponsonby	Apply AZHC	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC - none	078 - AZHC IHP hearing June 2015. Submitter seeks height.	Don't support	3	3079 - John Sanderson, 3412 - Waiheke Island Community Planning Group Incorporated, 3748 - David Lourie	1	2279 - Jenny and Eamon Holdings Limited	2	347 - K Vernon, 3038 - Lyn Hume	0	0
5716-753	Auckland Council	Add the land zoned Town Centre at 1B Ponsonby Road and 7 Hereford Street to the overlay, with a height of 12.5m Refer to submission, Attachment 1148 [Volume 6, page 12/31].	Ponsonby	Apply AZHC	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC	078 - AZHC IHP hearing June 2015. Submitter seeks height.	Don't support	3	3079 - John Sanderson, 3412 - Waiheke Island Community Planning Group Incorporated, 3748 - David Lourie	1	2279 - Jenny and Eamon Holdings Limited	3	347 - K Vernon, 3038 - Lyn Hume, 3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0
6247-72	Samson Corporation Limited and Sterling Nominees Limited	Amend the maximum permitted height of *1-19, 29-45 Great North Road; 1-7, 7a, 1a Maidstone Street; 2-6 Ponsonby Road, Ponsonby,* and adjacent properties in that block to 24.5 metres in the central part of the block	Ponsonby	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC - 12.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height.	Don't support	0	0	0	0	1	2906 - Graham Dunster	0	0

6247-75	Samson Corporation Limited and Sterling Nominees Limited	Amend the permitted height of the centre of the block of 57-65 MacKelvie Street; 108-112, 114-116, 118-126 and 128-128A Ponsonby Road, Ponsonby to 24.5 metres	Ponsonby	Amend to increase height	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC - 12.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015. Submitter seeks additional height for rear of properties - refer 6247-76.	Don't support	0	0	0	0	0	0	0	0
4274-92	Minister of Police	Retain the 24.5m height limit in the Town Centre zone over 19 Pollen Street, Ponsonby	Ponsonby	Retain AZHC	Town Centre	Refer AZHC	13m	No	Town Centre AZHC - 12.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015 - retain	Don't support	0	0	0	0	0	0	0	0
6247-73	Samson Corporation Limited and Sterling Nominees Limited	Retain the 12.5 metre height limit on the block of 1-19, 29 - 45 Great North Road; 1-7, 7a, 1a Maidstone Street; 2-6 Ponsonby Road, Ponsonby on the frontages	Ponsonby	Retain AZHC	Town Centre	Refer AZHC	13m	No	Town Centre AZHC - 12.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015 - retain	Don't support	0	0	0	0	1	2906 - Graham Dunster	0	0
6247-76	Samson Corporation Limited and Sterling Nominees Limited	Retain the 12.5 metre height limit of Ponsonby Road, MacKelvie Street, and Pollen Street frontages of 57-65 MacKelvie Street; 108-112, 114-116, 118-126 and 128-128A Ponsonby Road, Ponsonby	Ponsonby	Amend to increase height	Town Centre	Refer AZHC	13m	No	Town Centre AZHC - 12.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015 - retain for the depth of the buildings only - refer 6247-75	Don't support	0	0	0	0	0	0	0	0
5716-59	Auckland Council	Apply Additional Zone Height Controls overlay to 7 Hereford St, Freeman's Bay. Refer to submission [map at Volume 2, page 33/209].	Ponsonby	Apply AZHC	Town Centre	Refer AZHC overlay	13m	No	Town Centre AZHC - none	078 - AZHC IHP hearing June 2015. Submitter seeks height.	Support	3	3079 - John Sanderson, 3412 - Waiheke Island Community Planning Group Incorporated, 3748 - David Lourie	1	2279 - Jenny and Eamon Holdings Limited	3	347 - K Vernon, 3038 - Lyn Hume, 3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0
3695-6	Pamela Ingram Architect Limited	Retain 12.5m AZHC proposed for the Ponsonby Road Town Centre.	Ponsonby	Retain AZHC	Town Centre	Refer AZHC	13m	No	Town Centre AZHC - 12.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015 - retain	Don't support	0	0	0	0	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0
3863-57	DNZ Property Fund Limited et al	Retain the AZH overlay height of 24.5m for the blocks between Maidstone and Scanlan Street, Grey Lynn.	Ponsonby	Retain AZHC	Mixed Use	Refer AZHC	16.5m	18m	AZHC - 24.5m; Special Character overlay (not height specific)	078 - AZHC IHP hearing Oct 2015 - retain	Don't support	1	2114 - James Kirkpatrick Group Limited	0	0	1	507 - Franco Belgiorno-Nettis	0	0
1667-1	Franco Belgiorno-Nettis	Remove the additional height control from the properties zoned Mixed Use between Scanlan Street and MacKelvie Street, Grey Lynn.	Ponsonby	Amend to reduce height	Mixed use	Refer AZHC overlay	16.5m	18m	AZHC overlay - 24.5m	078 - AZHC overlay - IHP hearing Oct 2015. Submitter requests removal of overlay.	Don't support	0	0	0	0	1	3350 - Samson Corporation Limited and Sterling Nominees Limited	0	0
4063-2	Rowena Wilkinson	Review the height limit of the Pt Chevalier Town Centre. If not designed properly, high rises will result in slums considering the rehabilitation centre is on Carrington Rd.	Pt Chev	Amend to reduce height	Town Centre	Refer AZHC overlay	Varies	No	Yes - Additional height control applies to Town Centre of 16.5m and 20.5m adjacent to motorway. Pre-1944 Demolition Contol but does not affect height.	Yes. Submitter questions height effects on amenity.	Don't support	1	56 - Point Chevalier Residents Against THABs Incorporated	0	0	0	0	0	0
6672-3	Andrew Roberts	Delete buildings heights around Great North Road and Pt Chevalier Road, Pt Chevalier [Town Centre]	Pt Chev	Amend to reduce height	Town Centre	Refer AZHC overlay	Varies	No	Yes - Additional height control applies to Town Centre of 16.5m and 20.5m adjacent to motorway. Pre-1944 Demolition Contol but does not affect height.	Yes. Submitter questions height effects on amenity.	Don't support	0	0	0	0	0	0	0	0
1669-2	Margaret J Harris	Amend the maximum height control for Remuera Town Centre to 12m.	Remuera	Amend to reduce height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	0	0	0	0	2	2588 - J D and HMW Young Family Trust and COP Trustees No. 6 Limited, 2589 - A F Porter Family Trust	0	0
2162-1	Coralie A van Camp	Retain the existing physical height limits for Remuera Village in rule 4.2.	Remuera	Retain zone height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m	Retain AZHC.	Don't support	0	0	0	0	0	0	0	0
2422-55	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Remuera.	Remuera	Amend to reduce height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	0	0	0	0	0	0	0	0
3285-3	Sudhir Rajagopalan	Increase maximum building height controls in Remuera centre from 16.5m and 4 storeys to 24.5m / 6 storeys.	Remuera	Amend to increase height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	0	0	0	0	0	0	0	0

5347-34	Remuera Heritage	Amend height level of 12.5m for Remuera [Town] Centre to preserve sunlight, amenity, character, privacy and the streetscape	Remuera	Amend to reduce height	Town Centre	Refer AZHC overlay	18m	Yes - to Local Centre	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	0	0	0	0	0	0	0	0
5569-9	Emma Quantrill	Amend to provide a four storey height limit in Remuera town centre [inferred to remove the Additional Zone Height Control].	Remuera	Retain height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	Retain AZHC.	Don't support	0	0	0	0	0	0	0	0
6943-1	Remuera Business Association	Reduce the height restriction along Remuera Road within the town centre to three storeys.	Remuera	Amend to reduce height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	0	0	0	0	0	0	0	0
3641-10	Gloria Poupard-Walbridge	Retain town centre height control for Remuera	Remuera	Retain zone height	Town Centre	Refer AZHC overlay	18m	Yes - to extend it	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	0	0	0	0	0	0	0	0
5716-3578	Auckland Council	Retain existing height limits for the Remuera town centre [16.5m/4 storeys] as per the Auckland Isthmus District Plan [Refer to Orakei Local Board Views, Volume 26, page 50/103].	Remuera	Retain zone height	Town Centre	Refer AZHC overlay	18m	No	Town Centre AZHC - 16.5m; Volcanic view shaft W26 - limits height to 24m at lowest point	078 - ACH IHP hearing Oct 2015. Submitter challenging.	Don't support	3	3079 - John Sanderson, 3412 - Waiheke Island Community Planning Group Incorporated, 3748 - David Lourie	1	2279 - Jenny and Eamon Holdings Limited	2	347 - K Vernon, 3038 - Lyn Hume	0	0
5687-2	AW Macdonald Limited et al	Retain a maximum height limit of at least 16.5m throughout the site [Between 250 and 318 Richmond Rd, Ponsonby].	Richmond Road	Retain zone height	Mixed Use	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0
2422-38	Gary Russell	Amend the PAUP to provide a maximum height of 3 storeys at Royal Oak.	Royal Oak	Amend to reduce height	Town Centre	Refer AZHC overlay	27m	No	Yes	No	Don't support	0	0	0	0	0	0	0	0
5219-45	Hartwig Clasen	Amend the development controls to reduce the maximum building height in the Royal Oak Town Centre from 6 storeys and 24.5m to 4 storeys and 16.5m.	Royal Oak	Amend to reduce height	Town Centre	Refer AZHC overlay	27m	Yes - seeks rezoning to Local Centre	Yes	No	Don't support	0	0	0	0	0	0	0	0
1573-1	Andrew H Evans	Amend building height control in St Heliers Village to 9 meters.	St Heliers	Amend to reduce height	Local Centre	12.5m	13m	No	No		Don't support	0	0	0	0	1	1182 - Ancona Properties Limited	0	0
322-5	Richard Oddy	Amend control 4.2 Building Height from 12.5m to 9m for Saint Heliers	St Heliers	Amend to reduce height	Local Centre	12.5m	13m	No	No		Don't support	0	0	0	0	1	2856 - New Zealand Fire Service Commission	0	0
2968-422	Westfield (New Zealand) Limited	Amend height of 82-84 and 86b St Lukes Road, Mt Albert (the Council library site bordering the south-east corner of Saint Lukes precinct) so that the height limit increases from 16.5m to 32.5m. See submission for map. [39/43 vol 4]	St Lukes	Amend to reduce height	Town Centre	Refer AZHC overlay	18m	No	Yes		Support in part	0	0	0	0	0	0	0	0
2422-65	Gary Russell	Retain the provisions (height) for St Lukes.	St Lukes	Retain AZHC	Town Centre - St Lukes Precinct	Refer AZHC	Varies	No	Town Centre AZHC - refer St Lukes Precinct	069 - Precincts - IHP hearings	Don't support	0	0	0	0	0	0	0	0
2422-24	Gary Russell	Amend the PAUP to provide unlimited storey height for Sylvia Park.	Sylvia Park	Amend to increase height	Metropolitan Centre	72.5m	72.5m	No	No	N/A	Don't support	0	0	0	0	0	0	0	0

3477-25	Dilworth Trust Board	Retain the overlay [Sylvia Park] at 25-29 Carbine Road, Mount Wellington.	Sylvia Park	Retain AZHC	Mixed Use	Refer AZHC overlay	Varies	No	Yes	No	Don't support	1	950 - South Cross Hospitals Limited	0	0	0	0	0	0
5566-30	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 31m for sites in the General Business zone and delete all storey controls in relation to 1-7 Sylvia Park Rd, Mt Wellington.	Sylvia Park	Amend to increase height and delete storey controls	Light industry	20m	20m	Yes - rezone to General Business (5566-29)	No	N/A	Don't support	0		0	0	0	0	0	0
5566-33	Tram Lease Limited and Viaduct Harbour Holdings Limited and Viaduct Harbour Management Limited	Amend Rule 4.2 Building Height to provide for a maximum permitted height of up to 35m for sites in the Mixed Use zone and delete all storey controls in relation to 13-21 Sylvia Park Rd, Mt Wellington.	Sylvia Park	Amend to increase height and delete storey controls	Light industry	20m	20m	Yes - rezone from Light Industry to Mixed Use zone (5566-32)	No	N/A	Don't support	0		0	0	0	0	0	0
2422-64	Gary Russell	Retain the provisions (height) for Upper Symonds street.	Symonds Street	Retain AZHC	Town Centre/ Mixed Use	Refer AZHC/ 16.5m	18m	No	Town Centre AZHC - 16.5m; Mixed Use AZHC - 32.5m; Special Character (not height specific); various volcanic viewshafts	078 - AZHC IHP hearing Oct 2015 - retain	Don't support	0		0	0	0	0	0	0
2422-42	Gary Russell	Amend the PAUP to provide a maximum height of 2 storeys at Three Kings.	Three Kings	Amend to reduce height	Town Centre	Refer AZHC overlay	Varies	No	Yes - Additional height control 24.5m and 16.5m south of Mt Albert Road	Yes. Submitter seeks to lower height limit through AZHC	Don't support	0		0	0	0	1	2224 - Fletcher Construction Developments (a division of the Fletcher Construction Company Limited)	0
2606-3	Fletcher Construction Developments (a division of the Fletcher Construction Company Limited)	Amend the AZHC overlay as per the submission [refer to page 10/27] to enable taller building heights, in part of the Three Kings Town Centre.	Three Kings	Amend to increase height in parts	Town Centre	Refer AZHC overlay	Varies	Yes - comprehensive re-zone request and precinct rules for quarry, open spaces and a small part of town centre	Yes - Additional height control 24.5m and 16.5m south of Mt Albert Road	No - submitter seeks to increase height limit through AZHC. 066- 068 Rezoning scheduled for Jan 2016	Don't support	0		0	0	0	2	3262 - South Epsom Planning Group (Incorporated), 3527 - Roz Smith	0

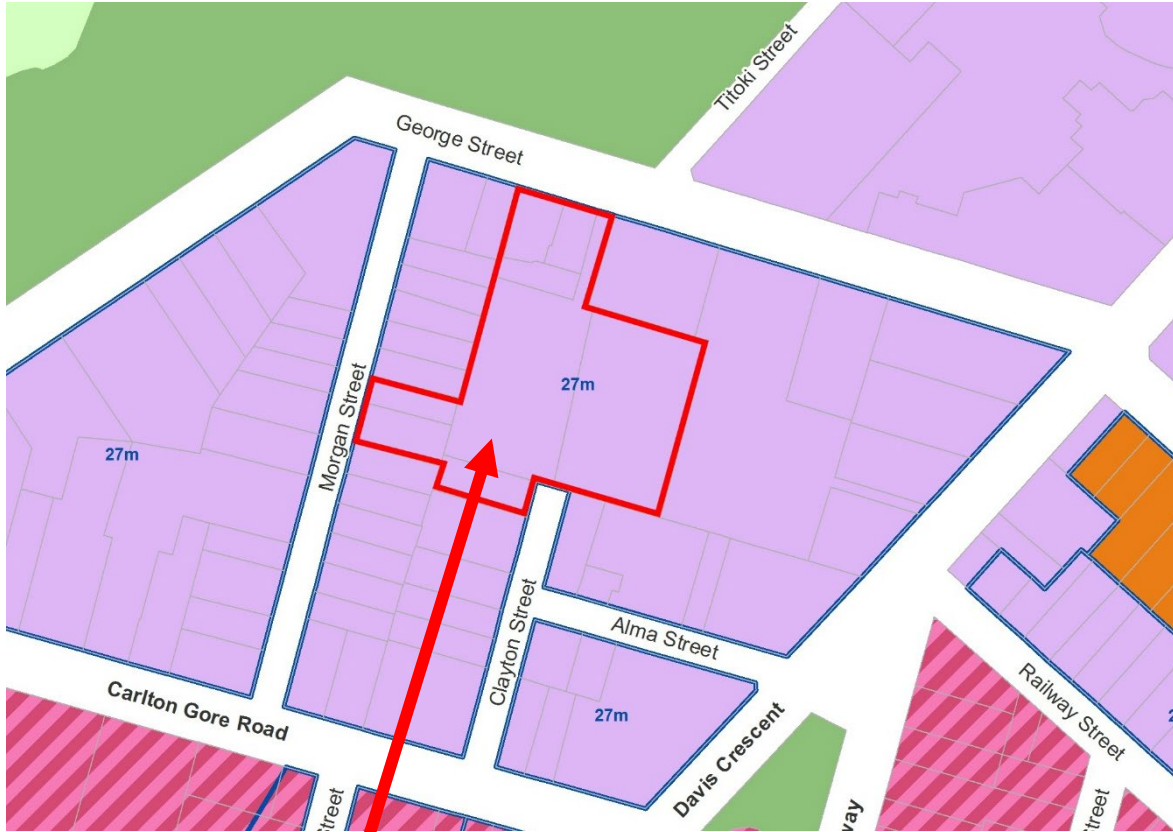
3534-11	Antipodean Properties Limited	Amend the overlay applying to Three Kings town centre to increase the height from 24.5m (6 storeys) to 32.5m (8 storeys).	Three Kings	Amend to increase height	Town Centre	Refer AZHC overlay	Varies	Yes to extend it and to rezone some to Mixed Use.	Yes - Additional height control 24.5m and 16.5m south of Mt Albert Road	078 - AZHC IHP hearing Oct 2015. Submitter seeks to increase height.	Don't support	0	0	0	0	0	0	0	
5277-278	The Urban Design Forum New Zealand	Amend the Additional Building Height overlay for Three Kings to reduce the maximum building height from 24.5m to 16.5m.	Three Kings	Amend to reduce height	Town Centre	Refer AZHC overlay	Varies	Yes	Yes - Additional height control 24.5m and 16.5m south of Mt Albert Road	Yes. Submitter seeks to lower height limit through AZHC	Don't support	2	3215 - Vanitha Govini, 3601 - Sally Peake	1	2279 - Jenny and Eamon Holdings Limited	68	56 - Point Chevalier Residents Against THABs Incorporated, 507 - Franco Belgiorno-Nettis, 517 - Judith Bern, 761 - Robert Richard Kornman, 764 - Murray Nicholson, 767 - Victoria and Malcolm McPherson, 770 - Devereus Howe-Smith Realty (Bayleys Resl	0	0
5280-280	The New Zealand Institute of Architects	Amend the Additional Building Height overlay for Three Kings Town Centre to reduce the maximum building height from 24.5m to 16.5m.	Three Kings	Amend to reduce height	Town Centre	Refer AZHC overlay	Varies	Yes	Yes - Additional height control 24.5m and 16.5m south of Mt Albert Road	Yes. Submitter seeks to lower height limit through AZHC	Don't support	1	2558 - Generation Zero	1	2279 - Jenny and Eamon Holdings Limited	107	56 - Point Chevalier Residents Against THABs Incorporated, 507 - Franco Belgiorno-Nettis, 517 - Judith Bern, 619 - Anne and Colin Andrews, 669 - Sarah Thorne, 761 - Robert Richard Kornman, 764 - Murray Nicholson, 767 - Victoria and Malcolm McPherson, 770 -	1	2209 - The Character Coalition
7059-19	Wendy Gray	Clarify and reconsider the building heights for West Lynn and Grey Lynn shops. A height of 12.5m is preferred to 14.5m.	West Lynn	Amend to reduce height	Local Centre	12.5	13m		Yes		Support in part	0	0	0	0	0	0	0	0
6379-17	Tom Ang	Retain a height limit of 12.5m for West Lynn and Grey Lynn.	West Lynn/Grey Lynn	Amend to reduce height	Local Centre - West Lynn/ Local Centre - Grey Lynn	12.5m	13m	No	AZHC - 12.5m for both centres. Special Charcter overlay - both centres - reliant on AZHC height cap.	Retain	Support	2	2762 - Grey Lynn Residents Association, 2906 - Graham Dunster	0	0	0	0	0	0

2835-1	B A Trustees Limited	Increase the Mixed Use zone's maximum height to at least 24.5m with no building height in storeys control for 524 Parnell Road.	Parnell	Amend to increase height and remove storey control	Mixed Use	16.5m	18m	No	Yes - Special Character Business Newmarket Overlay	Not challenged through additional controls. Submitter seeks amendment of zone height.	Don't support	4	2570 - NCI Packaging (NZ) Limited, 3144 - Neil Properties Limited, 3350 - Samson Corporation Limited and Sterling Nominees Limited, 3358 - Mansons TCLM Limited	0	0	2	2290 - Northland Town Planners Ltd, 2906 - Graham Dunster	0	0
4293-2	Keith Nelson	Ensure that high rise development does not occur at the Gables Tavern site at 248 Jervois Road, Herne Bay.	Herne Bay	Amend to decrease height	Local Centre	16.5m	18m	No	No	N/A	Don't support	0	0	0	0	0	0	0	0
4307-5	The Strand Trust	Apply an additional height control of 20m to 165 The Strand, Parnell.	Parnell	Amend to increase height	Light Industry	20m	20m	No	No	N/A	Don't support	0	0	0	0	0	0	0	0
5124-8	Century Group Limited	Apply the 'AZHC- Sylvia Park (24.5m/6 storey)' overlay to 430 Mount Wellington Highway, Mount Wellington.	Sylvia Park	Amend to increase height	Light Industry	20m	20m	Yes - seeks rezoning from Light Industry to General Business (5124-3)	No	N/A	Don't support	0	0	0	0	0	0	0	0
6147-114	Ngati Paoa Iwi Trust Board	Provide for an additional height overlay at 71 Grafton Road, Grafton [zoned as Light Industry] to amend the height limit from 20m to 7 storeys.	Grafton	Amend to increase height	Light Industry	20m	20m	No	No	N/A	Don't support	4	563 - Sarah Taylor, 3079 - John Sanderson, 3149 - The Parnell Trust, 3748 - David Lourie	0	0	0	0	0	0
6852-22	Ellerslie Residents Association	Allow a maximum permitted height of 12 storeys for the land between Cawley Street and the Ellerslie Panmure Highway, Ellerslie, gradually moving down to three storeys consistent with the adjacent Terrace Housing and Apartment Zone	Ellerslie	Amend to increase height	Light Industry	20m	20m	Yes - seeks rezoning to THAB (6852-21)	Yes	No	Don't support	6	1493 - Sandy Pont, 1512 - John W Colebrook, 2238 - Christine C MacKenzie, 3588 - Lisa M Frank, 3638 - Marilyn Appleton, 3683 - Melanie Metson	0	0	0	0	1	2617 - Cawley Street Investments Ltd

ATTACHMENT 5

PROPOSED GEORGE STREET PRECINCT PROVISIONS

PRIVATE PLAN CHANGE REQUEST: GEORGE STREET PRECINCT



Delete Controls: Height Variation Control –
Newmarket, 27m from the site at 33-37
George St, 13-15 Morgan St and 10
Clayton St, Newmarket and insert the
George Street Precinct.

IX. George Street Precinct

IX.1 Precinct Description

The George Street precinct applies to an irregularly shaped 7,873m² site located at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket, within a block bound by George Street to the north, Broadway and Clayton Street to the east, Morgan Street to the west, and Alma Street and Carlton Gore Road to the south. The precinct is located to the north of the Newmarket Metropolitan Centre, within a developing mixed use area.

The purpose of the precinct is to provide for a comprehensively designed and integrated mixed use development with high quality, publicly accessible spaces that provide pedestrian connectivity and wayfinding between Newmarket and Pukekawa and the Auckland Domain. To address a 10m level difference between George Street and Clayton Street, it is envisaged that the development form will be a podium, generally level with George Street, providing a level platform for buildings. The maximum height of the podium is RL65.7, which is a datum along the precinct's George Street frontage. All building heights are measured from this datum.

A variety of heights are enabled across the precinct. These take advantage of the precinct's size and proximity to amenities including public transport, the Auckland Domain and the Newmarket Metropolitan Centre, whilst ensuring the visual prominence of the Auckland Museum, maintaining protected views to the surrounding regionally significant volcanic landscape, and also maintaining the relationship of the site with Pukekawa that forms part of the Auckland Domain. Height Area A enables the greatest height, providing for a 55m tower above the George Street Datum.

All building requires assessment against a tailored set of criteria to ensure development integrates with the surrounding area. The precinct also includes development standards which will result in tall slender buildings set back from neighbouring buildings to maintain a reasonable level of amenity and manage visual dominance effects.

To encourage public transport and active transport modes the precinct includes a maximum limit on the number of carparks.

With its centrally positioned plaza, pedestrian connections and convenience retail, the precinct will be a neighbourhood focal point, with a mix of uses, supporting people living and working in the northern part of Newmarket and southern part of Parnell.

The zoning of land within the precinct is Business - Mixed Use zone.

All relevant overlay, Auckland-wide and zone provisions apply in this precinct unless otherwise specified below.

IX.2 Objectives

- (1) The George Street Precinct is comprehensively developed as an attractive, and vibrant mixed use precinct with a high quality built form and high amenity publicly accessible spaces, that create a community focal point for future residents and the wider neighbourhood.
- (2) A greater scale of height is enabled within a location that is highly accessible to public transport and other amenities, while ensuring buildings do not dominate the skyline when viewed from around the city, and the visual prominence of Auckland Museum is maintained.
- (3) A range of retail and service activities are anticipated to support residential and worker amenity within the precinct and surrounding area.

- (4) Buildings above the podium level are designed to achieve a form that contributes to a feeling of spaciousness when viewed from the surrounding streets and area, and from within the development.
- (5) The George Street Precinct promotes pedestrian safety and connectivity through the area, particularly between Newmarket, Pukekawa and the Auckland Domain.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

IX.3 Policies

- (1) Encourage the location, bulk, outlook, access to, and servicing of buildings to be planned and designed on a comprehensive and integrated basis, rather than on an ad hoc individual building basis.
- (2) Encourage a mixture of building heights within the George Street precinct through providing for lower building height adjacent to the interface with Pukekawa and the Auckland Domain (Height Area B) and providing for taller building heights away from the George Street interface, where potential adverse visual effects can be managed (Height Areas A and C).
- (3) Promote high-quality architecture and urban design that enhances the relationship of buildings and open space and that responds to the topographical and edge conditions of the precinct through the provision of a podium generally level with George Street.
- (4) Require a publicly accessible space at podium level that creates a legible pedestrian through-route between George Street and Clayton street, that is predominately open to the sky, enhanced by landscaping, and ensures space for a plaza between the adjoining buildings.
- (5) Require a slender building form that creates a sense of spaciousness between buildings above the podium level, maintains sky views from the publicly accessible spaces within the precinct, and where upper levels are set back from existing and future development on adjoining sites.
- (6) Require safe and attractive pedestrian connections and a pedestrian plaza to be provided adjoining each stage of development to ensure a high level of amenity and enhance walking links to the surrounding area.
- (7) Require activities and built form which positively contributes to the maintenance of pedestrian interest and vitality at the interface of pedestrian connections and the pedestrian plaza.
- (8) Require vehicle access to the precinct to primarily utilise Morgan Street and be designed to prioritise pedestrian safety and not detract from the amenity of the pedestrian connections through the precinct.
- (9) Limit the supply of on-site parking to recognise the accessibility of the George Street Precinct to public transport and Newmarket Metropolitan Centre.
- (10) Discourage high car trip generating uses such as service stations, large supermarkets or drive through restaurants in order to reinforce the pedestrian focus of the precinct.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

IX.4 Activity table [dp]

Appendix 1 George Street Precinct

All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table IX.4.1 below.

Activity Table IX.4.1 specifies the activity status of land use activities in the George Street precinct pursuant to section 9(3) of the Resource Management Act 1991.

Table IX.4.1 Activity table

Activity		Activity status
Use		
Commerce		
(A1)	Drive-through restaurants	D
(A2)	Service stations	D
Industry		
(A3)	Industrial laboratories	D
(A4)	Light manufacturing and servicing	D
(A5)	Repair and maintenance services	D
(A6)	Warehousing and storage	D
Development		
(A7)	New buildings	RD
(A8)	Additions and alterations to buildings not otherwise provided for	RD
(A9)	Development or subdivision that does not comply with Standard IX.6.2 Plaza or Standard IX.6.3 Pedestrian Connections	NC
(A10)	Development that does not comply with Standard IX.6.4 Staged Delivery of Plaza and Pedestrian Connections	RD
(A11)	Development that does not comply with Standard IX.6.1, IX.6.4, IX.6.5, IX.6.6, IX.6.7, IX.6.8 & IX.6.9.	RD
Transport		
(A12)	Parking which is an accessory activity and complies with Standard IX.6.9	P
(A13)	Parking which is an accessory activity and does not comply with Standard IX.6.9	RD
(A14)	Vehicle access	RD

IX.5 Notification

(1) Any application for resource consent for any of the following activities that infringe the following standard(s) will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under either sections 95A(9) or 95B(10) of the Resource Management Act:

- (a) a restricted discretionary activity listed in Table IX.4.1; and/or
- (b) IX.6.4 Staged delivery of plaza and pedestrian connections

- (c) IX.6.5 Residential along active edges
- (d) H13.6.9 Outlook space
- (e) H13.6.10 Minimum dwelling size

IX.6 Standards

- (1) Unless specified in Standard IX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities listed in Activity Table IX.4.1 above.
- (2) The following Auckland-wide and zone standards do not apply to activities listed in Activity Table IX.4.1 above:
 - (a) H13.6.1. Building height;
 - (b) H13.6.4. Maximum tower dimension and tower separation; and
 - (c) Table E27.6.2.3 Parking rates – area 1.
- (3) Activities listed in Activity Table IX.4.1 must comply with Standards IX.6.1 - IX.6.9.

IX.6.1 Building height

- (1) Buildings must not exceed the heights specified in the table below:

Table IX6.1.1 Building height

Height Area on George Street Precinct Plan 1	Maximum Height (Measured from George Street Datum)
A	55m
B	29m
C	35m
D	0m

- (2) Buildings within Height Area D on George Street Precinct plan 1 must not exceed the height specified in Table IX.6.1.1, provided that this height limit does not apply to the following buildings and structures:
 - (a) canopies, balustrades, fencing, light poles, signs, planter boxes and seating, sculptures and works of art;
 - (b) buildings and structures associated with temporary activities; and
 - (c) occupiable buildings of a maximum 5m height above the George Street Datum, provided that their total gross floor area is no more than 250m².

IX.6.2 Plaza

- (1) A pedestrian plaza shall be provided within Height Area D and will incorporate the intersection of the pedestrian connections required by IX6.3. as shown indicatively on George Street Precinct plan 2.
- (2) The pedestrian plaza required by IX6.2(1) shall have a minimum area of 700m² and no dimension less than 20m.

IX.6.3 Pedestrian connections

- (1) A pedestrian connection between Clayton Street and George Street shall be provided in the indicative location shown on George Street Precinct plan 2.
- (2) A pedestrian connection between Morgan Street and the pedestrian plaza shall be provided in the indicative location shown on George Street Precinct plan 2.
- (3) The pedestrian connections required by IX6.3(1) and (2) shall be publicly accessible between the hours of 7am and 11pm.

IX.6.4 Staged delivery of plaza and pedestrian connections

- (1) The pedestrian plaza required by IX.6.2 shall be completed before:
 - (a) any building in Height Area A greater than 5m in height above the George Street Datum is occupied; or
 - (b) any buildings in both Height Areas B and C greater than 5m in height above the George Street Datum are occupied.
- (2) The pedestrian connection between Clayton Street and George Street required by IX6.3(1) shall be completed before:
 - (a) any building in Height Area A greater than 5m in height above the George Street Datum is occupied; or
 - (b) any buildings in both Height Areas B and C greater than 5m in height above the George Street Datum are occupied.
- (3) The pedestrian connection between the pedestrian plaza and Morgan Street required by IX6.3(2) shall be completed before any building in Height Area C greater than 5m in height above the George Street Datum is occupied.

IX.6.5 Residential along active edges

- (1) Dwellings including units within an integrated residential development must not locate at ground floor within the frontages to streets and internal open spaces marked as 'active edges' on George Street Precinct plan 2.

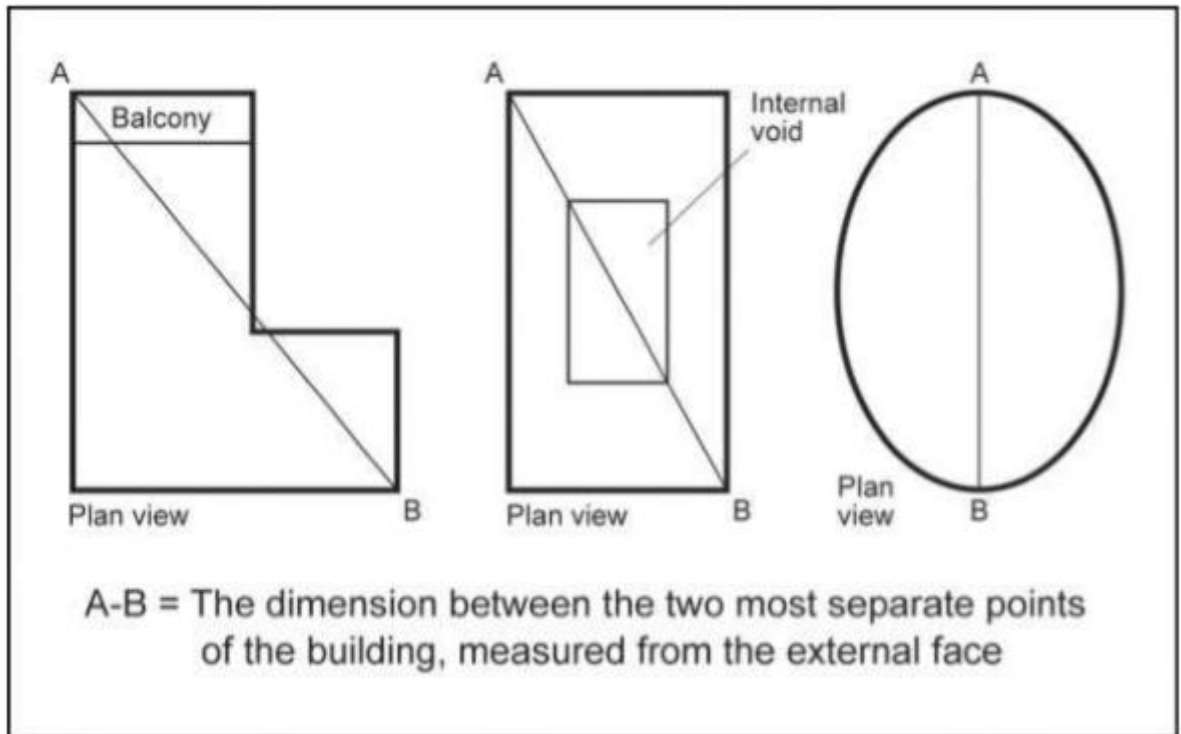
IX.6.6 Yards

- (1) Buildings must be set back a minimum depth of 4m from the George Street boundary, as measured above the George Street Datum.

IX.6.7 Maximum tower dimension and tower separation

- (1) The maximum plan dimension of that part of a building greater than 5m in height above the George Street Datum must not exceed 55m.
- (2) The maximum plan dimension is the horizontal dimension between the exterior faces of the two most separate points of the building as shown in Figure H13.6.4.1.
- (3) The minimum separation distance between buildings in Height Area B and Height Area C at a height greater than 5m above the George Street Datum is 10m.

Figure H13.6.4.1 Maximum tower dimension plan view



IX.6.8 Setback from neighbouring sites

- (1) In Height Area A, the part of a building greater in height than 5m above the George Street Datum must be located at least 6m from the precinct boundaries.
- (2) The part of a building greater in height than 4m below the George Street Datum must be located at least 4m from the precinct boundary with 8 Clayton Street.
- (3) The part of a building greater in height than 27m above ground level when measured using the rolling height method must be located at least 6m from any side or rear precinct boundary, except as required by IX.6.8(1) and (2) above.
- (4) The building heights in IX.6.8(1) and IX.6.8(2) are measured from the George Street Datum. The building height in IX.6.8 (3) is as per the definition of height measured using the rolling height method.

IX.6.9 Number of car parking spaces

- (1) The number of car parking spaces in the George Street Precinct must not exceed 500 carparks.
- (2) For the purposes of meeting the requirements of the vehicle parking rules, a car parking space includes those provided for in a garage or car port or any paved area provided for the sole purpose of parking a motor vehicle, excluding loading spaces.

IX.7 Assessment – controlled activities

There are no controlled activities in this precinct.

IX.8 Assessment – restricted discretionary activities

IX.8.1 Matters of discretion

Unless specified in IX.8.1 below, the Council will reserve its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

- (1) new buildings and additions and alterations to buildings not otherwise provided for:
 - (a) building design and external appearance;
 - (b) design of the pedestrian connections and the plaza;
 - (c) active edges;
 - (d) design of parking; and
 - (e) matters of discretion IX.8.1 (1)(a)-(d) replace the matters of discretion in H13.8.1(3).
- (2) vehicle access:
 - (a) location of vehicle access;
 - (b) effects on pedestrian safety on Morgan Street; and
 - (c) effects on pedestrian safety and amenity on Clayton Street and George Street.
- (3) infringement to Standard IX.6.1 Building height:
 - (a) matters of discretion in H13.8.1(7) apply in addition to the matters of discretion below; and
 - (b) building scale, dominance, landscape character and visual amenity effects.
- (4) infringement to Standard IX.6.2 Plaza:
 - (a) effects on pedestrian amenity.
- (5) infringement to Standard IX.6.3 Pedestrian connections:
 - (a) effects on pedestrian amenity, accessibility and connectivity.
- (6) Infringement to Standard IX.6.4 Staged delivery of plaza and pedestrian connections
 - (a) effects on pedestrian health and safety, accessibility and connectivity.
- (7) infringement to Standard IX.6.5 Residential along active edges:
 - (a) effects on activity levels of active frontages.
- (8) infringement to Standard IX.6.6 Yards:
 - (a) precinct legibility and visual amenity.
- (9) infringements to Standard IX.6.7 Maximum tower dimension and tower separation:

- (a) matters of discretion in H13.8.1(7) apply in addition to the matters of discretion below; and
- (b) visual amenity effects on the immediate streetscape, neighbourhood and wider city landscape.

(10) infringements to Standard IX.6.8 Setback from neighbouring sites

- (a) matters of discretion in H13.8.1(7) apply in addition to the matters of discretion below;
- (b) visual amenity effects on the apartment building at 8 Clayton Street, Newmarket; and
- (c) visual amenity effects on the established development at 47 George Street, 2 Alma Street and 33 Broadway, Newmarket.

(11) infringements to Standard IX.6.9 Number of car parking spaces:

- (a) matters of discretion in E27.8.1(5) apply in addition to the matters of discretion below; and
- (b) effects on pedestrian amenity.

IX.8.2 Assessment criteria

Unless specified in IX.8.2 below, the Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlays, Auckland-wide or zones provisions:

(1) new buildings and additions and alterations to buildings not otherwise provided for:

- (a) building design and external appearance:
 - (i) buildings, including alterations and additions, are of a high design quality and express an architecturally coherent design concept that positively:
 - responds to their surrounding context, including their landscape setting beside Pukekawa and the Auckland Domain; and
 - contributes to the visual interest and quality of the development, when viewed from the surrounding streets and area and from within the precinct, by techniques including façade modulation and articulation and visually breaking up mass into distinct elements;
 - (ii) buildings maximise doors, windows and balconies overlooking the street and publicly accessible spaces within the precinct;
 - (iii) buildings, particularly a tall building in Height Area A, make a positive contribution to the collective skyline of the precinct when viewed from the street and surrounding areas, including through the architectural expression of their roof profiles and upper levels;

- (iv) buildings use quality, durable and easily maintained materials and finishes on the façade, particularly at lower levels along street frontages and along the pedestrian connections and plaza shown on George Street Precinct plan 2;
 - (v) the extent to which development integrates mātauranga and tikanga into the design of new buildings and publicly accessible spaces;
 - (vi) buildings incorporate crime prevention through environmental design principles;
 - (vii) landscaping is incorporated within the development, particularly along the pedestrian connections and within the plaza shown on George Street: Precinct plan 2 and in the required yard along George Street, in a manner that contributes to overall character, visual and pedestrian amenity and legibility, in particular for the connection from Newmarket to Pukekawa and the Auckland Domain.
 - (viii) buildings provide convenient and direct access between the street, pedestrian connections and publicly accessible spaces for people of all ages and abilities;
 - (ix) the adverse effects of any blank walls along the frontage of the street, pedestrian connections and publicly accessible spaces on pedestrian amenity are minimised;
 - (x) floor to floor heights offer the flexibility for the space to be adaptable to a wide variety of use over time;
 - (xi) for residential development, balconies are designed as an integral part of the building, avoiding a predominance of cantilevered balconies, and external walkways/breezeways for apartments above ground level are generally avoided.
 - (xii) building design recognises the functional and operational requirements of activities.
- (b) design of the pedestrian connections and the plaza:
- (i) the pedestrian connections and plaza shown on George Street Precinct plan 2 are designed as high amenity spaces with a public realm quality, and that provides clear wayfinding through the precinct by methods including the following:
 - pedestrian connection type A and the plaza are not enclosed within buildings, while allowing for canopy cover and building projection where this provides weather protection and visual interest;
 - pedestrian connection type B may pass through a building;
 - pedestrian connection type A and the plaza retain a good awareness of the sky with, in particular, views to the sky being maximised looking north along the Clayton Street entrance to the pedestrian connection;

- the pedestrian connections and plaza have an overall design, including through the use of materials and finishes, that reinforces a sense of openness and public accessibility;
 - the pedestrian connections, in particular the Clayton Street to George Street link, are designed as strongly legible walking routes through the precinct by techniques including building alignments reinforcing clear sightlines, spatial volumes of the entries to the connections, and use of landscaping;
 - pedestrian connections are direct, safe, accessible, convenient, and subject to good levels of passive surveillance from ground and upper floor levels;
- (ii) a podium constructed across the Precinct, generally level with George Street, is the preferred means to traverse the north-south level difference across the Precinct and the preferred level at which the plaza is provided. Alternative options should demonstrate that:
- they are generally consistent with the criteria in IX.8.2(b)(i); and
 - they are generally consistent with policies IX.3(3), IX.3(4) and IX.3(7)
- (iii) the pedestrian connection between Clayton Street and the podium is in the form of an accessible lift and escalator; and
- (iv) the pedestrian connection between Morgan Street and the podium is in the form of accessible steps.
- (c) active edges:
- (i) along those areas marked as 'active edges' in George Street Precinct plan 2:
- buildings contain activities that have an interaction with and contribute to the vitality of the adjoining publicly accessible space or street;
 - the active edge is at the same level as that publicly accessible space or street;
 - active edges can include foyers to building lifts;
 - buildings align with and provide a defined edge to the space; and
 - glazing is maximised.
- (d) design of parking areas:
- (i) in order of preference, parking is located in basement levels, separated from the street and areas marked as 'active edges' in George Street Precinct plan 2 by active uses, or screened from view from publicly accessible locations.
- (e) assessment criteria IX.8.2(1)(a)-(d) replace assessment criteria in H13.8.2(3), except that Policies H13.3(3), H13.3(4) and H13.3(12) continue to apply.
- (2) vehicle access:
- (a) location of vehicle access:

- (i) vehicle access points are located and limited in number to those shown on George Street Precinct plan 2;
 - (ii) the precinct's primary vehicle access point is from the Morgan Street frontage; and
 - (iii) large service vehicles access the precinct from the Morgan Street frontage.
 - (b) effects on pedestrian safety on Morgan Street:
 - (i) the Morgan Street vehicle access point is designed in a manner to prioritise pedestrian safety and legibility, through reducing vehicle speed and positively responding to the adjoining pedestrian connections for example by minimising the overall width of the vehicle crossing.
 - (c) effects on pedestrian safety and amenity on Clayton Street and George Street:
 - (i) the George Street vehicle access and Clayton Street vehicle access, are designed in a manner to prioritise pedestrians, reduce vehicle speed, be visually attractive, and positively respond to the adjoining pedestrian connections;
 - (ii) the pedestrian emphasis along the George Street vehicle access may take a variety of forms such as minimising the carriageway where possible;
 - (iii) if the Clayton Street vehicle access is required the pedestrian emphasis may take a variety of forms such as designing access to the precinct to limit the desirability of vehicles to use this entrance, for example through only enabling one way vehicle movements.
- (3) infringing Standard IX.6.1 Building height:
- (a) building scale, dominance and visual amenity effects:
 - (i) whether the building creates adverse dominance and visual amenity effects on the surrounding area, particularly in relationship to the Auckland Domain and Auckland War Memorial Museum.
 - (b) assessment criteria IX.8.2(3)(a) replace assessment criteria in H13.8.2(7)(a), except that Policies H13.3(3)(a), H13.3(3)(b) and H13.3(13) continue to apply.
- (4) infringing Standard IX.6.2 Plaza:
- (a) effects on pedestrian amenity:
 - (i) whether a plaza is able to fulfil a role as a focus of activity for the precinct and assists in reinforcing wayfinding along the pedestrian routes.
- (5) infringing Standard IX.6.3 Pedestrian connections:
- (a) effects on pedestrian connectivity:
 - (i) whether the infringement is consistent with Policy IX.3(4).
- (6) Infringing Standard IX.6.4 Staged delivery of plaza and pedestrian connections

- (a) effects on pedestrian health and safety, accessibility and connectivity.
 - (i) The extent to which the health and safety of pedestrians using the pedestrian connections or plaza is compromised by the wider construction within the George Street Precinct;
 - (ii) The extent to which an alternative temporary pedestrian connection can be provided to maintain pedestrian connectivity between George Street and Clayton Street for the duration of construction.

- (7) infringing Standard IX.6.5 Residential along active edges:
 - (a) effects on activity levels of active edges:
 - (i) whether residential use at ground level along those areas marked as 'active edges' in George Street Precinct plan 2 adversely effects the vitality and levels of pedestrian activity in the adjoining publicly accessible space.

- (8) infringing Standard IX.6.6 Yards:
 - (a) precinct legibility and visual amenity:
 - (i) the extent to which a George Street yard of reduced depth adversely affects the sense of entry and legibility of the precinct from George Street;
 - (b) assessment criteria IX.8.2(8)(a) replace assessment criteria in H13.8.2(7)(b), except that Policies H13.3(3)(b), H13.3(3)(c) and H13.3(7) continue to apply.

- (9) infringing Standard IX.6.7 Maximum tower dimension and tower separation:
 - (a) the relevant assessment criteria in H13.8.2(7) for buildings that do not comply with the standards apply in addition to those below;
 - (b) visual amenity effects on the immediate streetscape, neighbourhood and wider city landscape:
 - (i) whether the building creates adverse dominance and visual amenity effects on the surrounding area, particularly in relationship to the Auckland Domain and Auckland War Memorial Museum;
 - (c) assessment criteria IX.8.2(9)(a)-(b) replace assessment criteria in H13.8.2(7)(a), except that Policies H13.3(3)(a), H13.3(3)(b) and H13.3(13) continue to apply.

- (10) Infringing Standard IX.6.8 Setback from neighbouring sites
 - (a) the relevant assessment criteria in H13.8.2(7) for buildings that do not comply with the standards apply in addition to those below;
 - (b) visual amenity effects on the apartment building at 8 Clayton Street, Newmarket:
 - (i) whether a reduced building setback along the precinct boundary with 8 Clayton Street or an infringement to the tower dimension, results in visual amenity effects on the apartment building at 8 Clayton Street; and
 - (c) visual amenity effects on the established development at 47 George Street, 2 Alma Street and 33 Broadway, Newmarket:

- (i) whether a reduced building setback along the precinct boundaries with 47 George Street, 2 Alma Street and 33 Broadway, Newmarket or an infringement to the tower dimension, results in visual amenity effects on the established development on these sites.
 - (d) assessment criteria IX.8.2(10)(a)-(c) replace assessment criteria in H13.8.2(7)(a), except that Policies H13.3(3)(a), H13.3(3)(b) and H13.3(13) continue to apply.
- (11) infringing Standard IX.6.9 Number of car parking spaces:
- (a) effects on the transport network:
 - (i) the extent to which vehicle movements associated with any additional parking spaces affect the safe and efficient operation of the adjacent transport network, including public transport and the movements of pedestrians, cyclists and general traffic. This includes considering the effect of additional parking on trip generation from the site during peak commuter times;
 - (ii) the trip characteristics of the proposed activities on the site requiring additional parking spaces;
 - (iii) the availability of alternative parking in the surrounding area, including on street and public parking, to provide the additional parking sought for the proposal;
 - (iv) the availability of parking provision in the immediate vicinity to accommodate parking demands from surrounding activities;
 - (v) the adequacy and accessibility of public transport and its ability to serve the proposed activity;
 - (vi) mitigation measures to provide the additional parking which may include measures such as by entering into a shared parking arrangement with another site or sites in the immediate vicinity; and
 - (vii) the extent to which the demand for the additional parking can be adequately addressed by management of existing or permitted parking. Depending on number of additional parking spaces proposed, the number of employees, and the location of the site, this may be supported by a travel plan outlining measures and commitments for the activity or activities on-site to minimise the need for private vehicle use and make efficient use of any parking provided; and
 - (b) effects on pedestrian amenity:
 - (i) the extent to which vehicle movements associated with any additional parking spaces affect pedestrian amenity, particularly along the pedestrian connections required by George Street Precinct plan 2.
 - (c) assessment criteria IX.8.2(9)(a)-(b) replace assessment criteria in E27.8.2(4).

IX.9 Special information requirements

An application for (A10) in IX.4.1 Activity table must be accompanied by:

- (a) the provision of development staging plans.

- (b) if only a portion of the precinct is to be developed, the provision of a high level masterplan for the whole precinct, with associated indicative staging plans to illustrate how integration with future development within the precinct will be accommodated. In particular, to ensure the delivery of the elements within the George Street Precinct plan 2.

IX.10 Precinct plans

IX.10.1 George Street: Precinct plan 1 – Building heights

IX.10.2 George Street: Precinct plan 2 – Urban design framework

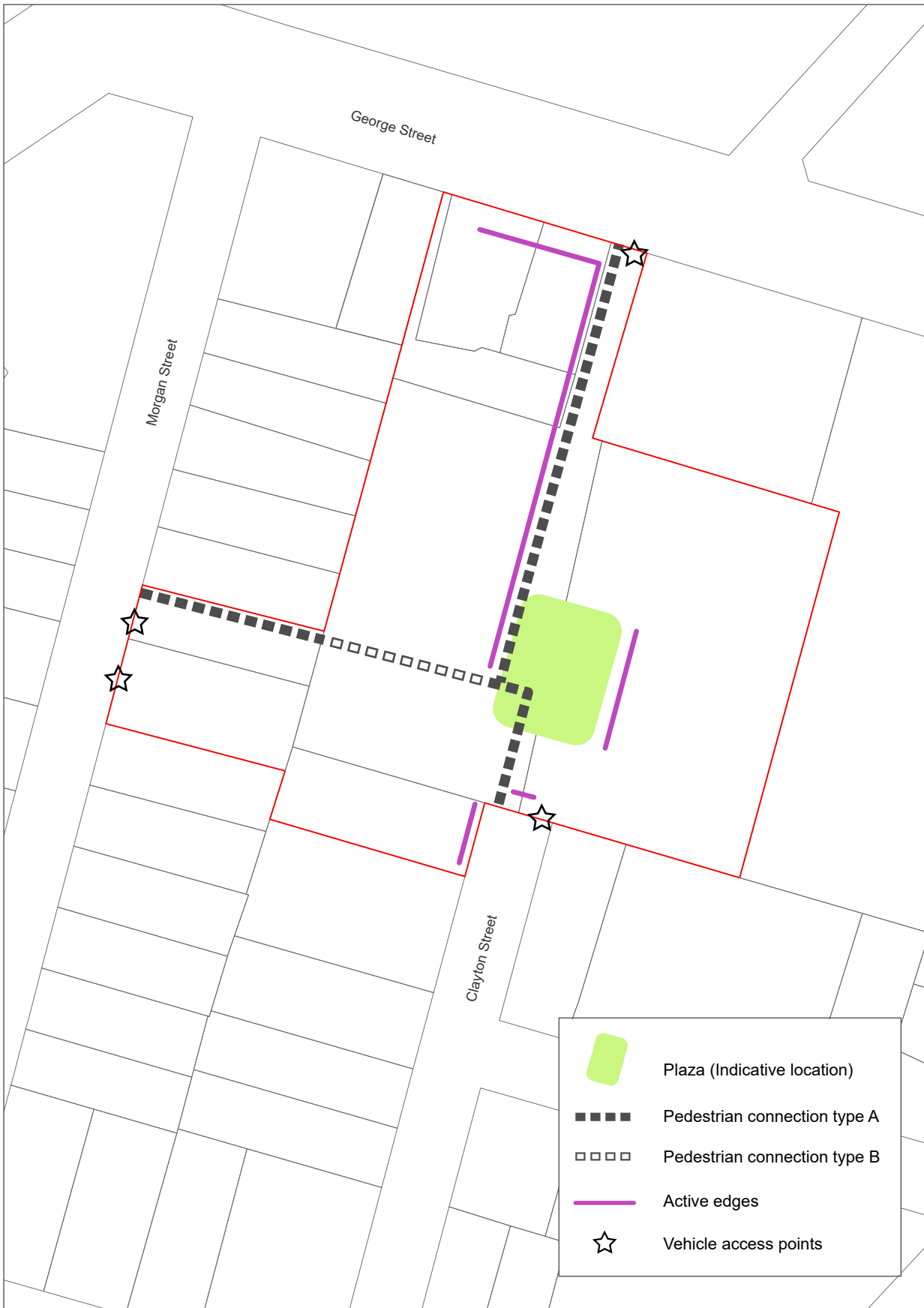
IX.11 Definitions

George Street Datum: The George Street Datum is the reference point for measuring height within the George Street Precinct unless otherwise stated in a rule. The George Street Datum point is located along the precinct's George Street frontage as indicated on Precinct Plan 1. The George Street Datum is approximately 66 Reduced Level above Mean Sea Level.

George Street Precinct Plan 1 - Building heights



George Street Precinct Plan 2 - Urban design framework



ATTACHMENT 6

NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 (NPS-UD) – EXTRACT OF OBJECTIVES AND POLICIES

NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020

Objectives and Policies Relevant to PPC44

OBJECTIVES

- Objective 1:** *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
- Objective 2:** *Planning decisions improve housing affordability by supporting competitive land and development markets.*
- 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: the area is in or near a centre zone or other area with many employment opportunities the area is well-serviced by existing or planned public transport there is high demand for housing or for business land in the area, relative to other areas within the urban environment.*
- Objective 4:** *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*
- Objective 5:** *Planning decisions relating to urban environments, and FDSs, take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).*
- Objective 6:** *Local authority decisions on urban development that affect urban environments are:*
- (a) integrated with infrastructure planning and funding decisions; and*
 - (b) strategic over the medium term and long term; and*
 - (c) responsive, particularly in relation to proposals that would supply significant development capacity.*
- Objective 7:** *Local authorities have robust and frequently updated information about their urban environments and use it to inform planning decisions.*
- Objective 8:** *New Zealand's urban environments:*
- (a) support reductions in greenhouse gas emissions; and*
 - (b) are resilient to the current and future effects of climate change.*

POLICIES

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

- (i) *meet the needs, in terms of type, price, and location, of different households; and*
- (ii) *enable Māori to express their cultural traditions and norms; and*
- (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.*

Policy 2: *Tier 1, 2, and 3 local authorities, at all times, provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term.*

Policy 3: *In relation to tier 1 urban environments, regional policy statements and district plans enable:*

- (a) *in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and*
- (b) *in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and*
- (c) *building heights of least 6 storeys within at least a walkable catchment of the following:*
 - (i) *existing and planned rapid transit stops*
 - (ii) *the edge of city centre zones*
 - (iii) *the edge of metropolitan centre zones; and*
- (d) *in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:*
 - (i) *the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or*
 - (ii) *relative demand for housing and business use in that location.*

Policy 4: *Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.*

- Policy 6:** *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*
- (a) *the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement*
 - (b) *that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
 - (i) *may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
 - (ii) *are not, of themselves, an adverse effect*
 - (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*
 - (e) *the likely current and future effects of climate change.*
- Policy 7:** *Tier 1 and 2 local authorities set housing bottom lines for the short-medium term and the long term in their regional policy statements and district plans.*
- Policy 8:** *Local authority decisions affecting urban environments are responsive to plan changes that would add significantly to development capacity and contribute to well functioning urban environments, even if the development capacity is:*
- (a) *unanticipated by RMA planning documents; or*
 - (b) *out-of-sequence with planned land release.*
- Policy 9:** *Local authorities, in taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) in relation to urban environments, must:*
- (a) *involve hapū and iwi in the preparation of RMA planning documents and any FDSs by undertaking effective consultation that is early, meaningful and, as far as practicable, in accordance with tikanga Māori; and*
 - (b) *when preparing RMA planning documents and FDSs, take into account the values and aspirations of hapū and iwi for urban development; and*
 - (c) *provide opportunities in appropriate circumstances for Māori involvement in decision-making on resource consents, designations, heritage orders, and water conservation orders, including in relation to sites of significance to Māori and issues of cultural significance; and*
 - (d) *operate in a way that is consistent with iwi participation legislation.*

- Policy 10:** *Tier 1, 2, and 3 local authorities:*
- (a) that share jurisdiction over urban environments work together when implementing this National Policy Statement; and*
 - (b) engage with providers of development infrastructure and additional infrastructure to achieve integrated land use and infrastructure planning; and*
 - (c) engage with the development sector to identify significant opportunities for urban development.*

- Policy 11:** *In relation to car parking:*
- (a) the district plans of tier 1, 2, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks; and*
 - (b) tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.*

ATTACHMENT 7

ENVIRONMENT COURT DECISION ON NPS-UD

IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKĀURAU

Decision [2021] NZEnvC 082

IN THE MATTER OF

an appeal under clause 14(1) of Schedule
1 of the Resource Management Act
1991 against a decision on Proposed
Plan Change 21 to the Auckland Unitary
Plan

BETWEEN

EDEN-EPSOM RESIDENTIAL
PROTECTION SOCIETY
INCORPORATED

(ENV-2020-AKL-079)

Appellant

AND

AUCKLAND COUNCIL

Respondent

AND

SOUTHERN CROSS HOSPITALS
LIMITED

Requestor

AND

KAINGA ORA – HOMES AND
COMMUNITIES

s274 Party

AND

TUPUNA MAUNGA O TAMAKI
MAKĀURAU AUTHORITY

s274 Party

Court: Alternate Environment Judge L J Newhook
Environment Commissioner R M Bartlett
Environment Commissioner J Baines

Hearing: 8 June 2021

Appearances: M Savage and R Enright for the Society
B Tree, S de Groot and C Woodward for Requestor



Eden Epsom Residential Protection Society Inc v Auckland Council

D Hartley for Auckland Council
C Kirman for Kāinga Ora

Date of Decision: 9 June 2021

Date of Issue: **15 JUN 2021**

**RECORD OF ORAL DECISION OF THE ENVIRONMENT COURT ON
PRELIMINARY QUESTIONS ABOUT RELEVANCE OF NPS-UD TO
THE PROPOSED PLAN CHANGE**

Introduction

[1] The Society had appealed a decision of a majority of independent hearing commissioners approving Proposed Private Plan Change 21 (“PPC21”) to the Auckland Unitary Plan (“AUP”) operative in part. The plan change was to enable expansion and intensification of development of an existing private hospital at 3 Brightside Road Epsom, including onto 3 adjoining residential lots on Gillies Avenue purchased by the requestor.

[2] At the start of the substantive appeal hearing on 8 June 2021, the Court placed 5 questions of law before the parties, the first two of which it advised should be the subject of submissions by the parties at the outset, and perhaps an urgent decision of the Court, against the possibility it could inform the relevance (or not) of some topics in the substantive enquiry.

[3] The two questions orally advised by the Court were:

- a) Does the NPS-UD apply yet? It is operative, but does it drive PPC21; are we required to move ahead of decision-making by the Council on implementation of directive and urgent policies?
- b) If it does drive PPC21 how and in what ways would it drive it?

[4] The NPS-UD was gazetted on 20 July 2020 and became operative on 20 August. It effectively replaced the 2016 NPS on Urban Design Capacity.

[5] It is common ground that Auckland Council is a “Tier 1” local authority, therefore having the greatest obligations of the 3 tiers under the new instrument.

[6] Clause 1.3 is titled “Application” and subclause (b) provides that “[the NPS applies to] planning decisions by any local authority that affect an urban environment”.

[7] The site owned by Southern Cross in Epsom is an urban environment.

[8] The question arises as to whether a decision on the merits of a private plan change on appeal under clause 29(7) of Schedule 1 RMA is a “planning decision”.

[9] The term “planning decision” is defined to the relevant extent in the NPS-UD as meaning a decision on:

...

(c) a district plan or proposed district plan

...

[10] “Proposed district plan” is not defined in the NPS-UD. It is relevant therefore to consider relevant definitions in the RMA, under which the NPS was promulgated.

[11] “District Plan” is defined in s 43AA RMA as (summarised) meaning an operative plan including operative changes.

[12] PPC 21 is not an operative plan change because it is under challenge in this appeal.

[13] “Proposed plan” is however defined in s 43AAC RMA in the following terms:

43AAC Meaning of proposed plan

(1) In this Act, unless the context otherwise requires, *proposed plan*—

- (a) means a proposed plan, a variation to a proposed plan or change, or a change to a plan proposed by a local authority that has been notified under clause 5 of Schedule 1 or given limited notification under clause 5A of that schedule, but has not become operative in terms of

clause 20 of that schedule; and

- (b) includes a proposed plan or a change to a plan proposed by a person under Part 2 of Schedule 1 that has been adopted by the local authority under clause 25(2)(a) of Schedule 1.

(2) Subsection (1) is subject to section 86B and clause 10(5) of Schedule 1.

[14] It is not apparent to us that here are any contexts or policy underpinnings for a proposed change not adopted by a council, not to be regarded in the context of the NPS-UD as being the subject of “planning decisions”.

[15] There is a hint that there is no such contextual difference in literature issued about the NPS-UD by the Ministry for the Environment and Ministry of Housing. Those documents do not however state the law but are limited to providing views from the Executive as to why the National Instrument has been promulgated and to what effect in the view of the Executive.

[16] Perhaps confusingly, there is a definition of “change” in s 43AA RMA as meaning a change proposed by a local authority under clause 2 of Schedule 1 RMA and a change proposed by a person under clause 21 of Schedule 1.

[17] The term “plan change” is found in clause 3.8 in Subpart 2 “Responsive Planning” of the NPS-UD and reads:

3.8 Unanticipated or out-of-sequence developments

(1) This clause applies to a plan change that provides significant development capacity that is not otherwise enabled in a plan or is not in sequence with planned land release.

(2) Every local authority must have particular regard to the development capacity provided by the plan change if that development capacity:

- (a) would contribute to a well-functioning urban environment; and
- (b) is well-connected along transport corridors;
- (c) and meets the criteria set under subclause (3); and

(3) Every regional council must include criteria in its regional policy statement for determining what plan changes will be treated, for the purpose of implementing Policy 8, as adding significantly to development capacity.

[18] From that clause it may be found that some provisions of the national instrument may be considered in a “planning decision” on the merits of a requested plan change including on appeal to the Environment Court.

[19] The question must then be asked “which provisions” [of the instrument]?

[20] It is appropriate to interrogate Part 2 of the NPS (“Objectives and Policies”). The reference to “planning decisions” among the eight Objectives and 11 Policies is quite limited, being found in only Objectives 2, 5, and 7, and Policies 1 and 6.

[21] Objective 3 and Policy 3 of the NPS attain significant focus in evidence called by Southern Cross.¹

[22] Objective 3 provides:

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.

[23] Policy 3 provides:

Policy 3: In relation to tier 1 urban environments, regional policy statements and district plans enable:

- (a) in city centre zones, building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification; and
- (b) in metropolitan centre zones, building heights and density of urban form to reflect demand for housing and business use in those locations, and in all cases building heights of at least 6 storeys; and

¹ There was a dispute between the appellant and Southern Cross as to whether certain of the latter’s witnesses relied on them. We do not need to do more for present purposes than come to our conclusion in about there being “significant focus” on them.

- (c) building heights of least 6 storeys within at least a walkable catchment of the following:
- (i) existing and planned rapid transit stops
 - (ii) the edge of city centre zones
 - (iii) the edge of metropolitan centre zones; and
- (d) in all other locations in the tier 1 urban environment, building heights and density of urban form commensurate with the greater of:
- (i) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
 - (ii) relative demand for housing and business use in that location.

[24] Neither Objective 3 nor Policy 3 employs the term “planning decision(s)”.

[25] Part 4 of the NPS (“Timing”) is important. Concerning Policies 3 and 4, to the relevant extent it provides as follows:

4.1 Timeframes for implementation

(1) Every tier 1, 2, and 3 local authority must amend its regional policy statement or district plan to give effect to the provisions of this National Policy Statement as soon as practicable

(2) In addition, local authorities must comply with specific policies of this National Policy Statement in accordance with the following table:

Local authority	Subject	National Policy Statement	By when
Tier 1 only	Intensification	Policies 3 and 4 (see Part 3 subpart 6)	Not later than 2 years after commencement date

[26] Evidence and submissions for the council, unchallenged on this aspect, advise that the council is busy with “workstreams” on these (and other) matters that must inform community consultation and the promulgation of plan changes to the AUP

under Schedule 1 RMA. The timing for promulgation under Part 4 is no later than 20 August 2022. That time has of course not yet been reached.

[27] These steps will be logically accomplished under Subpart 6 “Intensification in Tier 1 urban environments”, which requires very precise activity by the local authority (which we were told is happening in these workstreams) of identifying, by location, the building heights and densities required by Policy 3 – with information about these things to be publicly disseminated when notification of the plan changes occurs. Again, these things are yet to occur.

[28] Counsel referred us to two High Court decisions, *Horticulture NZ v Manawatu-Wanganui Regional Council*² and *Hawke’s Bay and Eastern Fish and Game Councils v Hawke’s Bay Regional Council*³, while conceding that the nascent instruments discussed in those cases were not necessarily worded the same as relevant provisions before us. We have not attempted to compare the several instruments and have preferred to undertake a first principles analysis of the NPS-UD and relevant RMA provisions.

Conclusion

[29] The Court holds that it is not required to and will not be giving effect in this case to Objectives and Policies in the NPS-UD that are not requiring “planning decisions” at this time.

[30] We acknowledge the promulgation and operative status of the NPS overall but cannot pre-judge, let alone pre-empt, Schedule 1 processes yet to be undertaken by the Council in implementation of it.

[31] Costs are reserved.

² [2013] NZHC 2492, (2013) 17 ELRNZ 652

³ [2015] NZHC 3191

For the Court:



L J Newhook
Alternate Environment Judge



ATTACHMENT 8

PPC44 SUBMISSIONS AND FURTHER SUBMISSIONS

Submissions

Contact details

Full name of submitter: Victor de Bettencor

Organisation name:

Agent's full name:

Email address: vicdb@windowlive.com

Contact phone number: 02108337889

Postal address:

5/4 Curran St

Herne Bay

Auckland 1011

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

- 1.2 | Rule or rules:
The change from a 27 metre height restriction to 65 metres.

Property address: 29/8 Clayton St, Newmarket

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The current height restriction is perfectly livable as a guide for redevelopment of a mixed-use residential area. Allowing for 65 metres is around a 20 storey building which will not only block any light that the residents of No 8 Clayton currently receive, but will also overwhelm the area's skyline footprint and how the area relates to the nearby Auckland Domain.

- 1.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 26 June 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Marco Creemers

Organisation name:

Agent's full name: Samson Corporation Ltd

Email address: marco.c@samson.co.nz

Contact phone number:

Postal address:
102/100 Parnell Road
Auckland
Auckland 1052

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

2.2 | Rule or rules:
Height Control

Property address: 33-37 George St , 13-15 Morgan St and 10 Clayton St , Newmarket .

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

A great design, the Buildings have a sense of place , with good overall spacing letting in plenty of light and provide plenty of look arounds to view other Maunga. A good use of a large land resource that will add to the vibrancy of Newmarket. All of which override the negatives associated with over height.

2.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 2 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rob Thomas

Organisation name:

Agent's full name: Rob Thomas

Email address: rob@robthomas.co.nz

Contact phone number: 021704423

Postal address:
3/154 Basset Road
Remuera
Auckland
Auckland 1011

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

3.2

Rule or rules:
Regionally Significant Volcanic Viewshafts Overlay
Locally Significant Volcanic Viewshafts Overlay
Locally Significant Volcanic Viewshafter Overlay Contours
Ridge-line Protection Overlay

Property address: 33 – 37 George St, 15 Morgan St, and 10 Clayton St.

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

3.2

Dear Auckland Council,
I am writing to oppose the proposed precinct plan change PC 44 (Private) - George Street Precinct, Newmarket.
The applicant's proposal to increase the height from 27m to 65m is in contradiction to the Volcanic Viewshafts Overlay outcomes in the Unitary Plan, it is a non-compliant activity relating to building heights under the volcano and is in contradiction to the community evidence that was presented to the Unitary Plan Hearings.
Unitary Plan Outcome

3.2 | The above mentioned properties are in the Volcanic View Shaft and what is proposed does not support the purpose of Unitary Plan "6.3 Volcanic Viewshafts and Height-sensitive Areas"
 The purpose of the overlay is to protect significant views of Auckland's volcanic cones through the use of the view shafts and height sensitive areas which is why these height restrictions are in place. Part of the unique identity of the Newmarket area is volcanic views between the Mt Eden Volcano, Auckland Domain Volcano and the Waitemata Harbour which would be significantly diminished if the proposed plan change was approved.

Buildings around the Auckland Domain Volcano need to retain a Height Sensitive Area to provide a visual buffer. This is to ensure that the development is of a scale that does not dominate the local landscape or reduce the visual significant or amenity values which I believe a height increase this significant would adversely impact.

Non-Compliant Activity

In the unitary plan there are specific rules that govern the Development Controls under the Volcanic Viewshaft that say "Maximum height no greater than 25m or 10 per cent in additional to the existing height of the structure whoever is the lesser." What is proposed in the private plan change is non-compliant and should not progress any further.

Community Evidence

As an Elected Member on the Waitemata Local Board from 2010 to 2019. I was intimately involved in reading submissions and providing feedback to the Unitary Plan Hearings Committee.

While there is support for the ongoing economic development of Newmarket as a thriving Metropolitan Town Centre this outcome was never at the expense or detriment to the unique natural typology and volcanic view shafts that have been in place and maintained for generations.

Residents from all across Newmarket and the greater Auckland Region wrote submissions to the Auckland Unitary Plan Hearings Committee in support of maintaining the unique natural Volcanic Viewshafts across Auckland. Many residents commented to me that they were delighted they were protected and it should never be in any doubt over the future of their protection.

I employ you to decline the application PC 44 (Private) - George Street Precinct, Newmarket as it would significantly diminish the value of the existing Volcanic Viewshafts.

Further to my evidence I have included the speech I made to the Unitary Plan Hearings panel in regards to the importance of protecting Auckland's Volcanic view shafts :

"My name is Rob Thomas, I am an elected member of the Waitemata Local Board.

However, I am presenting to you today as an independent witness for the Newmarket Community Association.

The evidence I am presenting today is in support of keeping Auckland's Volcanic View Shafts in the Proposed Auckland Unitary Plan.

At the heart of a city's planning framework are rules and guidelines that are designed to prevent the adverse effects that can come from the growth of a city. As Auckland's population continues to grow and our built environment continues to intensify, Auckland's Volcanic View Shaft Overlay will continue to be a vital tool, in our planning framework, that will enable growth while protecting the significantly important views that creates Auckland's unique identity.

Newmarket has experienced significant population growth in less than a decade from 1,578 residents in 2006 to 2,958 in 2013 (Statistics NZ). With significant investment, such as the University of Auckland's new Engineering Campus on Khyber Pass (with the potential for 5,000 full time students), the planned Westfield Development, the yet to be announced apartment development on the former Newmarket Bowling Club site, Newmarket is likely to experience further intensification and population growth. This growth in my opinion is not stifled by the existing view shaft protect rules. The Newmarket Metropolitan Town Centre will continue to grow and thrive while the Volcanic View Shaft continues to protect our important connection back to both our natural and cultural heritage.

A Link to Auckland's Natural History

Over the past five years I have door knocked over 16,000 homes in Auckland's Inner-City and time and time again I hear from residents who tell me that our natural environment is so critical to Auckland's future.

Auckland's Volcanoes set the dramatic backdrop to our environment that flows into the Waitemata Harbour. It's my view that the visual presents and dominance of our Volcanoes, unobstructed by view,

is a critical part of the long-term protection of our natural environment. Auckland's Volcanoes are an iconic feature of the cities natural landscape and that iconic status should continue to be reflected in Auckland's Volcanic View Shaft overlay in the Proposed Auckland Unitary Plan.

A recent study undertaken at the Auckland University of Technology called "Pollinator Pathways" highlights the importance of cities maintaining pollen pathways for animals and insects. It notes that Bees can travel up to 5kms searching for pollen. The study highlights that potential barriers to pollen include transport corridors and the built environment. It is unarguable that our volcanic cones provide a food source for bird life, insects and the pollination required to grow plant species. This gives strong cause that maintaining Auckland's Volcanic View Shafts, not creating barriers, will allow easier access for pollinators such as birds and insects. This will become increasingly important as Auckland moves towards becoming a low carbon community and reaching our own sustainability goals.

The City of Vancouver (Canada) is very similar to Auckland in many ways including its geographic topography. The City of Vancouver has a planning policy called Protecting Vancouver Views. Within this framework, Vancouver has 27 protected view corridors, established by the City to protect the view of the North Shore mountains, the Downtown skyline, and the surrounding water.

The planning document says "Vancouver's skyline signifies the city's connection to nature and aligns with its goals around sustainability." The city has used the view shaft guidelines as a key planning tool "The protected view corridors help determine the site location and design of buildings, resulting in the retention of panoramic and narrow views downtown." More information about the Vancouver experience is available on their website <http://vancouver.ca/home-property-development/protecting-vancouver-views.aspx>

A Link to Auckland's Cultural Heritage

The Volcanic View Shafts are an important Taonga (treasure) that date back to Maori occupation and war. The Volcanoes themselves provided sanctuary, but that sanctuary was only granted by the views from volcanoes stretching out towards the harbour and out across the horizon. For centuries these views kept Maori safe from invading tribes and a clear line of site to food source.

Today the Volcanic View Shafts continue to provide a sanctuary for Aucklanders. As Auckland's population continues to grow the need to protect Auckland's Volcanic View Shafts will become ever increasingly important as a public amenity and part of our own cultural identity. After all Auckland is a city built on volcanoes.

The City of London (UK) has implemented planning controls over the views of three landmark heritage and cultural icons; St Paul's Cathedral, the Monument, and the Tower of London. The protected views document state these protected and enhanced views are "for the enjoyment of Londoners and those who visit London". More information about the UK experience is available on the following websites:

<https://www.london.gov.uk/priorities/planning/supplementary-planning-guidance/view-management>

<https://www.cityoflondon.gov.uk/services/environment-and-planning/planning/heritage-and-design/Pages/protected-views.aspx>

As the UK have rules to protect views associated to a built historic environment so should the history of Auckland's Volcanoes. Auckland's Volcanoes are a unique part of our topography which tells a story of Auckland's wild natural history that has shaped Auckland over millions of years.

The Vancouver and London international precedence exemplify the rationale for Auckland keeping the Volcanic View Shafts as they provide an important connection to Auckland's natural and culture identity.

At this planning hearing today, I am tabling the following documents as international evidence that view shaft protection is a critical planning tool and should continue to be used in the Proposed Auckland Unitary Plan:

- ♣ Height Restriction Rules as they apply to Asia, Europe and North America
- ♣ Protecting Vancouver's Views Summary
- ♣ Protecting views, Historic Environment, City of London Summary

Keeping the Volcanic View Shafts aligns with decades of Auckland planning which provides direction on how the city is to grow. Arguably and probably more importantly, it provides direction to what Aucklanders value.

For the reasons outlined, Auckland's Volcanic View Shaft Protection should be kept in the Auckland Unitary Plan.

Thank you for your consideration."

3.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 3 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Steve Quine

Organisation name: Morgan Properties

Agent's full name: N/A

Email address: steve@federalgroup.co.nz

Contact phone number: 021946830

Postal address:
5 morgan street ,newmarket
auckland
auckland 1149

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

- 4.3 | Rule or rules:
Vehicle Access & Movements of 500 additional cars off Morgan street
Relating to George Precinct plan change

Property address: 13-15 morgan street

Map or maps: as per private plan change submission

Other provisions:

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

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

The reason for my or our views are:

Morgan Street is already congested and narrow ,council have recently approved the Manson 110 Carlton Gore Rd development to use Morgan street as its primary carpark access which will be incorporate 117 carparks and there movements of at least 234 + P/Day
This plan change adds another 500 carparks /1000 + plus vehicle movements.
These additional movements in this street are excessive and intolerable to existing owners & occupiers.

- 4.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

4.2 | Details of amendments: Re locate proposed morgan street on site carparking entry /exit traffic to alternative George & or Clayton streets traffic

Submission date: 6 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: gavin hodder

Organisation name: Private

Agent's full name: gavin hodder

Email address: gavin@saitogroup.com

Contact phone number: 021679315

Postal address:
8/27 Clayton Street
auckland
auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
Building Height

Property address: Proposed George street precinct

Map or maps:

Other provisions:
Height of Tower C in particular
Traffic exist into Clayton Street
Proposed precinct mall

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

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

The reason for my or our views are:

Tower C completely obscures natural light and even with a 6 Meter set back is far too close to 8 Clayton Street. There are privacy issues for both existing residents in 8 Clayton street and in the new proposed tower -directly looking into bedrooms. The extra height is a significant impact on 8 Clayton Street.

The traffic increase at the exit into Clayton street is not quantified and will be substantial increase over current

The proposal places a lot of "community benefit statements" on access to the domain and the retail complex. This is unsupported. With the new 277 a short distance away its hard to envisage a quality development. Newmarket Rail station precinct which has a destination Hub and has existing foot

traffic is a "low quality" outcome. Further the Access to the Domain from Grafton station and the Hospital facilities is far greater and easier than the proposed from Clayton Street. The benefits in our view are more likely confined in the most part to the new residences being proposed....and has the real risk of being low quality as per the Newmarket rail station.

This is a large and complex proposal and difficult for a lay person to understand....a physical scale model should be available for public viewing as there may well be different aspects not apparent on the reading of over a hundred pages.

We are not against redevelopment of the area nor against some of the proposals -but need

5.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

5.2 | Details of amendments: Towers adjacent to 8 Clayton street to be reduced in height. Traffic flow into

5.3 | Clayton Street to be controlled by way of volume. Precinct design to reflect the adjacent green zone

5.4 | rather than risk a low quality development.

Submission date: 8 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Philip Robert Eilenberg

Organisation name:

Agent's full name: Philip Eilenberg

Email address: peilenbergnz@gmail.com

Contact phone number:

Postal address:
3B/21 George Street
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

6.2 | Rule or rules:
Height Variation Control increase from 27 metres to 65 metres above ground level

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Concern that the proposed increase to 65 metres will adversely affect:

- 1) light (morning) to the current buildings on Clayton St, Morgan St and George St;
- 2) further restricting sight lines to both Mt Eden and Mt Hobson volcanic cones;
- 3) The further destruction of both local and broader surrounding amenity value of the area, which started with the development of the 25-27 George St apartment building in the mid 90's (8 floors on George St and 10 floors on Morgan St).

6.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 9 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

FORM 5**SUBMISSION ON PRIVATE PLAN CHANGE 44 (PC44)
TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

To: Auckland Council
Private Bag 93200
AUCKLAND 1142

unitaryplan@aucklandcouncil.govt.nz

1. Submitter Details

Name of Submitter: Cleveland Properties Limited ("Submitter")
Address: Attn: Luke Carter, Space Station, 110 St Georges Bay Road,
Parnell, Auckland 1052
Telephone: 0274 888 360
Email: luke@spacestationstorage.co.nz

2. Submitter's Interest in Plan Change

The Submitter is the owner of the adjoining property at 31 George Street (Lot 1 DP 501400).

The property adjoins the subject land, and is potentially affected by PC44 (the "Plan Change") which seeks to introduce a new precinct into the Auckland Unitary Plan (AUP) for the 7,873m² site at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket and to remove the 27m height limit from that land.

3. Trade Competition

The Submitter is not a trade competitor and could not gain advantage in trade competition by this submission.

4. Submission Details

The specific provision(s) of the proposal that this submission relates to are:

PC44 is its entirety.

The plan change promotes a Masterplan design for the subject land that has been prepared by Warren and Mahoney Architects and LA4 Landscape Architects. The Masterplan identifies the location of vehicle and pedestrian access to the site, (basement) parking, pedestrian circulation routes, landscaping and shared spaces all located at podium level around the base of four tower buildings of 8, 10 and 16 levels respectively. The spatial layout for the site represents a logical and comprehensive design solution, which enhances site utilisation (by adopting vertical buildings) balanced by open space.

My Submission is:

4.1 Subject to acceptance of the relief sought by the Submitter (specified below), the following aspects of the Plan Change are conditionally supported:

- 7.5 | • The Masterplan layout of the site, in particular the spatial arrangement of buildings, open space, and circulation routes through the site;
- 7.6 | • The proposed heights of building Towers B, C and D;
- 7.7 | • Deletion of the 27m Height Variation Control from the subject land (33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket);
- 7.8 | • The introduction of the George Street Precinct to the Auckland Unitary Plan;
- 7.9 | • IX.1 Precinct Description
- 7.10 | • IX.2 Objectives – all proposed objectives for the new precinct;
- 7.11 | • IX.3 Policies – the proposed policies for the new precinct, in particular those relating to the requirement for comprehensive design, high quality architecture, a podium generally level with George Street, a central publicly accessible space, a network of internal pedestrian connections and a pedestrian plaza;
- 7.12 | • IX.4 - Activity Table, except for activity Rule A11 (as addressed below).
- 7.13 | • IX.5 Notification
- 7.14 - 7.22 | • IX.6 Standards, except for IX6.8 *Setback from neighbouring sites* (as addressed below).
- 7.23 | • IX.7 Assessment – Controlled Activities
- 7.24 | • IX.8.1 Matters of discretion
- 7.25 | • IX.8.2 Assessment Criteria
- 7.26 | • IX10 Precinct Plan 1 – *Building Heights*, but not Precinct Plan 2- *Urban Design Framework*
- 7.27 | • IX11 Definitions

The reasons for support of these provisions are:

The proposed provisions for the George Street Precinct provide a detailed and comprehensive framework that, with the exception of two matters (addressed below), will provide for the integrated development and future land uses within the precinct in a manner that will achieve the purpose of the precinct, and give effect to its objectives and policies.

- 7.28 | 4.2 The following aspect of the Plan Change is neither supported or opposed:
- The proposed height of building Tower A.

The submitter's property is sufficiently separated from the proposed location of Tower A to be unaffected by the potential 16-level (55m above datum) height of this building. The landmark qualities and benefits of a taller building on the site are noted, however consideration must also be given to potential adverse effects of the additional building height in this location in the context of a comprehensive master planned side development.

4.3 The following aspects of the Plan Change are opposed:

- Table IX.4.1 Activity Table, Rule A11 – which provides RD Activity status for development that does not comply with Standards IX.6.1 (Building Height), IX6.4 (Staged delivery of plaza and pedestrian connections), IX6.5 (Residential along active edges), IX.6.6 (Yards), IX6.7 (Maximum tower dimension and tower

separation), IX6.8 (Setback from neighbouring sites) and IX6.9 (Number of car parking spaces).

- IX.10 Precinct Plan 2 - *Urban Design Framework*

The reasons for opposing these provisions are:

Activity Table IX.4.1, Rule A11

PC44 seeks to remove the special height control, and to replace it with four specific height areas A-D (measured from a site-specific datum located on George St) applied under Standard IX6.1.

The height limits will enable buildings of substantially greater height to be erected on the site than under the existing 27m height limit, particular in Height Area A (where PC44 applies a 55m height limit).

Following adoption of the Plan Change, the submitter concurs that it would be appropriate for buildings that comply with the respective height limits in Standard IX6.1 to be assessed as a Restricted Discretionary Activity on a non-notified basis.

However, the effect of listing Standard IX.6.1 in Rule A11 would be to enable any application made in future for a building that exceeds the height standards under IX6.1 (without limit) to also be assessed on a non-notified basis as a Restricted Discretionary Activity.

Without amendments to Rule A11, there is a risk that the Consent Authority is precluded from considering potential adverse effects on potentially affected persons that may arise from buildings exceeding the height limits specified in Table IX6.1.1.

The exemption from limited or public notification for buildings exceeding the height limited specified in Standard IX.6.1 is therefore considered to be inappropriate (given the potential adverse effects of additional buildings height on surrounding properties).

The normal notification tests should therefore be applied to any application for additional building height beyond the limits specified in Standard IX.6.1. That would be achieved by deleting the reference to Standard IX.6.1 from Rule A11.

For similar reasons the inclusion of the “Yard” and “Setback from neighbouring site” Standards (IX6.6 and IX 6.8) in Rule A11 are also opposed as infringements of those standards, which may cause adverse effects on adjoining properties, would also be exempt from the standard notification tests under the Act if listed within Rule A11. Such exemptions are not appropriate.

Precinct Plans

The Precinct Plans in section IX.10 do not provide sufficient certainty of the development outcome within the precinct, and fail to:

- define building bulk and location within the precinct; or
- incorporate the pedestrian circulation routes and building setbacks that are shown on the “Masterplan – Ground Level Circulation” or “Masterplan – Roof Plan”¹.

¹ prepared by Warren and Mahoney Architects and LA4 Landscape Architects

In particular, the secondary pedestrian circulation route located on the western side of Tower B is shown on the “Masterplan – Ground Level Circulation” plan; however, it is not included within the “Urban Design Framework – Precinct Plan 2”.

In order to rectify those omissions, the submitter is requesting inclusion of a 6m “setback” from the western precinct boundary and the addition of the western pedestrian route to Precinct Plan 2. Those amendments would ensure that taller buildings enabled by the plan change on the subject land are set back from the boundary in order to enable the Masterplan for the site to be implemented in a holistic manner. In particular, inclusion of the proposed landscaped areas and pedestrian circulation spaces at ground/podium level is required to counter-balance the height and development intensity on the subject site.

5. The Submitter Seeks the following decision:

7.1 | Adoption of Plan Change 44 into the Auckland Unitary Plan, subject to the following:

a) Amendments to Rule A11 to delete the reference to Standards IX.6.1, IX.6.6 and IX.6.8 from the rule as follows:

7.2 |

A11	Development that does not comply with Standard IX.6.1, IX.6.4, IX.6.5, IX.6.6, IX.6.8 & IX.6.9	RD
-----	---	----

Reasons: Any exceedance of those Standards would be assessed as a RD activity under General Rule C.1.9(2) and would be assessed in accordance with the matters listed under Rule C.1.9(3). Any such application would be subject to the normal tests for notification, as they would no longer be exempt under proposed Rule IX.5 (1)(a), which exempts all RD activities in Table IX.4.1 from public or limited notification (unless special circumstances apply).

And

7.3 | b) Amend Standard IX6.8 Setback from neighbouring sites by introducing an additional set back requirement, as follows:

(5) In Height Areas B and C, any part of a building greater than 5m in height above the George Street Datum must be located at least 6m from the western boundary of the precinct.

Reasons: the additional clause applies a boundary setback for the western precinct boundary to ensure building setbacks are consistent with the Master Plan layout for the site. The additional height and bulk of buildings sought within the proposed Precinct is only justified if the comprehensive Master Plan layout is adopted and there is a complete set of Standards that ensure that layout is adopted as the base design for the integrated and comprehensive development of the site.

And

7.4 | c) Amend Precinct Plan 2 to incorporate the Pedestrian Circulation Route as shown on the *Masterplan – Ground Level Circulation* plan on the western side of Tower B.

Reasons: incorporation of the western pedestrian route into the Masterplan will ensure that the holistic Masterplan design solution for the site is implemented in a

manner that provides a high level of amenity for residents and visitors to the site, noting that the open space areas alongside and between buildings provide relief from the vertical forms of the buildings and support the integration of land use activities with the built form across the site.

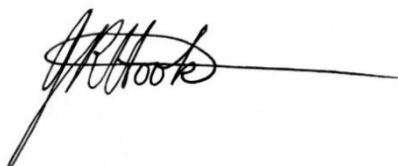
And/or

- 7.29 | d) Any alternative or consequential relief that satisfies the concerns of the Submitter in respect of ensuring that the precinct provisions deliver a development outcome that is consistent with the site Masterplan prepared by Warren and Mahoney and LA4.

6. Hearing

The Submitter wishes to be heard in support of this submission.

If others make a similar submission the submitter would be prepared to consider presenting joint case with them at any hearing.



Signed: James R Hook, Planning Consultant
For and on behalf of Cleveland Properties Limited

Date: 6 July 2020

Address for Service:

Cleveland Properties Limited
C/- Envivo Limited
PO Box 107 207
Newmarket
AUCKLAND 1149

Attention: James Hook, Principal Planner

Phone: 630 9512, 021 444 313

Email: james.hook@envivo.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Hugh Michael Caughley

Organisation name:

Agent's full name: Hugh Caughley

Email address: hughcaughley@gmail.com

Contact phone number:

Postal address:
5A/21 George St
Newmarket
Auckland
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Two aspects:

Height of Tower A. At 16 stories and 63.7 metres above the ground.

Size of studio apartments in the development.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Tower A adds nothing to Newmarket generally and actually spoils the ambiance of the suburb around George St. Height restrictions have been respected in Newmarket for a century. Most other developments have respected the height limitations of Newmarket and thus created a good mixed commercial/residential environment. Tower A grossly spoils this both visually and from a sun/light shadow perspective. Otherwise I support the development in terms of height.

8.3

My second point is that we should never approve in Auckland any residential space of 30 sq. metres. The studios of this size should be banned as we are creating modern slums and future social problems. Indeed, the average dwelling in this development is only 84 sq m. In a good suburb such as Newmarket, near the Domain, dwellings should be bigger and better. Please don't ignore this aspect.

8.1 | I or we seek the following decision by council: Accept the plan modification with amendments

8.2

8.3

8.2 | Details of amendments: Tower A height should be 8 stories. Studio apartments at 30 sq metres
8.3 | should not be offered for sale.

Submission date: 12 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Gordon Buchanan and Aroha Buchanan

Organisation name:

Agent's full name:

Email address: p.buchanan@auckland.ac.nz

Contact phone number: 0284163306

Postal address:
5 Maungawhau Rd
Newmarket
auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
all

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
is contrary to the RMA and Unitary Plan. The effects are significant

9.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 12 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael John Fischer and Gabrielle Lesley Fischer

Organisation name: Moana Point Farms Ltd

Agent's full name: NA

Email address: lesandmichael@gmail.com

Contact phone number: 021 02709818

Postal address:
4A/ 23 George St
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

- 10.2 | The proposed building height of 65 metres above ground level removing the present 27 metre height restriction

Property address: 7 Morgan St Newmarket Auckland 1023

Map or maps:

Other provisions:

- 10.3 | Vehicular and pedestrian access to George, Morgan and Clayton Streets which are already overloaded and a Developer in Carlton Gore Rd and 1 Morgan St has permission to enter and exit 117 carparks for a building being erected in Carlton Gore Rd as using Morgan Street did not require notification

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

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

The reason for my or our views are:

- 10.4 | Two of our properties in Morgan Street are south of the proposed tower blocks and the shading will be unacceptable. Morgan Street is too narrow for two cars to pass in opposite directions when vehicles are legally parked. You have already given permission for a Developer to put a carpark with 117 cars entering and exiting Morgan St. The plan to introduce new precincts which are isolated to 3 properties would reduce our amenity value without giving us the same rights which we do not accept is reasonable and suggest it would have to be a change to the entire area under the district plan.

10.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 14 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael John Fischer and Gabrielle Lesley Fischer

Organisation name: Moana Point Farms Ltd

Agent's full name: NA

Email address: lesandmichael@gmail.com

Contact phone number: 021 02709818

Postal address:
4A/ 23 George St
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

- 10.6 | The proposed building height of 65 metres above ground level and removing the present 27 metre height restriction.

Property address: 9 Morgan St Newmarket Auckland 1023

Map or maps:

Other provisions:

- 10.7 | Vehicular and pedestrian access to George, Morgan and Clayton streets which are already overloaded and a Developer in Carlton Gore Rd and 1 Morgan St has permission to enter and exit 117 carparks for a building being erected in Carlton Gore Rd, as using Morgan Street did not require notification

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

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

The reason for my or our views are:

- 10.8 | Two of our properties in Morgan Street are south of the proposed tower blocks and the shading will be unacceptable. Morgan Street is too narrow for two cars to pass in opposite directions when vehicles are legally parked. You have already given permission for a Developer to put a carpark with 117 cars entering and exiting Morgan St. The plan to introduce new precincts which are isolated to 3 properties would reduce our amenity value without giving us the same rights which we do not accept is reasonable and suggest it would have to be a change to the entire area under the District Plan.

10.5 | I or we seek the following decision by council: Decline the plan modification

Submission date: 14 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

Att Theres or Bronnie,

Further to our conversation of today I wish to amend our submission(no 10) for 9 Morgan St Newmarket to read oppose.

We oppose the proposed height level being increased to 65 metres based on the reasons given in our submission for Moana Point Farms Ltd, 7 and 9 Morgan St Newmarket. Can you please attach this amendment to our submission form. Please confirm you have received this and actioned it.

With kind regards,

Gabrielle and Michael Fischer,

Moana Point Farms Ltd

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Michael John Fischer and Gabrielle Lesley Fischer

Organisation name:

Agent's full name: NA

Email address: lesandmichael@gmail.com

Contact phone number: 021 02709818

Postal address:
4A/23 George St
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

11.2 | The proposed building height of 65 metres above ground level replacing the present 27 metre height restriction

Property address: 4A/23 George St Newmarket Auckland 1023

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

There is a District Plan in place with a generous height allowance and increasing it will only add to the traffic congestion in the area which is already high due to the Domain being used for sporting events and the Museum also attracts a number of visitors.

11.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 14 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

FORM 5

In the Matter of **The Resource Management Act 1991**

And

In the Matter of **The Auckland Unitary Plan**

And **An application for Private Change (Plan Change 44)**

at 33-37 George St, 13-15 Morgan St, 10 Clayton St, Newmarket

by Newmarket Holdings Development Ltd Partnership

Submission by **KD Properties Ltd, The James Gang Trust, (Warwick James, Jennifer
Goulding James and Dean Ellwood) as owners of 16,18 Morgan St and
141-143 Carlton Gore Road, Newmarket**

SUBMISSION

KD Properties and The James Gang Trust (KDP, JGT) oppose Proposed Plan Change 44 in its entirety

12.1

KDP, JGT seek that the Plan Change be refused

and that the current Mixed Use zoning provisions be retained for the site.

KDB, JGT have not been consulted over any aspects of the Proposed Plan Change and are parties affected by the proposal, owning property opposite the site at 16 and 18 Morgan St, and opposite Clayton St at 141-143 Carlton Gore Road.

Reasons for submission

General

The Proposed Plan Change conflicts with the RPS, the hierarchy of centres set out in the AUP, and corresponding objectives/policies, and the purpose of the Mixed Use zone as a transition to the higher intensity Metropolitan Centre. The Proposed Plan Change creates a 'spot zone' designed to enable the intensification aspirations of the applicant for its site but does not achieve the purposes and principles of the RMA, and particularly the articulation of growth in the RPS based on a planned centres approach, is lacking in assessment or reasons as to why this site differs from the generality of properties within the zone or in fact immediate neighbourhood in the mixed use zone- except the size of its

landholding.) The Plan Change is expedient and is essentially an ad hoc extension to the Metropolitan Centres zone which is inappropriate in this location.

The reasons for the opposition to the Proposed Plan Change are expanded as follows-

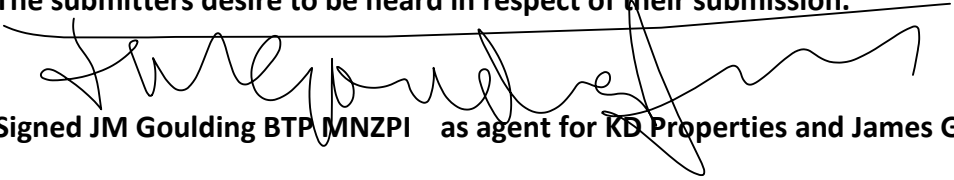
1. The current objectives, policies and rules for the Mixed Use zone provide sufficient scope and generality to achieve the objectives and policies of the RPS and create a high quality compact development.
2. The Proposed Plan Change is an expedient proposal to achieve the intensification goals of the applicant which exceed the expectations set out under the RPS and Unitary Plan for this site. In particular the height of the proposed buildings is excessive for this area and is more than double what is expected in this zone.
3. The Proposed Plan Change is contrary to the RPS – in particular it directly calls into question the hierarchy of centres for the planned achievement of a compact urban form, (B.2 objectives and policies of RPS). The Proposed Plan change skews the centre of Newmarket to the North and is a defacto application of the Metropolitan Centre zone under the guise of a Precinct.) The proposed building height may exceed parts of the Metropolitan Centre (Newmarket) which is affected by a volcanic cones viewshaft (including the submitter's property at 143 Carlton Gore Road). No justification is made for this height increase other than views and market residential demand.
4. The current provisions of the AUP have been designed to achieve the RPS and fulfil the RMA Part II Provisions. KDP, JGT oppose the proposed George St Precinct, but support the retention of provisions for the Mixed Use zone in the locality between Carlton Gore Road north side, Morgan St and Broadway, including on the subject site.
5. The submitters disagree with the broadly sweeping Section 32 Analysis accompanying the Proposed Plan Change.
 - A, The subject site is not unique as relied upon in the S 32 Analysis. The subject site is just a collective of sites with similar characteristics to the surrounding neighbourhood, including the submitter's sites at 18 and 16 Morgan St.
 - B, The current Mixed Use zoning is adequate to achieve the quality of amenity anticipated for the Mixed Use zone surrounding the site and the subject site itself. The recently completed Mercury Energy development is an example of high quality outcomes possible within the existing zoning regime. Another consented development is under construction on Carlton Gore Road. These developments are immediate to the subject site.
 - C. The Proposed Plan Change rationale for amenity based on creating public space through Clayton St is overstated. This is a secondary service street with low amenity space in the context of the building heights proposed and it is not really a high quality pedestrian area through-route to The Domain. Access to The Domain is readily achieved through the current street network. It is unclear whether the plaza has value beyond the subject site.
 - D. The applicant overstates the reduction in carparking on site as a contribution to Auckland wide transport objectives. 500 carparks are proposed which is a large

number to be accessed off a very narrow hilly Morgan St, opposite the submitters property and is an outcome of the scale and intensity and design of development proposed in the Plan Change. The traffic impact is likely to be substantial. The traffic assessment does not deal with specific impacts on an already compromised Morgan Street, and on the submitter's properties.

E. The S32 Analysis provides no substantial assessment of environmental effects from the proposed change to scale and intensification for this property and its impact beyond the site. The proposed scale and intensity is inappropriate in terms of potential environmental effects (e.g. amenity, traffic, dominance). The submitters are concerned at potential for more than minor environmental effects on its properties from the provisions set out in the Plan Change.

6. The Proposed Plan Change creates a precinct which actually undermines the Mixed Use zoning.
7. The Proposed Plan Change looks to revisit the zoning of the subject site when there appear to be no apparent new issues to have arisen which could alter the outcomes sought for this location than when the Unitary Plan hearings were heard. The only new matter may arise from Covid 19 and potential impacts on intensification outcomes in the Unitary Plan (will there be an oversupply of business zoned land for intensification? If so, the Plan Change creates new up zoning to compete with existing supply).
8. The Proposed Plan Change has been designed to create a consenting pathway for a specific development. The appropriate pathway for individual projects, is through the resource consent procedures, which allow for the specific details of built form and environmental effects to be assessed and their impacts commented on by affected parties, or the public through the normal notification procedures under the RMA.
9. The Proposed Plan Change objectives, policies and rules are so enabling as to be beyond the expectations for development in this area of Newmarket. The Plan Change, if granted, will create a precedent for other 'permissive' intensification projects on an ad hoc basis and the undermining of the integrity of the Unitary Plan as a whole.

The submitters desire to be heard in respect of their submission.


Signed JM Goulding BTP MNZPI as agent for KD Properties and James Gang Trust

17th July 2020

Address for service jennigoulding@gmail.com 0272748944

12 Glanville Tce, Parnell 1052

PP 44

13.1

I see nowhere in the PP that the sewage problem pertaining to the overflow into Middleton creek and Hobson bay has been addressed. This creek is subjected to 100+ overflows per annum. The stench is sometimes unbearable. This Has been a problem Since 2008. No increase in residential occupancy should be entertained until this problem is resolved.

G T Darby
nzdarby@gmail.com
Owner 1/66 Middleton Road.

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

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



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) FREDA CONSTANCE GREEN, GEORGE WILLIAM GREEN & IAN GEORGE LOWISH

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

Address for service of Submitter

3A/27 GEORGE STREET NEWMARKET, AUCKLAND 1023

Telephone: (021-924759) 356-7445 Fax/Email: ggreen@outlook.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number	PC 44 (Private)
Plan Change/Variation Name	George Street Precinct, Newmarket

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s) NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN CHANGE OR VARIATION

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

1240

The reasons for my views are: ^{1.} The proposed development is inappropriate for the area and site. We see no reason to allow building of this height to be allowed.

2. Morgan street especially and the surrounding streets are not capable of coping with the volume of traffic associated with such a planned development

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

14.1 | Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

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

Frieda C Green
Frieda C Green

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

20. July. 2020.
Date

Notes to person making submission:

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

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

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

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

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

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

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



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Mrs Sharon Stayt

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

Address for service of Submitter

Skypark Apartments, 3c/23 George Street, Newmarket 1023

Telephone: 022 474 2999 Fax/Email: shazzystayt@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 44 (Private)

Plan Change/Variation Name George Street Precinct, Newmarket

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

15.2 Plan provision(s) Introducing a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. The plan change proposes to remove the 27 metre Height Variation Control and introduce building height up to 65 metres above ground level.
Or
15.3 Property Address

Or
15.3 Map Apartment Towers A, B, C and D shown on Page 34, North Elevation George Street, George St Precinct Plan, Revision 11, 9 April 2020
Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

Height restriction of 27 metres to remain

The reasons for my views are:

Volcanic viewshaft would unnecessarily be compromised. A precinct would change the fundamental character of the village.

Road parking and access to the area has already been severely compromised (Continued on attached sheet -Attachment A)

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

15.1 Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

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

20 July 2020

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

Date

Notes to person making submission:

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

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

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

If you could gain an advantage in trade competition through this submission please complete the following:

I ~~am~~ am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

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

Attachment A

Two roads included in the development – Morgan Street and Clayton Street are both narrow having been designed for carriage traffic – not giant SUVs. They struggle to cope with existing traffic and are to all intents and purposes one way with cars unable to pass each other. The Mercury building exacerbated this problem.

In addition, there are a number of major developments already underway in the area that will spill yet more traffic into this area which already cannot cope with it: Mansons development in Carlton Gore/Morgan Street, 47 George Street and The Warehouse site to name but three.

A quick look on Trademe on 13 July reveals telling figures of an oversupply of office space/ accommodation in the area already:

- 303 offices to rent in Newmarket
 - 60 retail stores listed (not including Westfield - where the bottom floor is 3/4 empty).
- Already in competition with Sylvia Park, Commercial Bay, St Lukes to name but a few.
- 32 Businesses for sale
 - 655 properties of all types in total for lease
 - Two huge Manson buildings to be built in George Street and Carlton Gore Road
 - The Warehouse site for development
 - Offices around the proposed precinct that have been empty for years – eg Tegel, Morgan Street
 - 42 residential Properties listed for sale
 - 37 residential properties to rent
 - 17 Flatmates wanted

COVID has highlighted that many businesses are now adapting a model of working from home this is not likely to change in the near future and office/retail space is easy to come by. Broadway already looks like a ghost town with numerous empty stores. What possible rationale is there for amending the volcano to volcano regulation for and creating a concrete jungle?

What benefits, if any, would more tall buildings in Newmarket bring to the residents of the area? It will block the eastern view of Mt Hobson for all the residents of George Street and provide a concrete jungle to look at instead of a volcano.

Put simply there is no demand for more tall buildings to an already over-populated area with very poor access/roads.

Form 5**Submission on notified proposal for policy statement or plan, change or variation***Clause 6 of Schedule 1, Resource Management Act 1991*

To: Auckland Council
 Unitary Plan
 Private Bag 92300
 Auckland 1142

Attention: Planning Technician

And by email to: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: Parkwood Body Corporate 162274

This is a submission on the following proposed plan change proposed to the following plan (the **proposal**):

Proposed Plan Change 44 (Private) – George Street Precinct, Newmarket Auckland under the Auckland Unitary Plan (Operative in Part)

The submitter could not gain an advantage in trade competition through this submission. The submitter is directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that my submission relates to are:

1. Resource Management Act and Practice

The use of the plan change process for the proposed development is not in accordance with sound resource management practice in that it subverts the purpose and principles of the Act, the resource management process and the opportunities for public involvement (resource consent by stealth).

The purpose of the precinct could be readily be achieved by applying for resource consent/s which would allow for public participation (through notification) in terms of the management of effects such as:

- construction effects,
- building height and design,
- effects of bulk and scale,

16.1

- effects of the actual mix of activities, and
- operational effects such as those associated with increased traffic and the proposed limit on the supply of parking spaces.

16.1

A resource consent application (or applications) would have to contain a fully developed proposal and a detailed assessment of effects, with the likelihood of notification (due the scale of development proposed).

The notified plan change option enables the applicant to obtain approval for substantial height without the scrutiny of an actual proposal.

This is effectively spot zoning of a site that is less than 1ha in area.

2. Section 32

The section 32 analysis of the proposed plan change is inadequate for the reasons set out below.

3. Consultation

Consultation has been inadequate or non-existent.

4. Objectives and Policies

The objectives and policies of the Regional Policy Statement and the underlying Mixed Use Zone offer very little guidance or direction as to the appropriateness of applying precinct provisions to an individual site.

16.2

The material provided in the application does not establish that

- The objectives of the precinct are the most appropriate way to achieve the purpose of the Act; and
- The provisions are the most appropriate way to achieve the objectives.

5. Proposed Precinct inappropriate

The application does not establish that a precinct is appropriate for this particular site or why the height limit should be increased.

The applicant appears to promote the establishment of a public plaza as justification for precinct provisions to apply, but there are issues related to its location, access and status which are not addressed.

A public plaza such as proposed could form part of a resource consent application.

6. Non-notified Restrictive Discretionary Activities

In the plan change, non-notification applies to all Restricted Discretionary (RD) activities listed in the precinct's activity table (including infringements of nominated standards). RD activities include:

16.3

- Any new buildings
- Additions and alterations to buildings not otherwise provided for
- Development that does not comply with Standard IX6.4 Staged delivery of plaza and pedestrian connections

- Development that does not comply with Standards relating to building height; residential development along active edges; yards (setbacks, including from George Street); maximum tower dimensions and tower separation; setbacks from neighbouring sites and number of car parking spaces.
- Accessory parking which does not comply with Standard IX6.9 and
- Vehicle Access (for example, off Morgan Street).

16.3

The notification provision in IX.5 provides that any application for resource consent for specified activities that infringe identified standards will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist.

This is inappropriate because it will prevent scrutiny and input by neighbours, other interested parties and the general public regarding an actual development proposal that has the potential to generate significant adverse effects on the environment.

Non-notification of development standard infringements means, for example, that the proposed height limits could be significantly exceeded without notification (unless it is determined that “special circumstances” apply).

Other standards that could be exceeded without notification include

- tower dimensions;
- the setback from neighbouring properties;
- the minimum size of apartments;
- the requirement for outlook space, and
- the maximum parking provision (which is relied on for the traffic assessment).

16.2

7. Effects on the Environment (construction)

Significant effects on the environment are likely to include construction effects, such as traffic, noise, vibration and dust which are likely to have significant adverse effects on the owners and occupiers of neighbouring properties. Noise and vibration from demolition, excavation and piling will be particularly significant.

Without notification of a specific proposal, there will be no opportunity for neighbours to make a submission on any of these effects.

8. Increased building height

The proposed increases to the maximum building height from the current maximum of 27m are inappropriate:

16.4

- The use of the George Street Datum means that the heights proposed in the plan change are misleading, and differ from the basis for determining the height of buildings in almost every other part of the City. The justification for this in the AEE is inadequate and fails the tests in section 32 of the Act.
- The effects of the potential 10m height difference between the George Street frontage and the southern end of Height Area A generated by the George Street Datum have not been identified or assessed. This omission is

significant because the proposal means that the maximum height of 55m in Height Area A is actually up to 65m above ground level – only 7m less than the maximum height in the Metropolitan Centre Zone.

16.4

- The effects of the increased height are likely to be significantly adverse, and include dominance, overlooking, wind and shading (considerable to the south). However, the only opportunity for full assessment will be at the time resource consent is applied for, but non-notification is mandatory for new buildings under the proposed plan change.
- The existing 27m height limit applying to the site under the Auckland Unitary Plan (AUP) has been determined through the Unitary Plan process, taking into account the existing environment including existing buildings and the proximity of the Domain. George Street is a very sensitive zone interface and any change to the maximum height should only be made for compelling reasons.
- Because of the additional height proposed, the proposed building design is crucial and should be assessed through a notified process. It is also important to note that the style of building would be very different to that depicted in the plan change graphics if a non-residential use were to occupy a tower. Again, public input is locked out due to the provisions of the plan change, which allow for development without the scrutiny of a specific proposal.
- In terms of height, the proposal is out of character with existing development in the area or development contemplated under the AUP.
- The proposed height and intensity of development is inconsistent with the expectations of the Mixed Use Zone and is more akin to development anticipated in the Metropolitan Centre Zone.

9. Assessment of Environment Effects (general)

The AEE is inadequate:

16.2

- Not all potential land uses have been assessed;
- Not all potential effects on neighbouring properties have been assessed;
- The cumulative total of retail Gross Floor Area (GFA) that could be established on the site is unlimited, however, the effects of this have not been established; and
- The effects of other potential activities have not been assessed.

Whilst the plan change specifies that its purpose is to “*deliver a comprehensively designed mixed use development ... utilising the podium to deliver high quality publicly accessible spaces ...*” design outcomes are uncertain and the public spaces are not readily identifiable from outside the site and legibility through the site is obscure.

Because the development described in the plan change is merely a concept design for one option and would be a non-notified restricted discretionary activity, all potential development options should be identified and assessed for their impact in the section 32 report.

10. Transport Assessment

The transport assessment is deficient, for example:

- The traffic effects of the full extent of potential development on the site have not been assessed.
- It is assumed that occupiers or visitors to the proposed development who do not occupy one of the parking spaces provided on the site will not travel to or from the site by car.
- Traffic generation is based on on-site parking spaces rather than demand generated by the area occupied by each of the potential uses. This ignores traffic generated by the development but for which parking is not provided on the site.
- The off-site effects of limiting parking on the site (particularly spillover parking on the street) have not been assessed.
- Access to public transport is described as “excellent”, and this is relied upon in the ITA, but there is no bus route past the site and the train stations are both about 800m away.
- The ITA contains no analysis of traffic effects on the surrounding streets and intersections. Instead, this is left to the non-notified resource consent stage.
- The majority of traffic movements associated with the future development on the site are proposed to be accommodated on Morgan Street but the use of this street is already compromised due to its relatively narrow width and parking on both sides.

It has not been demonstrated that Morgan Street can accommodate additional traffic without significant effects on its operation and efficiency, affecting the use of the street by other traffic (including traffic associated with existing developments which obtain access from that street).

- No tracking curves for cars or trucks have been provided to demonstrate the suitability of any of the proposed site access points.

11. Landscape effects and impact on volcanic cones

There is insufficient or inadequate assessment of impacts on landscape and views to and from volcanic cones.

16.2

This submission is:

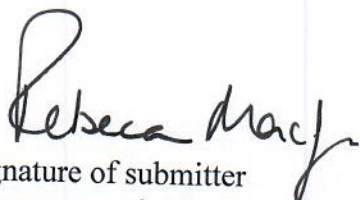
16.1 | *To oppose the entire plan change for the reasons set out above.*

The submitter seeks the following decision from the local authority:

To decline the entire plan change.

The submitter wishes to be heard in support of this submission.

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



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

Date: 21.7.2020

Electronic address for service of submitter: david.mcgregor@envirocounsel.co.nz or rebecca.macky@envirocounsel.co.nz

Telephone: 021936016 or 021933989

Postal address: 3C, Parkwood, 27 George Street, Newmarket 1023

Contact person: [name and designation, if applicable]

David McGregor / Rebecca Macky on behalf of Parkwood Body Corporate 162274

**SUBMISSION ON PROPOSED PLAN CHANGE 44 (PRIVATE) - GEORGE STREET PRECINCT,
NEWMARKET UNDER CLAUSE SIX OF THE FIRST SCHEDULE, RESOURCE MANAGEMENT
ACT 1991**

TO: Auckland Council
Unitary Plan Private Bag 92300
Auckland 1142
Attn: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON: Proposed Private Plan Change 44 - George Street Precinct, Newmarket

NAME OF SUBMITTER: The Foundation Village Partnership

ADDRESS FOR SERVICE: C/- Richard Mora
Mobile: 021 658 881
Email: richardm@genus.co.nz

1. INTRODUCTION

This submission is made by The Foundation Village Partnership.

Genus Living Group have partnered with Foundation Properties Limited in The Foundation Village Partnership to establish a high-quality mixed-use development on the site at 537 - 547 Parnell Road, 4 Maunsell Road and 16 Titoki Street, Parnell. Resource consent for a retirement village project was granted by Auckland Council in 2019.

Foundation Properties Limited is a company that is owned by The Royal New Zealand Foundation of the Blind, a registered charity that is New Zealand's main provider of practical and emotional support for people who are blind or have low vision. Foundation Properties Limited own all the properties and buildings contained within the street block bordered by Parnell Road, Maunsell Road, Titoki Street and George Street, Parnell – which is known as the Foundation Precinct.

Foundation Properties Limited also holds lease agreements with the various tenants of its buildings within the Foundation Precinct.

The Foundation Precinct is located directly adjacent to the site that is the subject of Proposed Private Plan Change 44.

2. SUBMISSION

Proposed Plan Change 44 is **supported in part / opposed in part** by The Foundation Village Partnership.

Simply put, The Foundation Village Partnership do not have enough information at this time to determine their stance as to Proposed Plan Change 44. It is intended to engage with the Applicants to obtain information around various aspects as outlined below.

17.1 | The Foundation Village Partnership recognise the potential suitability of Parnell for additional height and density of development beyond that which is currently specified in the built form standards for the Business - Mixed Use Zone in the Auckland Unitary Plan. In this regard, the area is well-served by public transport, amenities and employment opportunities to support additional density.

17.2 | Notwithstanding the above, it is important that any additional density and building height in Parnell is suitably located and carefully designed to maintain the overall character of the area and does not unduly affect neighboring properties.

17.3 | With respect to Standard IX.6.1 (Building Height) in Proposed Plan Change 44, The Foundation Village Partnership are concerned that the supporting assessments have not adequately considered the potential for visual dominance effects on the character of the Foundation Precinct. In this regard, with the current information it is not possible to adequately ascertain how the additional height proposed at the site would impact upon those properties within the Foundation Precinct fronting George Street – including potential future development to the standards anticipated in the Business - Mixed Use Zone.

17.4 | Matter of Discretion IX.8.1 (2) also seeks to restrict discretion for a new building on the site to traffic effects on pedestrian safety in Morgan Street, Clayton Street, George Street, as well as on the amenity of George Street. Whilst it is considered that additional density at this site may potentially be accommodated, The Foundation Village Partnership submit that broader consideration should be given to the effect of additional development on the safe and efficient operation of the surrounding road network. That is, pedestrian safety is not the only relevant consideration.

On the above basis, The Foundation Village Partnership may or may not support the Proposed Plan Change 44 dependent on:

- The concerns noted above regarding potential visual dominance effects of additional height at the site on the Foundation Precinct being adequately addressed; and
- Matter of Discretion IX.8.1 (2) providing for broader consideration of the traffic-related effects of additional development density at the site.
- 17.5 | • Any other relevant consideration that may become apparent as part of receiving further information.

The Foundation Village Partnership could not gain an advantage in trade competition through this submission.

The Foundation Village Partnership would like to be heard in support of its submission. As stated above, The Foundation Village Partnership intend to engage with the Applicant to form a definitive view.



Richard Mora

For, and on behalf of, The Foundation Village Partnership

Dated this 20 day of July 2020

**SUBMISSION ON PROPOSED PLAN CHANGE 44 (PRIVATE) - GEORGE STREET
PRECINCT, NEWMARKET UNDER CLAUSE SIX OF THE FIRST SCHEDULE,
RESOURCE MANAGEMENT ACT 1991**

TO: Auckland Council
Unitary Plan Private Bag 92300
Auckland 1142
Attn: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

SUBMISSION ON: Proposed Private Plan Change 44 - George Street Precinct,
Newmarket

NAME OF SUBMITTER: Foundation Properties Limited

ADDRESS FOR SERVICE: C/- Philip Kean
Terra Firma Group
Mobile: 021 670 113
Email: philip@terrafirma.co.nz

1. INTRODUCTION

This submission is made by Foundation Properties Limited.

Foundation Properties Limited is a company that is owned by The Royal New Zealand Foundation of the Blind, a registered charity that is New Zealand's main provider of practical and emotional support for people who are blind or have low vision. Foundation Properties Limited own all the properties and buildings contained within the street block bordered by Parnell Road, Maunsell Road, Titoki Street and George Street, Parnell – which is known as the Foundation Precinct.

Foundation Properties Limited also holds lease agreements with the various tenants of its buildings within the Foundation Precinct.

Foundation Properties Limited have partnered with Generus Living Group in The Foundation Village Partnership to establish a high-quality mixed-use development on the site at 537 - 547 Parnell Road, 4 Maunsell Road and 16 Titoki Street, Parnell. Resource consent for a retirement village project was granted by Auckland Council in 2019.

The Foundation Precinct is located directly adjacent to the site that is the subject of Proposed Private Plan Change 44.

2. SUBMISSION

Proposed Plan Change 44 is **supported in part / opposed in part** by Foundation Properties Limited.

Simply put, Foundation Properties Limited do not have enough information at this time to determine their stance as to Proposed Plan Change 44. It is intended to engage with the Applicants to obtain information around various aspects as outlined below.

18.1 | Foundation Properties Limited recognise the potential suitability of Parnell for additional height and density of development beyond that which is currently specified in the built form standards for the Business - Mixed Use Zone in the Auckland Unitary Plan. In this regard, the area is well-served by public transport, amenities and employment opportunities to support additional density.

18.2 | Notwithstanding the above, it is important that any additional density and building height in Parnell is suitably located and carefully designed to maintain the overall character of the area and does not unduly affect neighboring properties.

18.3 | With respect to Standard IX.6.1 (Building Height) in Proposed Plan Change 44, Foundation Properties Limited are concerned that the supporting assessments have not adequately considered the potential for visual dominance effects on the character of the Foundation Precinct. In this regard, with the current information it is not possible to adequately ascertain how the additional height proposed at the site would impact upon those properties within the Foundation Precinct fronting George Street – including potential future development to the standards anticipated in the Business - Mixed Use Zone.

18.4 | Matter of Discretion IX.8.1 (2) also seeks to restrict discretion for a new building on the site to traffic effects on pedestrian safety in Morgan Street, Clayton Street, George Street, as well as on the amenity of George Street. Whilst it is considered that additional density at this site may potentially be accommodated, Foundation Properties Limited submit that broader consideration should be given to the effect of additional development on the safe and efficient operation of the surrounding road network. That is, pedestrian safety is not the only relevant consideration.

On the above basis, Foundation Properties Limited may or may not support the Proposed Plan Change 44 dependent on:

- The concerns noted above regarding potential visual dominance effects of additional height at the site on the Foundation Precinct being adequately addressed; and
- Matter of Discretion IX.8.1 (2) providing for broader consideration of the traffic-related effects of additional development density at the site.
- 18.5 | • Any other relevant consideration that may become apparent as part of receiving further information.

Foundation Properties Limited could not gain an advantage in trade competition through this submission.

Foundation Properties Limited would like to be heard in support of its submission. As stated above, Foundation Properties Limited intend to engage with the Applicant to form a definitive view.

P.P. *Giorgia Evans*

Philip Kean

For, and on behalf of, Foundation Properties Limited

Dated this 20 day of July 2020

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tony Watkins

Organisation name: MUDI Ltd

Agent's full name:

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Contact phone number: 575 809

Postal address:

Karaka Bay

Glendowie

Auckland 1071

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

The entire Plan Change

Property address: George Street, Newmarket.

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

My reasons are explained in the attached PDF file.

19.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 21 July 2020

Supporting documents

44 George Street 2020.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

Private Plan Change 44, George Street Precinct, Newmarket

The private plan change seeks to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. It also removes the 27 metre height restriction. The proposed development is for one 16 storey tower and three 10 storey towers.

The Plan Change is open for submissions until 23 July 2020.

Full details may be found at [www.aucklandcouncil.govt.nz/plan change 44](http://www.aucklandcouncil.govt.nz/plan%20change%2044)

1) With this Plan Change we are talking about corruption rather than planning.

If the wealthy can just ignore the Unitary Plan, and do whatever they like, while the poor are expected to comply with the Plan, then we are talking about blatant corruption and injustice, rather than planning.

Justice and equity are always important, but never more so than at this time in history. We may make choices about our responses, but issues like climate change, loss of species, and the collapse of the planet as we know it, are going to happen whether we address them or ignore them. Covid-19 needs to be seen as a symptom rather than a disease. We will have more pandemics after this. We can plan a dream world that ignores reality, as the Unitary Plan does, or we could do some real planning. This is not a time to talk about returning to "normal" with just another "normal" Plan Change.

The "old normal" of neoliberalism, like neoliberal architecture, gives form to greed, envy, and a lust for power. These values are the cause of the mess we are in. We need to move beyond neoliberalism if the human race is to survive.

There are deep divisions opening up within our society. Idealists ask how we might address our big environmental issues. The super-wealthy, in New Zealand as elsewhere, ask only how they can make money out of climate change, or how they can make money out of Covid-19.

We need to learn from the 1980 Global Financial Crash. The super-wealthy made money out of the crash and paid themselves handsome bonuses. The environment paid the price. We are seeing in Plan Change 44 the first moves towards making money out of post Covid-19 architecture. This is not "economic recovery".

None of these issues are going to be resolved by adversarial thinking. Lawyers slogging it out in expensive hearings are only reinforcing a system that is doomed to failure. We need to rise above the aggression and conflict of adversarial law. We need to embrace justice and equity. We need healing. We all need to work together.

There are also cultural issues. New Zealand was once an egalitarian society. We once cared for each other. We once believed in a health system for all. We realised that an individual could not be healthy unless the whanau was also healthy. We once believed in education for all. Learning lifted us up. Universities were centres of intellectual challenge and debate rather than just dull servants of "a knowledge economy". We met our politicians in the street or at parties. We were one people. We all belonged. Jacinda would say that we recognised that we were all in it together.

Since 1978 the salaries of the CEOs of the top 350 companies in the USA and Arab worlds have increased by 940%. Auckland Council's senior staff have enjoyed following the trend, locking the doors to keep the peasants out. The idealism of the Mondragon Co-ops, where the income of the highest paid person was no more than that of the lowest paid person, has been long forgotten.

Architecture gives form to the distribution of wealth in our society. No other society in the world has gone so far as to build a private skyscraper on their city's most significant public space.

The Auckland Council should serve all citizens and be incorruptible. The Council should give a voice to those who have no voice. The Council should speak for the community, and leave the powerful to speak for themselves.

In practice the Super-City Council has adopted defensive strategies to defend the indefensible. The

"open hand" of traditional local government has gone. The Council now has a policy of not even permitting staff to have contact with citizens. A citizen ends up with hundreds of job numbers, but no one to answer the phone.

The deep divisions that have opened up in the Western World are given physical form by architecture. Plan Change 44 lays all the big issues out on the table. Sadly planning hearings are for the privileged rather than the thoughtful. Planning is not a game and should not be a spectator sport.

Who then will speak for democracy?

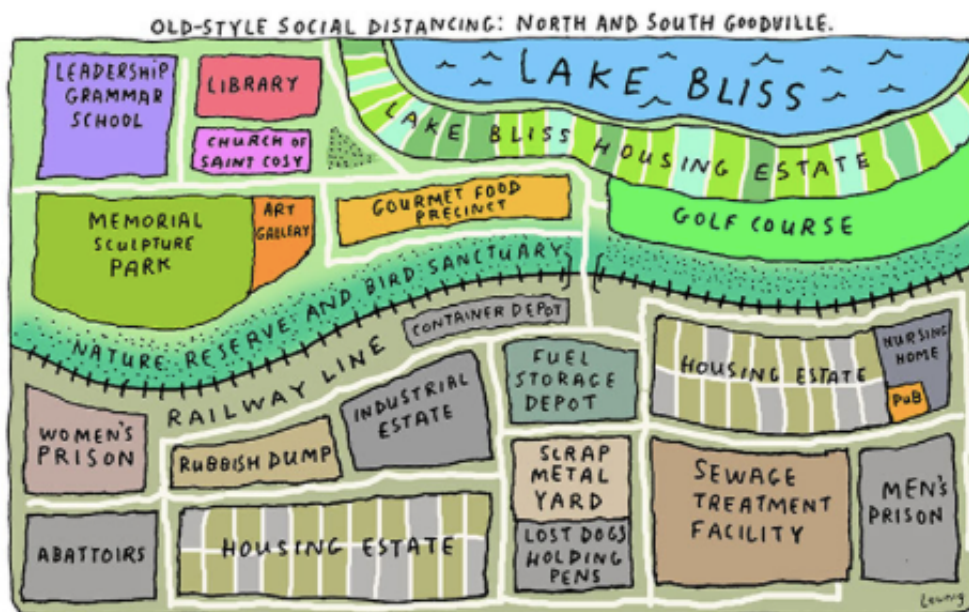
In theory architects support the ideals of justice, equality and democracy, but in practice all those wonderful ideals can be set to one side at the request of a client.

Architects are corruptible. They do not have a Code of Ethics. Architects may have signed up to the "Architects and Engineers Leadership Statement" (refer Appendix 1), the "Diversity Agenda", or even the "Kawenata", but in practice architects can be bought, because they need to stay in business.

Architects are now the slaves of the wealthy, helping to drive an economy devoted to exploitation and the concentration of power. While the vast array of drawings and reports submitted to support Plan Change 44 may look very impressive their integrity needs to be questioned. Arguing about small details becomes a smoke screen to avoid looking at the big issues, and they are very big.

Turning down Plan Change 44 would make at least a small gesture to reassure citizens that the Council is not corrupt. You need to start somewhere.

However accepting Plan Change 44, with its strong hint that the Council is corruptible, means that we should begin talking about changes to Council.



Saturday, 02 May 2020

2) Plan Change 44 is so significant that allowing it to proceed would call into question the entire Unitary Plan.

Either you have a plan or you do not have a plan. If one person can just ignore the plan then why should everyone else not also just ignore the plan? Let's have a free for all and get on with it. Pretending that we have a plan when any wealthy person can gain an advantage by seeking a Plan Change is a nonsense.

An increase from 27 metres to 65 metres is not a minor variation.

3) The justification for the proposal seems to be that the Unitary Plan is bad, and the proposal is not that much worse.

If the "developer" thinks that the existing Unitary Plan is a disaster then I would have to agree.

The Auckland Council has spent years devising the mediocre, and already hopelessly out-of-date, Unitary Plan. Lawyers have been paid millions of dollars to ensure that none of the submissions made by unpaid citizens were listened to. Rather than ending up with any kind of plan to anticipate a pandemic, or address any of the major issues of our time, such as climate disruption, species loss, or ecological collapse, we have ended up with a plan devoted entirely to exploiting our wonderful inheritance to make money for a few individuals. Once we would have talked about selling our souls for "a mess of potage". Colin McCahon spoke more generously of Tamaki Makarau as "a city with too few lovers". Sadly Auckland Council does not seem to be one of the lovers of Auckland City.

Plan Change 44 seeks to exploit rather than enhance one of the most beautiful city sites in the world.

To get to grips with Plan Change 44 we need to cast our minds back to Filarete, at the beginning of the Renaissance. His idea of Utopia provided the philosophical foundation for the Unitary Plan. The idea of Utopia looked good in theory but we can now see that it laid the foundation for the collapse of the planet. With Utopia you could choose what to include and what to ignore. You could ignore Covid-19, for example, even though any fool could see that a pandemic was coming. You could ignore climate change. You could choose to make money, and you could ignore the consequences. We do not need a referendum on euthanasia. Plan Change 44 embraces euthanasia.

Even more importantly "There is no room for Mrs Brown in utopia".

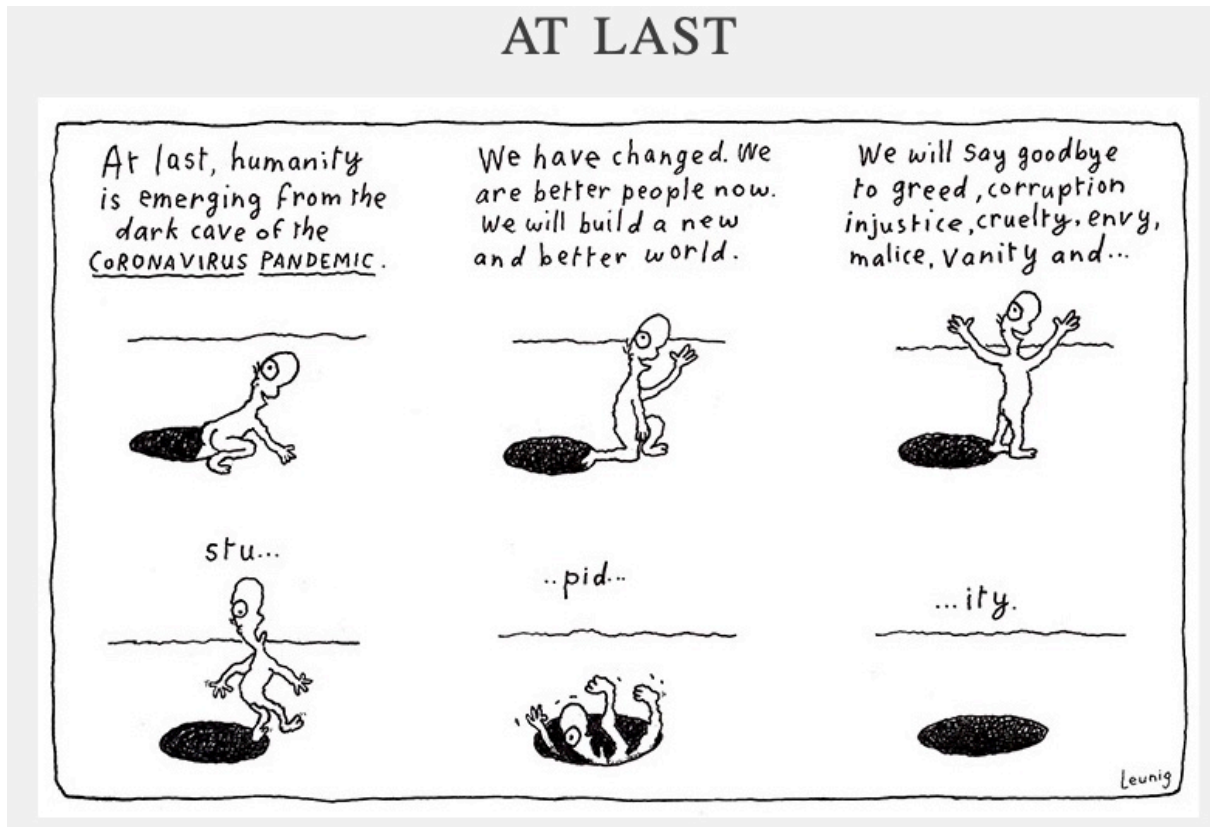
All concentrations of power lead to evil. In "The Lord of the Rings" the ring needed to be destroyed. Power itself was the problem, not who held the power. The very philosophical foundation of the Super-City is flawed, but that is all another issue. Rodney Hide was no philosopher. He ignored the Royal Commission.

All planning, all architecture, and all politics should be concerned with the distribution of power rather than the concentration of power. Donald Trump is not the problem. The problem is the culture that gives power to so called "property developers". They have the Trump Tower. We have Plan Change 44. For them it is too late. We still have time.

Participation is a human right. The Council takes away the right of people to participate in the creation of their architecture. The Council stops people building so that the wealthy can accumulate ever more wealth. Passive societies are doomed to die. Active societies are able to make ethical choices.

This is not a time for adversarial mud-slinging. To argue that one nail in the coffin is not much worse than all the other nails in the coffin rather misses the point.

"Widespread pandemics have hit civilisations about once every 80 years or so since ancient times. The first recorded pandemic, the plague of Athens, occurred around 426 BCE." "In the past 30 years we have had HIV, Zika virus, SARS-1, Ebola, MERS, and H1N1 Swine Flu." "Significant tools were available to us to prevent this pandemic, but few were put into place." (Kris Vette, Ingenio, Winter 2020, p14 & p15) The possibility of a tsunami or major earthquake in the next 500 years is slight. Auckland is probably the only city in the world to locate its main hospital on the top of an old volcano. The logic of Council planners is impossible to follow.



4) When the design is so bad we need to ask why it needs to be so big and to dominate the skyline.

At best the architectural design envisaged by Plan Change 44 is dull, mundane, lack-lustre and mediocre.

There is no delight. No magic. No poetry. Nothing any architect could be proud of.

It is placeless and degrading of culture. It does not belong.

If there were no environmental costs the proposal could get lost among all of Auckland's other mediocre architecture. However "in your face" skyline mediocrity is shameful, in one of the most wonderful city sites in the world.

The placelessness embraced by the Auckland Council is reprehensible enough, but to force it upon everyone else beggars belief. The Council already had a great array of "enforcement officers" but scoured the globe to bring 25 more to New Zealand, ignoring the fact that they knew nothing about our culture or our country. Strangers devour our land.

5) Can the environmental cost of the proposal be justified?

All architecture has an enormous environmental cost. Architecture is the most significant cause of climate change, loss of species, and environmental degradation. Architecture is destroying the planet.

Plan Change 44 fails to address the issue of climate change, taking no responsibility for the consequences of the architecture. We have a problem, and this Plan Change fails to address it.

A little architectural greenwash is a waste of time. With every proposal for a building we need to ask if it can be justified, not whether it can be tarted up to perform a little better.

The only truly sustainable building is the one you do not build.

6) Western civilisation has been based on the idea of exploitation.

The proposal does nothing to enhance the beauty of the Auckland landscape. The assumption is that the beauty is there to exploit. You look at the view and tot up the increase in your property values.

Looking at a view is very different from being immersed in a view and becoming part of it.

We have all enjoyed the way in which our consumer society has converted riches into trash. Consumer architecture does the same. New Zealand produces more waste than any other country in the developed world. Plan Change 44 picks up on the theme.

7) The proposal is anthropocentric.

Anthropocentric thinking is the major cause of global environmental collapse.

In a quick sweep through history we could say that in Rio in 1992 at UNCED the architects of the world rejoiced when the Bruntland Report gave a big tick to anthropocentric architecture and in effect destroyed the modern global environmental movement.

The protests of our younger generations are really protests against Plan Change 44. Young people do not want to have their future taken away from them. Young people are marching in the streets demanding a return to the Holocene.

The vast array of photo montages submitted with the application, for example, are anthropocentric. They see the world through the eyes of selfish individuals who think they are the centre of the universe.

Kaitiakitanga, as enshrined in New Zealand law, begins with the concept that we are immersed in the universe and part of the great web of life. This is a much richer concept than the selfish thoughts of someone driving along Tamaki Drive.

Reductionism is always bad. The Council has elevated it to an art form.

8) Domination is just architectural abuse. Violence breeding violence.

In our society we need to declare that architectural abuse is unacceptable. Abusive architecture, of the kind envisaged by Plan Change 44 leads to abusive behaviour. It is unacceptable.

Respect is a core quality of great architecture. Not respecting the gentle volcanic landforms of the isthmus will only lead to further abuse.

The Museum does not dominate the landscape but it has "presence". It belongs. It respects the gentle landforms of our isthmus. We need to learn from it, not abuse it, as Plan Change 44 does. You are aware of the Museum in the same way that you are aware when a person with charisma enters a room. We need to build less, but improve the quality of our buildings.

The abusive behavior of the loud-mouthed Plan Change 44 has no place in the "room" of our landscape.

9) To heal our broken world we need to focus on making connections and enhancing relationships.

Modern planning has focused on disconnection. It once seemed like a good idea to move housing away from the "dark satanic mills", but the real need was to look at the built-form expression of capitalism.

The Council has now gone full circle, trashing one of the great garden cities of the world, and replacing it with a sordid slum. Council planning seems to be a process of going backwards through history.

Our planet is one living organism. In the seventies we talked about Gaia. Every move in one part of our environmental network affects every other part. It is the same with our bodies.

James Lovelock celebrated his 101st birthday on 26 July 2020.

10) The documentation does not explain where the water for the proposal will come from.

The CEO of Watercare, on a salary of \$775,000, seems to have a poor understanding of the water cycle.

The Plan Change assumes that water will come from somewhere, even though the intensification of the built environment resulting from Plan Change 44 will cause climate change and the disruption of the water cycle. The proposed development will contribute to the failure of the Waikato river. Everything is interconnected. Given the current crisis the Council should refuse to supply water to the development.

Watercare is considering treating sewage to provide drinking water. If this is to be done then it should be the sewage of new developments that is treated to provide drinking water for those same new developments. The burden of new development should not be carried by those who make no profit out of them.

11) The documentation does not explain where the waste-water from the proposal will go to.

The Manukau Sewage Treatment plant has no spare capacity. It has a performance failure around four times a year. Given the current crisis the Council should refuse to make a sewage connection to the development.

The Waitemata Harbour is not a cesspit. The stormwater which will result from the proposed development needs to be deal with on site. Desalination of the marine environment is a major problem. Our marine environment is dying. It has no capacity to deal with the waste of the proposed development.

12) Intensification means increasing the ecological footprint of Auckland.

Developers take the profits and the community and the environment carry the cost. That is why developers, like Donald Trump, become very rich. Transferring costs is great for a balance sheet

"Sprawl" is just the physical footprint of a city. The ecological footprint is much greater. Preventing sprawl is just the fashionable jargon for avoiding any discussion on the ecological footprint of Auckland.

13) Every building has social consequences.

Planning has always been a process of oppressing the poor and dispossessed, while creating wealth for those who are already wealthy. Plan Change 44 is extreme.

Disempowering the poor, and taking away their ability to help themselves, creates a passive, soporific society. Dependency is the outcome of political and architectural choices.

14) The proposal is not actually a "development".

A "development" should develop something. The proposed Plan Change begins with demolition and destruction. Kill off your children and get some new ones. Fashion to trash is not development.

15) Is the development appropriate for a post-Covid-19 world?

The Covid-19 lock-down has provided a valuable chance to pause and think about how we build. Most people have enjoyed the reduction of pollution and noise, the chance to enjoy the beauty and wonder of nature, and the opportunity to escape from architecture.

Returning to the same old architectural failures would mean the sad loss of one of the greatest opportunities we have had.

Some simple practical consequences of Covid-19 cannot be denied. Social distancing is going to mean one person going up 16 floors in the lift, and one person coming down. Our media stated that "one person infected 71 other people in 60 seconds by using a lift".

In Melbourne in July 2020 more than 3000 people were confined to their apartments in their apartment towers. They were forbidden to use any of the communal facilities. Lifts were used only to deliver food, medicine and other essential needs to people trapped in their architecture.

The design of the Plan Change 44 towers would present the ideal breeding ground for inevitable future pandemics.

The proposal is so 1970s. It is past its use-by date.

16) The proposal is so bad that it raises some very interesting questions.

How have we ended up in this planning mess, with lawyers battling over matters of no consequence, and our architecture and urban design so degraded that it seems as though we are destroying the planet without even having fun along the way.

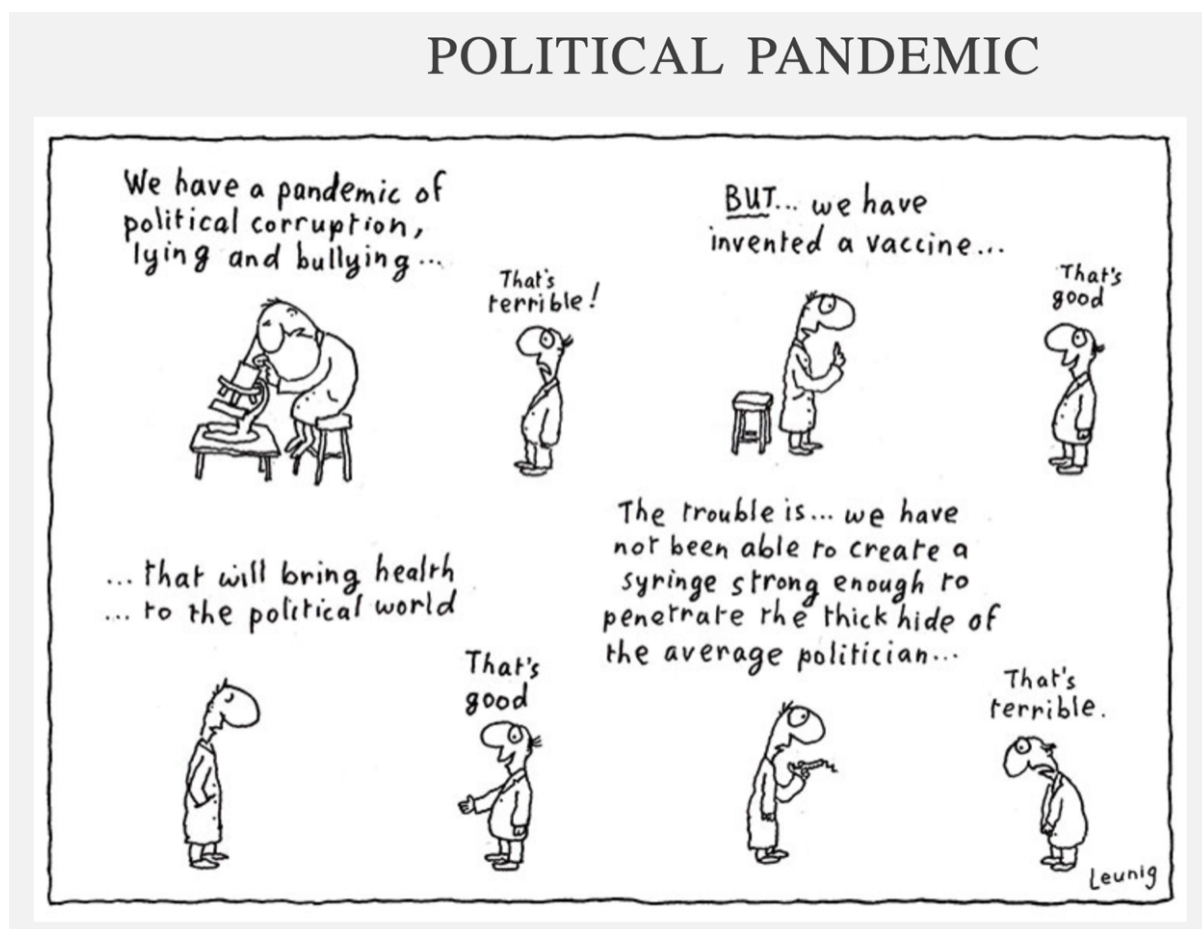
The proposal is the physical manifestation of the economic euthanasia that is sapping the life out of our brilliant, amazing, astonishing natural world. Our architects have become "built environment anesthetists" dulling the pain of economic euthanasia. Surely we can do better than this?

We have all watched Pruitt Igor and hundreds of other developments similar to the one proposed being demolished. Reiner de Graaf has explained how "putting 'em up and knocking 'em down" makes money for what we now euphemistically call "developers" but who are really "destroyers".

We have a global crisis and we are going to need to make radical changes. The possibility of institutional change is remote, so it seems that we need to change our institutions.

Planning, as we now know it, did not exist before 1953. It was not taken over by adversarial lawyers until after 1991. It has been an interesting recent experiment, but nothing more.

City planning has been an interesting experiment, but it has failed.



Appendix 1.

The Leadership Statement adopted by architects during the Covid-19 lockdown.

- We will take every reasonable step to safeguard the health and safety of people.

The biggest health issue facing the human race is the death of the human species. Alongside climate change Covid-19 is just a minor glitch. Facing up to health and safety means facing up to climate disruption, loss of species, and the degradation of the natural environment. The built environment (architecture if you like) is the most significant cause of the current collapse of the planet. Climate is now a health issue.

- We will put the wellbeing of our communities front and centre.

Putting the wellbeing of communities ahead of the paralysing power of bureaucratic institutions, plans, regulations, and the exploitation of the natural environment, is going to change everything. Imagine an environment that begins with respect. Respect for place, traditions, stories, history, and all those other foundations of community. Imagine a city that welcomes the poor, the sick, the elderly, the young, the disadvantaged, or the homeless. Imagine an architectural profession that embraces life in all its fullness and frailty.

- We drive work on sustainability, recognising the effects of our work on the environment and avoiding adverse consequences.

Let's assume that by sustainability we mean sustaining the life of the planet, which is what it did when I first used the term back in the 1970s. That is our task. Avoiding the adverse consequences of architecture is going to mean completely rethinking the way we build. Architects are going to need to leave behind the exploitation that has been the foundation of Western civilisation. In a post-Covid-19 world architects will refuse to build anything that does not leave the world a richer place than they found it.

- We hold each other to account and speak up when we see behaviours that could lead to adverse outcomes.

Plan Change 44 challenges architects to opens up the architectural discourse. The values architects respect are going to be different. The time has come to leave behind the tired old legal litanies of planning hearings. A smiling, happy built environment, with a sense of humour, will lift us all up to be more alive.

The following customer has submitted a Unitary Plan online submission.

Contact details

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Auckland 1054

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

20.2 | Rule or rules:
27m Height restriction

Property address: George Street Precinct

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We have been property owners at 48 Broadway since 1994 and penthouse apartment residents since 2000.

It is my view that the current 27m height limit for Newmarket is sufficient to allow development, but at the same time preserve a low-rise style mixed use precinct.

The proposed group of towers in my view would be completely out of character with the neighbourhood.

20.3 | A secondary issue is that I also consider it unnecessary to create a retail precinct in close proximity to the Domain.

The retail sector in Newmarket should be concentrated around 277, Broadway and the adjacent areas of Osborne and Nuffield Streets.

Primarily my objection is to preserve the current 27m height restriction.

20.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 17 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

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Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

I am not a professional planner.

I do not have the funds to engage a professional planner.

Therefore I cannot directly identify specific rules that I am objecting to other than there is a District Plan and Plan Change 44 seeks to change that Plan and the only reason for making the change is to increase the size and scale of the development allowed on the property and I'm objecting to changing the District Plan.

Property address: 33-37 George St and 13-15 Morgan St

Map or maps:

Other provisions:

- 21.2 | 1) NHDLP can gain approval for the proposal by submitting a Resource Consent and following the planning processes everyone else does. A Private Plan change is not required and it potentially avoids the public scrutiny that a Resource Consent application would incur.
- 21.3 | 2) The proposed Plan Change directly conflicts with the Volcanic View Shafts which I have been told by council officers and elected members is not allowed under the District Plan
- 21.4 | 3) The traffic effects are unclear and are much more than minor. At peak traffic times the journey time from Morgan St to Parnell could be increased by more than 15 minutes. At present people in Morgan St can exit onto George St and get to Parnell in 5 to 10 minutes. If they choose to exit onto Carlton Gore Rd then it can take 25 to 30 minutes to reach Parnell. If the traffic mitigation for the proposed development is to make Morgan St one way, and the only sensible way to do this is to make in one

- way towards Carlton Gore Rd, then travel time to Parnell or the Eastern suburbs, increases by more than 15 minutes.
- 21.5 | 4) The effects of construction on the general area are significantly understated and are likely to be much more than minor.
- 21.6 | 5) The use of the George St Datum understates the actual height of the development
- 21.7 | 6) The maximum height of the development is double what is provided for in the District Plan and is out of proportion with developments in the general that have been done over the last 20 years (e.g. the old Abels site on Carlton Gore Rd, developments along Broadway, the developments in the Kingdon St area and more recently the developments in Margaret St and on Carlton Gore Rd and in the Foundation Precinct.
- 21.8 | 7) Access to the area designated as Public Space is unclear and the protection of access to this space is unclear thus making it at risk of not being made available as the Plan Change implies.
- 21.9 | 8) The storm water systems in the area are already under pressure and there is no impact assessment or mitigation of this development on the storm water, or for that sewage, systems in the area (there are reported overflows into Hobson Bay)

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

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

The reason for my or our views are:

- 1) NHDLP can gain approval for the proposal by submitting a Resource Consent and following the planning processes everyone else does. A Private Plan change is not required and it potentially avoids the public scrutiny that a Resource Consent application would incur.
- 2) The proposed Plan Change directly conflicts with the Volcanic View Shafts which I have been told by council officers and elected members is not allowed under the District Plan
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- 7) Access to the area designated as Public Space is unclear and the protection of access to this space is unclear thus making it at risk of not being made available as the Plan Change implies.

21.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 19 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roya Reyhani

Organisation name: Zamin Investment Limited

Agent's full name:

Email address: roya@corecity.co.nz

Contact phone number: 021777419

Postal address:
PO Box 113152
Newmarket
Auckland 1149

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
Entire plan change request

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Please refer to attached

22.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 20 July 2020

Supporting documents
PC44 - Submission - Zamin Investment Ltd.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

**SUBMISSION ON PROPOSED PLAN CHANGE 44 (PRIVATE)
THAT IS SUBJECT TO FULL NOTIFICATION**

GEORGE STREET PRECINCT, NEWMARKET

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
Attention: Planning Technician

And to: Newmarket Holdings Development Limited Partnership
c/- Barker & Associates Limited
PO Box 1986
Shortland Street
Auckland 1140
Attention: Rebecca Sanders and Evita Key

Name of Submitter: Zamin Investment Limited as trustee of the Zamin Investment Trust
(Submitter)

1. This is a submission on Proposed Plan Change 44 (Private) (the **proposed plan change**) to the Auckland Unitary Plan (Operative in Part) (the **Unitary Plan**) by Newmarket Holdings Development Limited Partnership (the **Applicant**) relating to land at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. The Request proposes to remove the 27m Height Variation Control and introduce building height up to 65m above ground level and other amenity requirements by way of a new precinct (George Street Precinct).
2. The Submitter owns the property at 98 Carlton Gore Road, Newmarket, which sits in the block to the west of that occupied by the Application site, with site frontage to Carlton Gore Road at its southern boundary.
3. The Submitter is not a trade competitor for the purposes of section 308B of the RMA.

4. This submission relates to the entire Application.
5. The Submitter **OPPOSES** the Application on the basis that it:
 - (a) Does not promote sustainable management of natural and physical resources and is not the most appropriate way to achieve the purpose of the RMA;
 - (b) Results in significant actual and potential adverse effects; and
 - (c) Creates inconsistency issues within the Unitary Plan.
6. Without limiting the generality of the above, the specific reasons for the Submitter's opposition to the Application are as follows:
 - (a) The proposed plan change heights are out of context with the existing block and will result in development that is visually incoherent with its immediate neighbours, the surrounding land and the broader context;
 - (b) The proposed plan change will result in significant visual dominance and privacy effects;
 - (c) The proposed plan change will result in significant shading effects;
 - (d) The proposed plan change will result in significant traffic effects; and
 - (e) The proposed plan change will result in consistency issues within the Unitary Plan relating to how infringements to standards are treated.
7. These issues are addressed further below.

Height and massing / Landscape and Visual Effects

8. The proposed plan change heights are out of context with the neighbouring sites, the existing block and wider setting and will result in development that is visually incoherent with the broader context. Whilst stated in reference to the 'George Street Datum' defined in the proposed Precinct, the proposed height about ground level can be up to 10m higher than stated due to the falling topography of the site towards the south.
9. The total development heights rival those able to be achieved within the Newmarket Metropolitan Centre and undermine the hierarchical relationship between the Mixed Use Zone and Metropolitan Centre Zone. The Submitter seeks a reduction in the proposed height limits sufficient to retain the hierarchy and integrity of the Auckland

Unitary Plan.

10. While the Submitter recognises that gestures such as the proposed pedestrian connections through the block provide a 'public good' element that may need to be offset by additional height, and is not averse to additional height provided it is done well, aside from not being subject to the Volcanic Viewshaft restrictions that apply to much of the surrounding land and Newmarket more broadly, the proposed 63.7m upper height limit appears somewhat arbitrary and is excessive. The section 32 analysis explores different options for delivering additional height on the application site but does not explore or justify the proposed heights as being the most appropriate to deliver the objectives of the Plan.
11. The proposed plan change heights and massing, and the 63.7m maximum height element in particular, give rise to adverse landscape and visual effects from a number of local and medium-distance public vantage points.

Visual dominance and privacy effects

12. The proposed plan change includes a significant increase in height over what is currently provided for across the application site, and will result in significant visual dominance and privacy effects to neighbouring properties, nearby properties and the adjacent public realm include streets and Pukekawa (Auckland Domain).
13. The proposed height limit is incongruous with existing and anticipated development north of Carlton Gore Road, being an area of Mixed Use Zoned land intended to act as a buffer between the more intensive Metropolitan Centre Zoned land to the south and east and Pukekawa (Auckland Domain). Efforts to focus the highest development area centrally within the block is acknowledged, however from the massing and height give rise to adverse dominance effects particularly to properties to the south / downhill of the George Street Precinct site which sits in an elevated position.

22.2

14. Whilst not a direct impact on the Submitter, proposed rule IX.5 (Notification) states that infringements to H13.6.9 (Outlook space) shall be considered without public or limited notification. The stated purpose of the outlook space standard is to "*ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites*". Infringements to the outlook space standard have the potential to directly affect an owner or occupier of adjacent land and it is not appropriate to impose a blanket restriction on the potential to notify those parties of any such proposals. This is demonstrably a matter that requires case-by-case consideration and raised consistency issues within the Unitary Plan that are of concern to the Submitter.

22.3

22.4

22.3
22.4

15. Proposed provisions 22.4 IX.8.1(3)-(10) (Matters of discretion) and IX.8.2(3)-(10) (Assessment criteria) each relate to the infringement of a standard relating to design and amenity and should each be subject to the matters of discretion in H13.8.1(7) and H13.8.2(7) in addition to any other the matters stated within the provisions.

22.5
22.6

16. Proposed provisions 22.5 IX.8.1(10) and 22.6 IX.8.2(10) prescribe the matters of discretion and assessment criteria to be considered where the 'Setback from neighbouring sites' standard is infringed. The Submitter is concerned that the integrity of the Unitary Plan may be undermined by the proposal to limit the scope of that assessment only to the existing development on specified adjacent sites. Any potential future activities and development that could reasonably be anticipated on those (or other) sites should not be excluded from consideration. It is not for a Plan to predict the type, extent or timeframe of a potential infringement of a standard, or to disregard how an adjacent site might reasonably be (re)developed under the existing Plan provisions.

Shading effects

17. The proposed plan change will result in significant shading effects on a number of properties including that Submitter's property at 98 Carlton Gore Road. The shading studies included within the 'Concept Design Testing and GFA Study' included within the notified suite of documents identifies an impact on the Submitter's property in the morning during the winter solstice derived from the northern-most tower form within the proposed precinct.

Traffic effects

18. The Submitter has significant concerns for safety and traffic effects on Carlton Gore Road and specifically relating to the safety and efficiency of the intersections with Morgan Street and Clayton Street. Vehicle flows to and from the proposed supermarket, particularly in peak travel periods are also a concern. The Submitter notes that current traffic along Carlton Gore Road and neighbouring streets is already difficult during peak travel periods. The proposed supermarket will likely create traffic disruption throughout the day as people including those from outside the immediate neighbourhood travel there. The Submitter also holds concerns about traffic and noise effects associated with servicing the supermarket activity.

19. The proposed plan change includes significant car parking provision within the podium structure which is accessed directly from Morgan Street and Clayton Street. These vehicle access points coincide with pedestrian access points to the site and also create points of conflict between the two modes for passers-by.

Decision Requested

20. The Submitter seeks the following decision from the Council:

22.1 | (a) **DECLINE** the Proposed Plan Change in its entirety.

21. The Submitter wishes to be heard in support of its submission.

22. The Submitter will consider presenting a joint case with others making a similar submission.

DATED at *Auckland* this *17th* day of *July* 2020



Roya Reyhani

Zamin Investment Limited

Electronic address for service of Submitter: roya@corecity.co.nz

Zamin Investment Limited

PO Box 113152, Newmarket, Auckland, 1149

Telephone: +64 21 777 419

Contact person: Roya Reyhani

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Roya Reyhani

Organisation name: Core City Investments Limited

Agent's full name:

Email address: roya@corecity.co.nz

Contact phone number: 021777419

Postal address:
PO Box 113152
Newmarket
Auckland 1149

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
Entire plan change request

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Please refer to attached

23.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 20 July 2020

Supporting documents
PC44 - Submission - Core City Investment Ltd.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

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Yes

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**SUBMISSION ON PROPOSED PLAN CHANGE 44 (PRIVATE)
THAT IS SUBJECT TO FULL NOTIFICATION**

GEORGE STREET PRECINCT, NEWMARKET

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142
Attention: Planning Technician

And to: Newmarket Holdings Development Limited Partnership
c/- Barker & Associates Limited
PO Box 1986
Shortland Street
Auckland 1140
Attention: Rebecca Sanders and Evita Key

Name of Submitter: Core City Investments Limited (Submitter)

1. This is a submission on Proposed Plan Change 44 (Private) (the **proposed plan change**) to the Auckland Unitary Plan (Operative in Part) (the **Unitary Plan**) by Newmarket Holdings Development Limited Partnership (the **Applicant**) relating to land at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. The Request proposes to remove the 27m Height Variation Control and introduce building height up to 65m above ground level and other amenity requirements by way of a new precinct (George Street Precinct).
2. The Submitter owns the property at 123 Carlton Gore Road, Newmarket, which sits in the block to the south of that occupied by the Application site, directly opposite Morgan Street.
3. The Submitter is not a trade competitor for the purposes of section 308B of the RMA.
4. This submission relates to the entire Application.

5. The Submitter **OPPOSES** the Application on the basis that it:
- (a) Does not promote sustainable management of natural and physical resources and is not the most appropriate way to achieve the purpose of the RMA;
 - (b) Results in significant actual and potential adverse effects; and
 - (c) Creates inconsistency issues within the Unitary Plan.
6. Without limiting the generality of the above, the specific reasons for the Submitter's opposition to the Application are as follows:
- (a) The proposed plan change heights are out of context with the existing block and will result in development that is visually incoherent with its immediate neighbours, the surrounding land and with the broader context;
 - (b) The proposed plan change will result in significant visual dominance and privacy effects;
 - (c) The proposed plan change will result in significant shading effects;
 - (d) The proposed plan change will result in significant traffic effects; and
 - (e) The proposed plan change will result in consistency issues within the Unitary Plan relating to how infringements to standards are treated.
7. These issues are addressed further below.

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8. The proposed plan change heights are out of context with the neighbouring sites, the existing block and wider setting and will result in development that is visually incoherent with the broader context. Whilst stated in reference to the 'George Street Datum' defined in the proposed Precinct, the proposed height about ground level can be up to 10m higher than stated due to the falling topography of the site towards the south.
9. The total development heights rival those able to be achieved within the Newmarket Metropolitan Centre and undermine the hierarchical relationship between the Mixed Use Zone and Metropolitan Centre Zone. The Submitter seeks a reduction in the proposed height limits sufficient to retain the hierarchy and integrity of the Auckland Unitary Plan.

10. While the Submitter recognises that gestures such as the proposed pedestrian connections through the block provide a 'public good' element that may need to be offset by additional height, and is not averse to additional height provided it is done well, aside from not being subject to the Volcanic Viewshaft restrictions that apply to much of the surrounding land and Newmarket more broadly, the proposed 63.7m upper height limit appears somewhat arbitrary and is excessive. The section 32 analysis explores different options for delivering additional height on the application site but does not explore or justify the proposed heights as being the most appropriate to deliver the objectives of the Plan.
11. The proposed plan change heights and massing, and the 63.7m maximum height element in particular, give rise to adverse landscape and visual effects from a number of local and medium-distance public vantage points.

Visual dominance and privacy effects

12. The proposed plan change includes a significant increase in height over what is currently provided for across the application site, and will result in significant visual dominance and privacy effects to neighbouring properties, nearby properties and the adjacent public realm include streets and Pukekawa (Auckland Domain).
13. The proposed height limit is incongruous with existing and anticipated development north of Carlton Gore Road, being an area of Mixed Use Zoned land intended to act as a buffer between the more intensive Metropolitan Centre Zoned land to the south and east and Pukekawa (Auckland Domain). Efforts to focus the highest development area centrally within the block is acknowledged, however from the massing and height give rise to adverse dominance effects particularly to properties to the south / downhill of the George Street Precinct site which sits in an elevated position.
14. Whilst not a direct impact on the Submitter, proposed rule IX.5 (Notification) states that infringements to H13.6.9 (Outlook space) shall be considered without public or limited notification. The stated purpose of the outlook space standard is to "*ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites*". Infringements to the outlook space standard have the potential to directly affect an owner or occupier of adjacent land and it is not appropriate to impose a blanket restriction on the potential to notify those parties of any such proposals. This is demonstrably a matter that requires case-by-case consideration and raised consistency issues within the Unitary Plan that are of concern to the Submitter.

23.2

23.3

23.4

23.3
23.4

15. Proposed provisions 23.4 IX.8.1(3)-(10) (Matters of discretion) and IX.8.2(3)-(10) (Assessment criteria) each relate to the infringement of a standard relating to design and amenity and should each be subject to the matters of discretion in H13.8.1(7) and H13.8.2(7) in addition to any other the matters stated within the provisions.

23.5
23.6

16. Proposed provisions 23.5 IX.8.1(10) and 23.6 IX8.2(10) prescribe the matters of discretion and assessment criteria to be considered where the 'Setback from neighbouring sites' standard is infringed. The Submitter is concerned that the integrity of the Unitary Plan may be undermined by the proposal to limit the scope of that assessment only to the existing development on specified adjacent sites. Any potential future activities and development that could reasonably be anticipated on those (or other) sites should not be excluded from consideration. It is not for a Plan to predict the type, extent or timeframe of a potential infringement of a standard, or to disregard how an adjacent site might reasonably be (re)developed under the existing Plan provisions.

Shading effects

17. The proposed plan change will result in significant shading effects on a number of properties including that Submitter's property at 123 Carlton Gore Road. The shading studies included within the 'Concept Design Testing and GFA Study' included within the notified suite of documents identifies a direct impact on the Submitter's property between 9am-11am during the winter solstice. Over the course of the morning, additional shading from the three southern-most towers fall across the Submitters site.

Traffic effects

18. The Submitter has significant concerns for safety and traffic effects on Carlton Gore Road and specifically relating to the safety and efficiency of the intersections with Morgan Street and Clayton Street. Vehicle flows to and from the proposed supermarket, particularly in peak travels periods are also a concern. The Submitter notes that current traffic along Carlton Gore Road and neighbouring streets is already difficult during peak travel periods. The proposed supermarket will likely create traffic disruption throughout the day as people including those from outside the immediate neighbourhood travel there. The Submitter also holds concerns about traffic and noise effects associated with servicing the supermarket activity.

19. The proposed plan change includes significant car parking provision within the podium structure which is accessed directly from Morgan Street and Clayton Street. These vehicle access points coincide with pedestrian access points to the site and also create points of conflict between the two modes for passers-by.

Decision Requested

23.1 |

20. The Submitter seeks the following decision from the Council:

(a) **DECLINE** the Proposed Plan Change in its entirety.

21. The Submitter wishes to be heard in support of its submission.

22. The Submitter will consider presenting a joint case with others making a similar submission.

DATED at *Auckland* this *17th* day of *July* 2020



Roya Reyhani

Core City Investments Limited

Electronic address for service of Submitter: roya@corecity.co.nz

Core City Investments Limited

PO Box 113152, Newmarket, Auckland, 1149

Telephone: +64 21 777 419

Contact person: Roya Reyhani

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Graham Burrell

Organisation name: Private submission

Agent's full name:

Email address: grahamburrell@xtra.co.nz

Contact phone number:

Postal address:
2A Swinton Close
Remuera
Remuera
Remuera 1050

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
Auckland Unitary Plan

Property address: George St

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
stick with the unitary plan rules - don't allow for the increase in the height - rules are rules

24.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 21 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rose McSherry

Organisation name:

Agent's full name:

Email address: r.mcsherry@icloud.com

Contact phone number:

Postal address:
1K George St
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
I object to the whole thing

Property address:

Map or maps:

- 25.2 | Other provisions:
 - 25.3 | Too high
 - 25.4 | Too large
 - 25.4 | Area should be residential only

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

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

The reason for my or our views are:

We live at the top of George Street.

A building this high will result in the loss of sunlight to our property.

It will increase the already large volume of traffic in George Street and Carlton Gore Rd.

There is not sufficient infrastructure to cope with a building this size.

From Morgan St to the Carlton Gore Rd end of George Street is largely residential (one old only partly tenanted office building which is probably going to be demolished one day).

Also the top of Morgan St is residential.

- 25.4 | The Council should be looking at rezoning as residential, not allowing further big developments in Newmarket.

25.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 21 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

21 July 2020

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142

Attn: Bruce Young

Email: unitaryplan@aucklandcouncil.govt.nz

**SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 44: GEORGE STREET
PRECINCT**

Please find attached Auckland Transport's submission on Proposed Private Plan Change 44 to the Auckland Unitary Plan (Operative in Part).

Should you have any queries in relation to this submission, please contact Liam Burkhardt (Planner, Land Use Policy/Planning) on +64 9 447 4513 or liam.burkhardt@at.govt.nz.

Yours sincerely



Liam Burkhardt
Planner, Land Use Policy and Planning North / West

SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 44 – GEORGE STREET PRECINCT

To: Auckland Council
Private Bag 92300
Auckland 1142

Submission on: Proposed Private Plan Change 44 to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket and the removal of the 27 metre Height Variation Control.

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

1.1 This is Auckland Transport's submission on Proposed Private Plan Change 44 ('PPC44' or 'the plan change') to the Auckland Unitary Plan (Operative in Part) ('AUP'). The plan change seeks to introduce a new precinct to 7,873m² of land located at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. The plan change also seeks to remove the 27 metre Height Variation Control. There is no change to the existing zoning of Business - Mixed Use.

1.2 According to the supporting documents provided with PPC44, the precinct is expected to:

- Introduce building height up to 65 metres above ground level;
- Provide a publicly accessible plaza, pedestrian connections and vehicular and pedestrian access to and from George, Morgan and Clayton Streets.

1.3 Section 3 of the applicant's Integrated Transport Assessment ('ITA'), dated 1 April 2020, states that the current AUP provisions enable up to 31,700m² of office space and 2,000m² of retail space (Scenario A). The "worst case scenario" (Scenario B) also described in section 3 of the ITA states that the plan change and associated precinct could enable up to 35,100m² of office space and 2,000m² of retail space. The plan change, therefore, enables an additional 3,400m² of office space compared with the current AUP provisions. Section 4.2.1 of the ITA states that a primarily office-based development would generate the greatest number of peak hour trips.

1.4 Auckland Transport is a Council-Controlled Organisation (CCO) of Auckland Council and a Road Controlling Authority with the legislated purpose to contribute to an "effective, efficient and safe Auckland land transport system in the public interest". In fulfilling this role, Auckland Transport is responsible for the planning and funding of public transport; operating the local roading network; and developing and enhancing the local road, public transport, walking and cycling network for the Auckland Region.

1.5 Auckland Transport is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

2. Specific parts of the plan change that this submission relates to:

2.1 The specific parts of the plan change that this submission relates to are set out in **Attachment 1**. In keeping with Auckland Transport's purpose, the matters raised relate to transport, and include deficiencies in the precinct plan provisions relating to transport matters.

26.1

2.2 Auckland Transport generally supports PPC44 subject to:

- The potential adverse transport effects of the plan change being no greater than those currently enabled by the AUP;
- The resolution of Auckland Transport's concerns as outlined in this submission, including in **Attachment 1**.

2.3 Auckland Transport is available and willing to work through the matters raised in this submission with the applicant.

3. The decisions sought by Auckland Transport are:

3.1 The decisions which Auckland Transport seeks from the Council are set out in **Attachment 1**.

3.2 In all cases where amendments to the plan change are proposed, Auckland Transport would consider alternative wording or amendments which address the reason for Auckland Transport's submission. Auckland Transport also seeks any consequential amendments required to give effect to the decisions requested.

4. Appearance at the hearing:

4.1 Auckland Transport wishes to be heard in support of this submission at a hearing.

4.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

Name: Auckland Transport

Signature:



Christina Robertson
Group Manager, Strategic Land Use and Spatial Management

Date: 21 July 2020

Contact person: Liam Burkhardt
Planner, Land Use Policy and Planning North / West

Address for service: Auckland Transport
Private Bag 92250
Auckland 1142

Telephone: 09 447 4513

Email: liam.burkhardt@at.govt.nz

Attachment 1

Topic	Support / Oppose	Reason for submission	Decision requested
IX.1 Precinct Description	Oppose in part	In addressing the maximum limit on the number of parking spaces, the precinct description does not note that this approach is intended to manage the traffic effects on the surrounding transport network.	Amend IX.1 Precinct Description, paragraph 5, as follows: <i>To encourage public transport and active transport modes and to manage the traffic effects on the surrounding transport network, the precinct includes a maximum limit on the number of carparks.</i>
IX.2 Objectives	Oppose in part	The proposed objectives do not recognise the need for the transport effects of subdivision and development in the precinct to be avoided, remedied or mitigated. It is important that this outcome for the precinct is recognised in an objective as the plan change enables additional development and relies on a parking limit and provision of pedestrian connections through the site to manage the traffic effects on the surrounding transport network.	Amend IX.2 Objectives to add the following objective: <i>(x) Subdivision and development within the George Street Precinct occurs in a manner which avoids, remedies or mitigates adverse effects on the safe and efficient operation of transport infrastructure and services.</i>
IX.2 Objective 5	Support	Auckland Transport supports the objective to promote pedestrian safety and connectivity through the area, particularly between the development, Newmarket and the Auckland Domain.	Retain IX.2 Objective 5.
IX.3 Policy 4	Support	Auckland Transport supports the requirement for a publicly accessible space (including the plaza) between George Street and Clayton Street.	Retain IX.3 Policy 4.
IX.3 Policy 8	Support	Auckland Transport supports the requirement for vehicle access to prioritise pedestrian safety.	Retain IX.3 Policy 8.

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1294

Topic	Support / Oppose	Reason for submission	Decision requested
IX.3 Policy 9	Support in part	The proposed policy states that limiting on-site parking recognises the accessibility of the George Street Precinct to public transport and the Newmarket Metropolitan Centre. The policy, however, does not highlight that limiting on-site parking is the key method identified in the applicant's ITA to manage the traffic effects on the surrounding transport network.	Amend IX.3 Policy 9 as follows: (9) <u>Limit the supply of on-site parking to recognise the accessibility of the George Street Precinct to public transport and the Newmarket Metropolitan Centre, and to manage the traffic effects on the surrounding transport network.</u>
IX.3 Policy 10	Support in part	The proposed policy states that discouraging high car trip generating uses would reinforce the pedestrian focus of the George Street Precinct. The policy, however, does not highlight that discouraging high car generating trips is needed to manage the traffic effects on the surrounding transport network.	Amend IX.3 Policy 10 as follows: (10) <u>Discourage high car trip generating uses, such as service stations, large supermarkets or drive through restaurants in order to reinforce the pedestrian focus of the precinct and to manage the traffic effects on the surrounding transport network.</u>
IX.5 (1)(a) Notification	Oppose	Infringing IX.6.9 Number of car parking spaces is proposed as restricted discretionary (RD) in accordance with IX.4.1 Activity table (A13). IX.5 (1)(a) proposes to preclude all RD activities listed in IX.4.1 Activity table, from public or limited notification (unless where special circumstances exist). It is not appropriate to preclude IX.4.1 (A13) from public or limited notification, given that exceeding 500 parking spaces may have adverse transport effects beyond the precinct.	Amend IX.5 (1)(a) as follows: (a) <u>Other than (A13) a restricted discretionary activity listed in Table IX.4.1; and/or</u>
IX.6.2 Plaza	Support	Auckland Transport supports the requirement for a publicly accessible plaza in accordance with this standard.	Retain IX.6.2 Plaza.

Topic	Support / Oppose	Reason for submission	Decision requested
IX.6.3 (3) Pedestrian connections	Support in part	Auckland Transport supports the requirement for publicly accessible pedestrian connections in accordance with this standard. IX.6.3 (3) should be amended so that is clear that pedestrian connections will be publicly accessible seven days per week, including public holidays. This would support Policy IX.3(4).	Amend Standard IX.6.3(3) Pedestrian connections, as follows: <i>(3) The pedestrian connections required by IX.6.3(1) and (2) shall be publicly accessible seven days per week (including public holidays) between the hours of 7am and 11pm.</i>
IX.6.9 Number of car parking spaces	Support in part	Auckland Transport supports limiting the number of car parking spaces as a measure to mitigate the traffic effects of the plan change on the surrounding transport network as identified in the ITA.	Retain IX.6.9 Number of car parking spaces.
IX.8.2 Assessment criteria	Oppose in part	The precinct provisions require pedestrian access to be provided through the precinct. Section 1.3.5 of the applicant's ITA, however, recognises that there are low levels of pedestrian amenity on the pedestrian network in the immediate vicinity of the site i.e. Morgan Street, Clayton Street, and parts of George Street. Section 6.1 of the ITA suggests that there may be opportunities for further amenity improvements as part of subsequent resource consent applications. Options suggested are an upgrade to crossing facilities on the George Street link to Auckland Domain, Clayton Road upgrades related to pedestrian safety and amenity, and rationalisation of on-street parking to accommodate streetscaping works. The ITA suggests that such potential upgrades can be assessed as part of vehicle access arrangements. The assessment criteria relating to vehicle access in IX.8.2(b) and (c), however, are limited to the consideration of pedestrian amenity and safety at the location of the vehicle access. The existing criteria do not suggest that other upgrading along Morgan Street, Clayton Street and George Street may be required.	Add additional assessment criteria to IX.8.2(2)(b) and (c) to ensure that applications for vehicle access address potential mitigation through upgrades to pedestrian facilities along Morgan Street, Clayton Street and George Street that may be required.

Topic	Support / Oppose	Reason for submission	Decision requested
Missing provisions	Oppose	<p>Section 3 of the ITA states that the current AUP provisions enable up to 31,700m² of office space and 2,000m² of retail space (Scenario A).</p> <p>The “worst case scenario” (Scenario B) described in section 3 of the ITA states that the plan change and associated precinct provisions could enable up to 35,100m² of office space and 2,000m² of retail space. The plan change, therefore, enables an additional 3,400m² of office space compared with the current AUP provisions. Section 4.2.1 of the ITA states that a primarily office-based development would generate the greatest number of peak hour trips.</p> <p>Sections 4.3 and 5.2 of the ITA state that under Scenario A (current AUP provisions) 556 peak hour trips could be generated which would require 595 parking spaces. Under the “worst case” scenario (Scenario B), 601 peak hour trips could be generated which would require 652 parking spaces.</p> <p>No transportation modelling has been provided in the ITA to identify the transport effects of the “worst case” scenario (Scenario B). There may be adverse transport effects beyond what is currently enabled under the AUP and it is not clear that limiting parking spaces to 500 as proposed is an adequate mitigation measure to address the “worst case” scenario (Scenario B).</p>	<p>Amend the precinct plan to include appropriate provisions to avoid the potential adverse effects associated with the “worst case” traffic generation scenario (Scenario B) of 35,100m² office space and 2000m² retail space identified in the applicant's ITA.</p>

Submission on Proposed Private Plan Change 44

22nd July 2020

Submission to Auckland Council - unitaryplan@aucklandcouncil.govt.nz

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

Submitter details:

James A. Carmichael
james@jcarmichael.co.nz
5E/27 George Street,
Newmarket,
Auckland 1023.
(M) 021 495 164

Scope of Submission:

This is a submission on Proposed Private Plan Change 44 to the existing Auckland Unitary Plan:

The specific provisions that this submission relates to are:

The whole proposed plan change, and especially:

- (i) The increased height provided for in the Proposed Plan Change
- (ii) The impact upon the character and amenity of the area
- (iii) The increased traffic problems
- (iv) Lack of consultation
- (v) It's ad hoc basis.

The reasons for the submission are:

- 27.2 | (i) Height. The proposed new provisions will provide for buildings that are too high for our environment. They will dominate our community, overlook all other buildings, and destroy the precinct as envisaged in the Auckland Unitary Plan. The proposed height is at odds with the rest of the zone. I submit that a maximum height of 27m is appropriate and this can be achieved with the zoning provisions in the existing the Business – Mixed Use Zone for the area.
- 27.3 | (ii) I submit that the Visual/Landscape assessment report is deficient, especially in the area of urban character and amenity values. Amenity values in the Resource Management Act

means the physical qualities or characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. Huge buildings more than double the permitted height for the zone will absolutely destroy these attributes. Domineering buildings looking over all of area, and indeed Newmarket, will change the character and our appreciation of our living environment for ever. This will destroy the area we live in, and specifically compromise and degrade the symbolism of the museum.

27.5

(iii) Traffic. The traffic report would appear to be flawed. The proposed additional development opportunities will create many more apartments. I know from my experience that families in Auckland nearly always have more than one car. Where will they all park? We know there will be at least 324 apartments, plus a number of retail outlets, but a maximum of 500 car parks. Where will all the other cars be parked? Likely on the street, or in car parks designated for other businesses, or for other residents in the area. (Street carparking in the vicinity is already 100% utilised during business hours.) To make matters worse, the proposed plan change provides for even greater height, with no public input.

27.4

I am also concerned about the increased traffic flows around our community and in particular the ACG zone. (George St, in the Morgan St/Titoki St environs, is currently heavily jammed every school day between 3.00pm and 3.30pm.) I live in the area and from my experience few use the public transport system, especially the trains, to the extent that car movements are significantly reduced, as suggested in the traffic report.

27.6

(iv) Consultation. I am appalled that the applicant company has not discussed their proposals with our community. I would have thought that with a proposal that fundamentally changes the fabric of our community, the applicant would have at least talked to us, explained their ideas and reasons for them. But we have heard nothing from them, and now we must participate in this adversarial process to make our voices heard and at significant personal financial cost. That is poor practice in my view.

I seek the following decision by Council

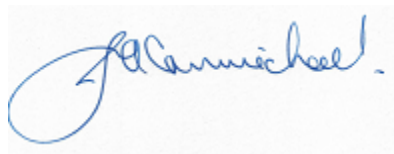
27.1

I request that Proposed Private Plan Change 44 be declined in its entirety.

I wish to be heard in support of this submission

I will not gain an advantage in trade competition through this submission.

Signed



James A. Carmichael

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

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



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Ian and Catrina Fair

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

Address for service of Submitter

5A/27 George St Newmarket Auckland 1023

Telephone:

ian Fair 0275024521

fairly@xtra.co.nz Fax/Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 44 (Private)

Plan Change/Variation Name George Street Precinct, Newmarket

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

28.1

Plan provision(s) We object to all of the proposed changes

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are: **Please refer attached submission**

(continue on a separate sheet if necessary)


I seek the following decision by Council:

28.1 | **Decline the proposed plan change / variation**

I wish to be heard in support of my submission

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

I A Fair

 on behalf of Fair
9m r i n k f i n e

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

Date 21st July 2020

Notes to person making submission:

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

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

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

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Summary

We oppose in its entirety the requested plan change as it has no redeeming features whatsoever. It would create a development totally out of character with the area, endanger school children using the area to access the nearby ACG Schools, worsen an already overloaded road (Morgan St) and cause bottle necks at the George St/Morgan St and Morgan St/Carlton Gore Rd intersections, have a severe impact on the cultural and sacred nature of the domain and Auckland War Memorial Museum area, produce a structure to the south of the museum that would block views to Mt Hobson and One Tree Hill. In summary, there is no possible justification for the proposed plan change.

Size and bulk of Structure

The proposed Plan Change is only a method of circumventing by stealth the need for a Resource Consent and denies the affected public and neighbours any opportunity for input on design and the impact on surrounding homes and businesses. The sheer bulk and size of the proposed development will have an adverse effect on not just the immediate neighbourhood with loss of light and increased wind effects but will also impact significantly further away properties.

The Newmarket area has been able to develop totally satisfactorily within existing planning rules as evidenced by the 277 Complex, Mercury Building, ACG buildings, the Manson Apartment block currently under construction and the proposed Foundation retirement complex.

Significant effects on the environment are likely to include construction effects, including traffic, noise, vibration and dust which are likely to have significant adverse effects on the owners and occupiers of neighbouring properties. Noise and vibration from demolition, excavation and piling will be particularly significant. Without the notification of a proposal, there will be no ability for neighbours to make a submission on any of these effects.

The "selling point" of the proposal that it would include a precinct/public plaza is based on false assumptions. Firstly there are not a lot of people that currently access Clayton St either going north to the domain or south from the domain towards Carlton Gore Road.

It is virtually only used by businesses that adjoin Clayton St, or by the few people that get a carpark in the limited carparking areas at the Domain and then walk to Carlton Gore Road. It is not a through way for people accessing public transport for example.

Being internal with limited access hours makes it further pointless.

Danger to school children/over loading of Morgan St.

The ACG school complex caters for a significant number of pupils, a large number of whom are dropped off on north and south side of George St up to and including the top end of Morgan St. Collection of children occurs at the same places after school. It is an extremely busy area already and the proposal that there be a vehicle entrance to the proposed complex off George St and well as the proposed use of Morgan St for access for more than 500 vehicles would add an unacceptable number of vehicle movements to an already overloaded area. There are "near misses" of children seen frequently as vehicles battle for access in an area already overloaded with vehicle movements.

The proposal to have in excess of 500 carparks accessed off Morgan St is simply ludicrous and could only be proposed by someone who has not actually visited the area.

Morgan Street as it is at present is effectively a one way street. With cars parked correctly on both sides of the street there is only room for up traffic or down traffic as it is impossible for cars going both ways to pass each other. To propose you could increase current traffic volumes with up to 500 car park users as well as service vehicles on top of that, going in to Morgan St and out again in to Carlton Gore Road, or going in to Morgan St and out in to George St at the top of Morgan Street is simply not practicable or sensible.

Cultural and Sacred nature of Domain and Auckland War Memorial Museum.

The proposed structure would dominate the domain and views from the Auckland War Memorial Museum. All current structures are sympathetic in size and structure to the area and its heritage .

To allow the proposed plan change would have a totally detrimental effect on the area and without a Resource Consent process open to all those affected, the developers would be virtually unlimited in the adverse effects they could cause to the surrounds and outlooks of the domain and Museum. The views to the south and south east from the domain would be dominated by the proposed structure and because of lack of design disclosure by the proposal avoiding the Resource Consent process those that are affected cannot comment.

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

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



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Christoph Paszyna

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

Address for service of Submitter

511 / 9 Sarawia St., Newmarket, Auckland 1052

Telephone: 021 2157105 Fax/Email: christoph_paszyna@yahoo.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 44 (Private)

Plan Change/Variation Name George Street Precinct, Newmarket

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

29.2] Plan provision(s) removal of 27m Height Variation Control and introduction of building height up to 65m

Or Property Address

Or Map

Or Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

The proposed height increase is completely out of character for buildings in this part of Newmarket

The proposed plan change will cause significant shading onto my property and reduce the sunshine hours.

Additional reasoning what is wrong with the Proposed Plan Change 44; see attached file pc44.pdf

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

29.1 Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

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

Clintal Paszura

21. July 2020

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

Date

Notes to person making submission:

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

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

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

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

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

unitaryplan@aucklandcouncil.govt.nz

Christoph Paszyna
511 / 9 Sarawia St.
Newmarket
Auckland
E-mail: christoph_paszyna@yahoo.co.nz
Phone: 021 2157105

Additional Notes to Submission to Proposed Plan Change 44 (Private)

Referring to Document “Section 32 Evaluation”, section 5.2 (page 19), “Purpose and Reasons for the Plan Change”, the proponents central reasoning is summed up by their following paragraph:

“The Purpose of the Plan Change, or the objective of the Plan Change, is to deliver a *comprehensively designed mixed use development that enables greater hight* in a highly accessible locations. The Plan Change also seeks to *promote public transport and active transport modes* through limiting carparking and utilising the podium to deliver high quality publicly accessible spaces that *protect and formalise the pedestrian route* between Newmarket and Pukekawa / Auckland Domain”

(emphasis added). The emphasised phrases do not entirely stack-up in my assessment:

1. The goal of a “comprehensively designed mixed use development” does not depend on the proposed plan change. It’s the fact that the area in question is in *single ownership* that already facilitates a comprehensive design, even it the plan change is rejected.
2. A comprehensive design does not necessarily “enable greater hight”! The desirability of a *greater hight than provided by the current Auckland Unitary Plan (AUP)* remains unjustified, especially as it relates to the character and height of surrounding properties.
3. It seems to me that in an attempt to *squeeze in* as many apartments as possible into the available space, the AUP’s carpark/apartment ratio cannot be accomodated. This design shortfall is subsequently re-defined as an advantage by claiming that the area’s residents will somehow turn into environment-friendly “public and active transport” users.
4. The intention to “protect and formalise the pedestrian route” across the newly proposed plaza (as opposed to turning the davelopment into a gated community) — while welcome — is also in the best self-interest of the developers, if the plaza is to accomodate cafes and kiosks relying on foot traffic. However, a *public interest* test in trading pedestrian access rights in exchange for plan change concessions has not been established.

In summary, the proponents of Proposed Plan Change 44 appear to suggest that they are willing to provide a comprehensively designed quality development with public access in exchange for the public’s concession to increased height and a reduction of carparking space relative to the current version of the AUP. Subsequent elaborations of their reasoning present a *false choice* between their proposed plan change and a development that is not comprehensive, does not provide public access and where building roofs follow the precise contours of the ground, maximising the existing 27m height limit and therefore resulting in oddly shaped roof lines.

In my view, there is no compelling argument to remove the 27m Height Variation Control and the developers can and should adapt their plans to comply with the existing height limit.

Form 5

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

Clause 6 of Schedule 1, Resource Management Act 1991

To: Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142

Attention: Planning Technician

And by email to: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: Domain Terraces Body Corporate 192346

This is a submission on the following proposed plan change proposed to the following plan (the **proposal**):

Proposed Plan Change 44 (Private) – George Street Precinct, Newmarket Auckland under the Auckland Unitary Plan (Operative in Part)

The submitter could not gain an advantage in trade competition through this submission. The submitter is directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that my submission relates to are:

1. Resource Management Act and Practice

The use of the plan change process for the proposed development is not in accordance with sound resource management practice in that it subverts the purpose and principles of the Act, the resource management process and the opportunities for public involvement (resource consent by stealth).

The purpose of the precinct could be readily be achieved by applying for resource consent/s which would allow for public participation (through notification) in terms of the management of effects such as:

- construction effects,

30.1

- building height and design,
- effects of bulk and scale,
- effects of the actual mix of activities, and
- operational effects such as those associated with increased traffic and the proposed limit on the supply of parking spaces.

30.1

A resource consent application (or applications) would have to contain a fully developed proposal and a detailed assessment of effects, with the likelihood of notification (due the scale of development proposed).

The notified plan change option enables the applicant to obtain approval for substantial height without the scrutiny of an actual proposal.

This is effectively spot zoning of a site that is less than 1ha in area.

2. Section 32

The section 32 analysis of the proposed plan change is inadequate for the reasons set out below.

3. Consultation

Consultation has been inadequate or non-existent.

4. Objectives and Policies

The objectives and policies of the Regional Policy Statement and the underlying Mixed Use Zone offer very little guidance or direction as to the appropriateness of applying precinct provisions to an individual site.

30.2

The material provided in the application does not establish that

- The objectives of the precinct are the most appropriate way to achieve the purpose of the Act; and
- The provisions are the most appropriate way to achieve the objectives.

5. Proposed Precinct inappropriate

The application does not establish that a precinct is appropriate for this particular site or why the height limit should be increased.

The applicant appears to promote the establishment of a public plaza as justification for precinct provisions to apply, but there are issues related to its location, access and status which are not addressed.

A public plaza such as proposed could form part of a resource consent application.

6. Non-notified Restrictive Discretionary Activities

In the plan change, non-notification applies to all Restricted Discretionary (RD) activities listed in the precinct's activity table (including infringements of nominated standards). RD activities include:

- Any new buildings

30.3

- Additions and alterations to buildings not otherwise provided for
- Development that does not comply with Standard IX6.4 Staged delivery of plaza and pedestrian connections
- Development that does not comply with Standards relating to building height; residential development along active edges; yards (setbacks, including from George Street); maximum tower dimensions and tower separation; setbacks from neighbouring sites and number of car parking spaces.
- Accessory parking which does not comply with Standard IX6.9 and
- Vehicle Access (for example, off Morgan Street).

The notification provision in IX.5 provides that any application for resource consent for specified activities that infringe identified standards will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist.

30.3

This is inappropriate because it will prevent scrutiny and input by neighbours, other interested parties and the general public regarding an actual development proposal that has the potential to generate significant adverse effects on the environment.

Non-notification of development standard infringements means, for example, that the proposed height limits could be significantly exceeded without notification (unless it is determined that “special circumstances” apply).

Other standards that could be exceeded without notification include

- tower dimensions;
- the setback from neighbouring properties;
- the minimum size of apartments;
- the requirement for outlook space, and
- the maximum parking provision (which is relied on for the traffic assessment).

7. Effects on the Environment (construction)

Significant effects on the environment are likely to include construction effects, such as traffic, noise, vibration and dust which are likely to have significant adverse effects on the owners and occupiers of neighbouring properties. Noise and vibration from demolition, excavation and piling will be particularly significant.

30.2

Without notification of a specific proposal, there will be no opportunity for neighbours to make a submission on any of these effects.

8. Increased building height

The proposed increases to the maximum building height from the current maximum of 27m are inappropriate:

30.4

- The use of the George Street Datum means that the heights proposed in the plan change are misleading, and differ from the basis for determining the

height of buildings in almost every other part of the City. The justification for this in the AEE is inadequate and fails the tests in section 32 of the Act.

- The effects of the potential 10m height difference between the George Street frontage and the southern end of Height Area A generated by the George Street Datum have not been identified or assessed. This omission is significant because the proposal means that the maximum height of 55m in Height Area A is actually up to 65m above ground level – only 7m less than the maximum height in the Metropolitan Centre Zone.
- The effects of the increased height are likely to be significantly adverse, and include dominance, overlooking, wind and shading (considerable to the south). However, the only opportunity for full assessment will be at the time resource consent is applied for, but non-notification is mandatory for new buildings under the proposed plan change.
- The existing 27m height limit applying to the site under the Auckland Unitary Plan (AUP) has been determined through the Unitary Plan process, taking into account the existing environment including existing buildings and the proximity of the Domain. George Street is a very sensitive zone interface and any change to the maximum height should only be made for compelling reasons.
- Because of the additional height proposed, the proposed building design is crucial and should be assessed through a notified process. It is also important to note that the style of building would be very different to that depicted in the plan change graphics if a non-residential use were to occupy a tower. Again, public input is locked out due to the provisions of the plan change, which allow for development without the scrutiny of a specific proposal.
- In terms of height, the proposal is out of character with existing development in the area or development contemplated under the AUP.
- The proposed height and intensity of development is inconsistent with the expectations of the Mixed Use Zone and is more akin to development anticipated in the Metropolitan Centre Zone.

30.4

9. Assessment of Environment Effects (general)

The AEE is inadequate:

- Not all potential land uses have been assessed;
- Not all potential effects on neighbouring properties have been assessed;
- The cumulative total of retail Gross Floor Area (GFA) that could be established on the site is unlimited, however, the effects of this have not been established; and

30.2

- The effects of other potential activities have not been assessed.

Whilst the plan change specifies that its purpose is to “*deliver a comprehensively designed mixed use development ... utilising the podium to deliver high quality publicly accessible spaces ...*” design outcomes are uncertain and the public spaces are not readily identifiable from outside the site and legibility through the site is obscure.

Because the development described in the plan change is merely a concept design for one option and would be a non-notified restricted discretionary activity, all potential development options should be identified and assessed for their impact in the section 32 report.

10. Transport Assessment

The transport assessment is deficient, for example:

- The traffic effects of the full extent of potential development on the site have not been assessed.
- It is assumed that occupiers or visitors to the proposed development who do not occupy one of the parking spaces provided on the site will not travel to or from the site by car.
- Traffic generation is based on on-site parking spaces rather than demand generated by the area occupied by each of the potential uses. This ignores traffic generated by the development but for which parking is not provided on the site.
- The off-site effects of limiting parking on the site (particularly spillover parking on the street) have not been assessed.
- Access to public transport is described as “excellent”, and this is relied upon in the ITA, but there is no bus route past the site and the train stations are both about 800m away.
- The ITA contains no analysis of traffic effects on the surrounding streets and intersections. Instead, this is left to the non-notified resource consent stage.
- The majority of traffic movements associated with the future development on the site are proposed to be accommodated on Morgan Street but the use of this street is already compromised due to its relatively narrow width and parking on both sides.

It has not been demonstrated that Morgan Street can accommodate additional traffic without significant effects on its operation and efficiency, affecting the use of the street by other traffic (including traffic associated with existing developments which obtain access from that street).

- No tracking curves for cars or trucks have been provided to demonstrate the suitability of any of the proposed site access points.

30.2 | **11. Landscape effects and impact on volcanic cones**

There is insufficient or inadequate assessment of impacts on landscape and views to and from volcanic cones.

This submission is:

30.1 | *To oppose the entire plan change for the reasons set out above.*

The submitter seeks the following decision from the local authority:

To decline the entire plan change.

The submitter wishes to be heard in support of this submission.

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

INSTRUMENT CONTROLLED
PUBLIC NOTICE
AUCKLAND CITY
AUGUST 2020

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

*DD van der Wal
for and on behalf of Body Corporate 192346
Body Corporate Manager, Body Corporate 192346*

Date:

22nd July 2020

Electronic address for service of submitter: darrenv@sbcltd.co.nz

Telephone: 027 406 1987

Postal address: STRICTLY **BODY CORPORATE LTD**

Suite 2-13, 72 Dominion Road

Mt Eden, AUCKLAND

po box 106545 | auckland 1143 | new Zealand

Contact person: [name and designation, if applicable]

Darren van der Wal, Body Corporate Manager on behalf of Domain Terraces Body Corporate 192346



.. Strategy .. Policy .. Planning ..

Submission on Proposed Private Plan Change 44

22 July 2020

Submission to Auckland Council - unitaryplan@aucklandcouncil.govt.nz

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

Submitter details:

Craig Shearer, on behalf of the residents, Domain apartments.
craig@craigshearer.co.nz
PO Box 60-240 Titirangi 0644
021735914

Organisation name:

Domain Apartments
c/- James Carmichael
james@jcarmichael.co.nz

Scope of Submission:

This is a submission on Proposed Private Plan Change 44 ("PC44") to the existing Auckland Unitary Plan:

The specific provisions that this submission relates to are:

The whole proposed plan change, including:

- (i) In summary there is no need for a Plan Change in relation to the objectives and policy direction sought for the Zone.
- (ii) The appropriateness of a new Precinct being located within the Zone.

31.2

31.3	(iii)	The increased height provided for in the Proposed Plan Change.
31.4	(iv)	IX.4.1, Activity Table
31.5	(v)	IX.5(1), Notification
31.6	(vi)	IX.6, Standards
31.7	(vii)	IX.8, Assessment Criteria
31.8	(viii)	Visual/Landscape assessment
31.9	(ix)	Urban character and amenity values
31.10	(x)	Traffic
31.10	(xi)	Consultation
31.2	(xii)	Consistency with the Regional Policy Statement

The proposed private plan change is also considered to be contrary to Part 2 of the Resource Management Act.

The reasons for the submission are:

- (i) The Objectives of PC44 can all be achieved through the resource consent process. Specific provisions such as providing for mixed uses, a pedestrian precinct and plaza, and greater height can all be achieved through the existing zone provisions. Similarly, with the size of the landholdings of the applicant, the policy direction is simply a matter of design in any application for resource consent in the Business - Mixed-Use Zone.
- (ii) Precincts are utilised in the AUP to enable local differences to be recognised. For example, Eden Park, Alexandra Park, the War Memorial Museum, Devonport Naval base, and several of the region's marinas are located within an environment where they require additional provisions (precincts) to fulfil their role in the region. The proposed George Street Precinct has no special or differing characteristics to the rest of the Zone, with similar aspect, land uses, and topography.
- (iii) Height provided in PC44 is inappropriate, including for the following reasons:
 - a. The major reason for PC44 would appear to be to enable significantly greater height to be achieved in the Precinct compared to that provided for in the Zone provisions. The increased height would be incongruous with the surrounding neighbourhood and Zone, which was established during the AUP process because of its homogeneous characteristics of slope, height, and aspect.
 - b. Apart from the building height standards provided for in PC44 for the four height areas, the George Street datum used throughout PC44 is at odds with that used in the rest of the Zone. This creates a false impression of the real heights compared with the rest of AUP and compared to the Zone within which the proposed precinct sits, thus exacerbating the potential and actual effects.
 - c. The proposed precinct provisions provide for further increases in height above the standards as a restricted discretionary consent, without public or limited notification. Considering the effects, the activity class and lack of any notification is inappropriate.
 - d. For most of the Zone 18m is the total allowable height, but the variation control in this area extends this to 27m. Comparing with the same above ground heights as currently provided in the Zone provisions, the applicant is now seeking buildings that are 63.7m high (tower A example provided in the application), 44.2m (tower C), 43.6m (Tower

D), and 29.8m (Tower B), with provisions for greater height through resource consent application.

- (iv) IX.4.1 Activity Table. Many of the proposed new rules in the activity table are either unnecessary or inappropriate for the Zone. For example, A7 and A8 are identical to the Zone provisions so should not be duplicated; A11 provides for increased height as a non-notified restricted discretionary application.
- (v) Notification. Unlike the AUP General rules (resource consent applications above Controlled will be subject to the normal tests for notification) the proposed precinct provisions provide for consents for activities in the Activity Table (in particular A11 height) to be considered without notification. This is inappropriate considering the context of the site, the already considerable exceedance of the Zone heights proposed, and considering the existing Zone provisions already provide for additional height via the height variation control.
- (vi) Standards. In most of the zone 18m is the total allowable height, but the variation control extends this to 27m. The applicant (if comparing apples with apples in terms of height) is now seeking buildings that are 63.7m high (tower A) 44.2 (c) 43.6m (D) and 29.8m (B). The standards proposed are not appropriate as the effects have not been appropriately assessed.
- (vii) Assessment Criteria. Many of the criteria, especially those relating to urban design, would be more suited to a design guide for the precinct. They are very subjective eg “in a manner that contributes to overall character, visual and pedestrian amenity and legibility” and not readily enforceable. Many of these criteria are proposed for development that could occur within the existing Zone provisions.
- (viii) Visual/Landscape assessment.
 - a. Generally, the visual/landscape montages are assessed from locations that are significant distances from the site, for example three are taken on the North Shore, two are obscured by the Museum. These do not provide suitable benchmarks on which to base visual/landscape assessment and should be reviewed.
 - b. Urban character and amenity values. This is a major issue for those living close to the applicant’s sites and have not been assessed appropriately. Urban character and amenity values are very subjective and include the effects of bulk, dominance and shading on the surrounding neighbours. These effects are demonstrated in part by the sequence of photomontages contained in Annexure 2 of the Landscape and Visual report. The montages are not realistic, assuming the entire site could be developed to the maximum permitted height. This will not happen, especially considering the 10 year term of the AUP.
 - c. There is potential for greater height, without notification on the applicant’s site, to potentially exacerbate urban character, amenity and shading effects - there is no such assessment within the application.
- (ix) Traffic. The Integrated Transportation Assessment Report is deficient. The report determines traffic generation based on the restricted car parking environment in the proposal. This would appear to be flawed. A consequence is the traffic generation

assessment fails to adequately assess the ability of the surrounding street networks to accommodate potential additional traffic movements, based not only on car parks numbers provided but increased number of visitors and potential car ownership at the precinct.

The report loosely refers to the existence of two train stations being 800m away. These are at the outer perimeter of the walking catchment from the proposed precinct, and yet the intensity of development proposed at the site is more akin to high density development one would anticipate within close proximity of the transport (train) node itself. No evidence is provided to support dominance of use of public transport compared with private motor vehicles.

(x) Consultation. Due to the significant actual and potential effects upon the local community, consultation on the proposal is best practice but this has not been undertaken.

31.2

(xi) Consistency with the Regional Policy Statement (RPS). The Section 32 report misunderstands the relevance of the application in relation to the RPS objectives and policies. The RPS is a strategic document the purpose of which is to provide an overview of the resource management issues of the region and achieve integrated management of the natural and physical resources of the whole region – it is not a document aimed at providing guidance to individual, piecemeal development proposals.

Whilst the PC44 does provide for intensification, emphasis must also be placed on the need for “integrated management” of the region’s physical resources in this case. The Council, via its AUP development and Independent Hearings Panel process, has strategically assessed the need for intensification in an integrated way and determined how best to give effect to the RPS objectives and policies, in this case those of the Urban Growth and Form section of the RPS. Providing for new locations of greater intensification on an ad hoc basis via very small plan changes, is not strategic, not integrated, and not consistent with the position already adopted through the RPS development process.

Finally, PC44 is not considered to be consistent with Part 2 of the Resource Management Act. The application will not promote sustainable management of the physical resources of the Newmarket community which will affect its ability to provide for its social, economic and cultural well-being. The proposal has not adequately had particular regard to amenity values, nor the maintenance and enhancement of the quality of the environment.

I seek the following decision by Council

31.1 | Decline Proposed Private Plan Change 44

Domain apartments wishes to be heard in support of this submission

Domain apartments could not gain an advantage in trade competition through this submission.



Craig Shearer
Principal
Shearer Consulting Limited
On behalf of Domain Apartments residents

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Darryl Carey

Organisation name:

Agent's full name: Darryl Carey

Email address: darrylrcarey@gmail.com

Contact phone number: 0275621633

Postal address:

2B/19

George St

Newmarket

Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

This submission relates to the George St Precinct proposal for a plan change for the Mixed Use Zone.

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

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

The reason for my or our views are:

I believe the plan change proposal is not appropriate for the following reasons:

1. Building height - Tower A is approximately 2 x height of current tallest building in the zone. It will have significant scale, shading and activity effects on surrounding areas. Top floors will be visible from Museum forecourt, affecting heritage and community value of the Museum Front Lawn public open space. Also the sun shading diagrams are misleading - sun path analysis suggest greater shading or obscuring of winter sun for the rear of many residential apartments on George St.
2. Transport Effects - ITA is based on out of date transport information (at least 4 years old) and ignores the effect of recent & current developments in the area (eg. Mercury Building, Broadway/Alma, current Manson development, Carlton Gore/Morgan). It also contains incorrect information on Morgan St width (not the same as George St) & current constraints. The development proposes to use Morgan St for primary vehicle transport access, which will significantly increase congestion and delay

in the area.

3. Precinct vs Individual Site Consent - The proposed development is better handled as an individual site resource consent, than a plan change for the entire zone. A plan change is unnecessary and will have detrimental effects. The current mixed use zone has a high proportion of higher density residential buildings amongst busy connecting streets. Significant increases in allowable building height, bulk & area will likely encourage more commercial/business activity, causing decrease in amenity for residential and community activities in the area.

32.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined
32.2 32.3

32.2 | Details of amendments: Reduce proposed building height, revise/update integrated transport
32.3 assessment, reduce transport effects, localise application to proposed site, instead of plan change to
32.4 zone 32.4 32.5

Submission date: 22 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

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

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



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Ms/Ms (Full Name)

Alan Herbert Burton + Wendy Alyson Burton

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

Address for service of Submitter

#3D, 27 George St, Newmarket, 1023

Telephone:

021 616 061

Fax/Email:

watburton@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Alan Burton

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 44 (Private)

Plan Change/Variation Name

George Street Precinct, Newmarket

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

33.2
33.3

Plan provision(s)

Location, size, bulk, traffic impact of

Or

Property Address

33.2

proposed development

Or

Map

33.3

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

Please refer to attached document

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

33.1 Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

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

A.A. Burton

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

20/07/20

Date

Notes to person making submission:

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

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

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

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

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

Proposed Plan Change 44 (Private) - George St Precinct, Newmarket

Submission comment from Wendy and Alan Burton, #3D, 27George St, Newmarket

We oppose the Proposed Plan Change 44 (Private) – George St Precinct, Newmarket. We fully support the submission made by the Parkwood Apartments Body Corporate in respect of the proposed plan change.

We oppose the change for the reasons outlined in the Parkwood submission. Fundamentally we believe that this proposal is in direct contradiction to the city's Unitary Plan and the need to keep Auckland suburbs environmentally, socially, and aesthetically in keeping with their existing surroundings. The proposal shows no respect for, or understanding of, sympathetic urban development for this unique Auckland suburb.

We believe the proposed plan change will have seriously detrimental effects in key respects:

Respect for the Domain, Museum and Cenotaph Precinct

The word 'iconic' is much overused in relation to places and objects of value. However, the War Memorial Museum and Cenotaph within the Domain would, by any reckoning, be among the most important of Auckland's iconic buildings and spaces. They are seen by Aucklanders, along with the harbour and volcanic cones, as critical identifiers of the city and its heritage. Any development on the streets bordering the Domain must be done in such a way that it enhances rather than detracts or distracts from the significance of the city's spiritual heart. The bulk and scale of the proposed development opening on to George Street are an affront to this highly sensitive area. The Foundation buildings, themselves with heritage and architectural value, also need to be respected given their immediate proximity. The more recent Titoki Street developments on the Foundation site respect the Domain precinct as well as the adjacent historic buildings. There can be no place in Auckland more deserving of the protection of a robust Unitary Plan than the Auckland Domain and its immediate surroundings. The scale of the proposed development is out of all proportion to its neighbourhood; there is no way the impact of a development of this scale can be mitigated. We believe that the proposed development is totally insensitive; it represents a major visual assault on the Domain, its heritage buildings, and environs.

Traffic

As residents in George Street for some years, we are very aware of current local traffic patterns and the likely traffic impact of any development on the scale of what is proposed. George Street is already a busy connecting street between Carlton Gore and Parnell Roads. It is particularly busy with school traffic generated by Parnell College during the week. It is also much used, along with the nearby Domain parking spaces, by the hundreds of people working in or accessing offices and gyms in George and Morgan Streets. Morgan Street is narrow and already congested. The newly refurbished footpaths are also narrow. Most trips up and down Morgan St during the day require

diverting and/or pulling over, if possible, to give way to oncoming traffic: it is often impossible for vehicles to pass. Clayton Street, at the George St end, is nothing more than an access lane.

Traffic pressure on these three precinct streets from a development of the scale proposed would be unsustainable. The plan shows provision for 403 on-site carparks. Access to these carparks and for all service vehicles is shown as from Morgan St. This is highly problematic; if the 403 figure includes provision for residents, visitors, and users of the retail precinct, major congestion problems can be expected in Morgan Street. Currently, parking spaces are rarely available during working hours in Morgan and George Streets and there is no provision for street parking in most of Clayton Street. Traffic movement to/from the proposed number of residences and traffic movement inevitably generated by the proposed commercial ground level public retail facilities simply cannot be accommodated in the existing George, Morgan, and Clayton Streets.

Wendy and Alan Burton

Submission on Proposed Private Plan Change 44

21st July 2020

Submission to Auckland Council - unitaryplan@aucklandcouncil.govt.nz

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

Submitter details:

Robyn Hughes

17 Dunedin St, St Mary's Bay, Auckland

021 129 2166

Scope of Submission:

This is a submission on Proposed Private Plan Change 44 to the existing Auckland Unitary Plan:

The specific provisions that this submission relates to are:

The whole proposed plan change, and especially:

- 34.2 | 1 The increased height
- 34.3 | 2 The impact upon the character and amenity of the area
- 34.4 | 3 The increased traffic problems
- 34.5 | 4 Lack of consultation

Reasons for this submission are:

I have an apartment in the Domain apartments block on the corner of George and Morgan Street. The proposal to build a massive skyscraper complex amidst the surrounding low rise buildings and the historic green zone of the Domain park and Auckland museum is totally out of character for this area. The excessive height of the proposed structure will dominate all existing buildings including the sympathetically restored Museum building which is an important point of reference for all New Zealanders and visitors alike.

We are informed that there could be at least 324 apartments so that will further create traffic congestion and parking problems in an already congested area.

There has been a total failure to consult with everybody in the community about this project. Surely the community should have a full say particularly when a developer wants to do something contrary to the Unitary plan. We had a huge amount of consultation for the unitary plan. If someone wants to do something contrary to what was agreed in the Unitary Plan that seems wrong to me.

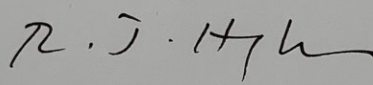
I seek the following decision by Council

34.1 | I request that Proposed Private Plan Change 44 be declined.

I wish to be heard in support of this submission

I will not gain an advantage in trade competition through this submission.

Signed



Robyn Jean Hughes

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alasdair and Joan Thompson

Organisation name:

Agent's full name: D J Thompson

Email address: ajthompson@xtra.co.nz

Contact phone number:

Postal address:
4b 21 George Street
Newmarket
Auckland
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
The height of the four towers.

Property address: 13-15 Morgan Street; 10 Clayton Street , Newmarket

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

First, we like that the plan to build more apartments to be built on the periphery of inner Newmarket with its retail and its nearby public transport and Auckland Domain amenities.
But it is uniquely out of character with the entire Newmarket commercial and residential area ONLY because the four towers are too high. No other site in Newmarket has built to that height and even the most recently built, which happen to be nearby this site, are a maximum of 7 floors above ground. Had the then Proposed Unitary Plan proposed such heights, which have been adhered to by all the recent closely surrounding developments, we, and we believe many other affected property owners would have objected to that.
We therefore think the current Unitary Plan fits with the existing look and amenity value of Newmarket and ask that you uphold the current Unitary Plan which has not been long in affect. But, if you are inclined toward allowing this application, then we ask that you limit the height of the four towers and

35.2 | we would seek a reduction in the height of all four towers as follows:

Tower A: 10 levels including 2 in basement (8+2=10)

Tower B: 7 levels including 2 in basement (5+2=7)

Tower C: 10 levels including 4 in basement (6+4=10)

Tower D: 7 levels including 2 in basement (5+2+7)

Having said that, we emphasise that these heights are the maximum we would accept as being consistent with the character, feel and amenity value of Newmarket's commercial and residential area.

35.3 | While that is our substantive objection to the height of the towers (Character, fee, and Amenity value), our next concern is that the long protected site line to Mt Hobson and Mt Eden volcanic cones maybe impinged upon. If they are the proposed private plan change must not be allowed to do that. should not be allowed.

Thirdly, the height of towers will also impinge on the direct morning sun light we get into the rear two bedrooms of our apartment at 4B/21 George Street Newmarket on our colder South East side of our eight apartment building, which, by the way, was height restricted to 5 floors including 1 basement floor as were all the other built in George Street over the last 20 years when our building was completed.

35.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 22 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

35.1

We are NOT accept plan change 44 as it had been notified. Our submission makes that clear. But we would accept aspects of it other than the height of the four towers in the prop listed plan change 44.

Our first preference is that the existing Unitary Plan not be changed but if Council is of a mind to change it , then we would accept that if the changes did not exceed the heights we have set out in our submission.

Thank you

Alasdair and Joan Thompson

4B/21 George Street

Newmarket 1023

09 303 3951

021 029 65360

Sent from my iPhone

SUBMISSION to Auckland Council

Proposed plan change 44 (Private) - George St precinct, Newmarket

36.1 | *We oppose the entire proposed change and seek that the plan change be declined.*

36.2 | The section 32 analysis of the proposed plan change is inadequate in that it does not establish that:

- The objectives of the precinct are the most appropriate way to achieve the purpose of the Act; and
- The provisions are the most appropriate way to achieve the objectives.

36.1 | • This use of the plan change process for the proposed development is not in accordance with sound resource management practice in that it subverts the purpose and principles of the Act, the resource management process and the opportunities for public involvement (resource consent by stealth):

- The purpose of the precinct could be readily be achieved by applying for resource consent/s. That would allow for public participation (through notification) in terms of the management of effects such as: construction effects, building design, effects of bulk and scale, effects of the actual mix of activities, and operational effects such as those associated with increased traffic and the proposed limit on the supply of parking spaces.
- A resource consent application (or applications) would have to contain a fully developed proposal and a detailed assessment of effects, with the likelihood of notification (due the scale of development proposed).
- The notified plan change option enables the applicant to obtain approval for substantial height without the scrutiny of an actual proposal.
- This is effectively spot zoning of a site that is much less than 1ha in area.

36.2 | The objectives and policies of the Regional Policy Statement and the underlying Mixed Use Zone are so loosely worded as to offer very little guidance or direction.

• The applicant has failed to satisfactorily explain why a precinct should be identified for this particular site or why the height limit should be increased.

• The establishment of a public plaza appears to be the primary justification for the application of a precinct to the site but this is unlikely to act as a true public space because:

- it is internal within the site,
- it is not certain that it would be readily visible and accessible from each of the surrounding streets,
- it is not intended that it be available for public use 24 hours a day,
- it is not proposed that the plaza and its associated access be protected by a legal mechanism such as an easement.

36.3 | In PC44, non-notification applies to all Restricted Discretionary (RD) activities listed in the precinct's activity table (including infringements of nominated standards). This is inappropriate because it will prevent scrutiny and input by neighbours, other interested parties and the general public regarding an actual development proposal

that has the potential to generate significant adverse effects on the environment.

36.2

Significant effects on the environment are likely to include construction effects, including traffic, noise, vibration and dust which are likely to have significant adverse effects on the owners and occupiers of neighbouring properties. Noise and vibration from demolition, excavation and piling will be particularly significant. Without the notification of a proposal, there will be no ability for neighbours to make a submission on any of these effects.

- Consultation has been inadequate, and non-existent in relation to the owners and occupiers of neighbouring properties, and there is no evidence of consultation with the parks department of Auckland Council.

- The proposed increases to the maximum building height from the current maximum of 27m are inappropriate:

- The use of the George Street Datum means that the heights proposed in PC44 are misleading and differ from the basis for determining the height of buildings in almost every other part of the City. The justification for this in the AEE is inadequate and fails the tests in section 32 of the Act.

- The effects of the potential 10m height difference between the George Street frontage and the southern end of Height Area A generated by the George Street Datum have not been identified or assessed.

- This omission is significant because the proposal means that the maximum height of 55m in Height Area A is actually up to 65m above ground level – only 7m less than the maximum height in the Metropolitan Centre Zone.

36.4

- The effects of the increased height are potentially adverse, and include dominance, overlooking, wind and shading (considerable to the south).

However, the only opportunity for full assessment will be at the time resource consent is applied for, and non-notification is mandatory for new buildings under the PC44 proposed provisions.

- The existing 27m height limit applying to the site under the Auckland Unitary Plan (AUP) has been determined through the Unitary Plan process, taking into account the existing environment including existing buildings and the proximity of the Domain. It provides a step down from the 72.5m limit in the Metropolitan Centre Zone to the open space of the Domain. George Street is a very sensitive zone interface and any change to the maximum height should only be made for compelling reasons.

We oppose the entire proposed change and seek that the plan change be declined.

Alexandra Garland & Laura Horrocks
bproofgarland@gmail.com

206 and 404 9 Sarawia St Newmarket.

22.7.2020

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Cushla O'Shea

Organisation name:

Agent's full name:

Email address: cushlaoshea@gmail.com

Contact phone number: 0272207628

Postal address:
4B/19 George Street
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
Plan Modification Number: Plan Change 44

Property address: PC 44 George Street Precinct, Newmarket

Map or maps:

Other provisions:
I oppose the specific matters as per below:
The proposed development should be considered as an individual site, without changing the entire area or zone plan.
Reduce proposed height of buildings.
Defer any ruling until sufficient information is submitted - an up to date traffic impact report should be provided by the applicant.

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

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

The reason for my or our views are:

1. Building height, bulk and intensity of the proposal, in which actual and potential adverse effects on neighbouring properties have not been sufficiently avoided or mitigated.
Excessive Visual Dominance of the proposal on adjacent residential properties, particularly Tower A. The 'tower' block will cause shading, loss of views and interference with horizons, affecting heritage value from public spaces, e.g. the Domain and Auckland Museum in particular. Insufficient consideration has been given to surrounding residents rights to access to light and horizons.

The proposal is manifestly more than a minor deviation from what the current plan allows and should not be approved in its current form. The proposed height of the tower A is excessive. Also of note, the Images submitted on the proposal are mischievous as they do not accurately present actual visual impacts. E.g. image from Museum

2. Protection of the Volcanic Cone View Protection Plane - Tikanga Values have not been sufficiently considered.

3. Inaccurate (misleading) determination of predicted shading effects of proposal. Sunpath analysis suggest greater shading or obscuring of winter sun for the rear of many residential George Street Apartments. A reduction of height of the proposed buildings would reduce the effect.

37.2 | 4. Shortfall in Onsite Parking. The proposed plan has a 19% deficit of carparks normally required - this is not a minor deviation and the negative impact on the surrounding area will be more than minor. The proposed apartments are unlikely to be low cost apartments occupied by students without vehicles. Whilst the proposal may evoke the ideological wishes of some, the reality is people have cars. Ministry of Transport statistics in 2018 recorded car ownership has increased 17% over the last decade, and NZ has one of the highest vehicle ownerships in the world. The shortage of parking also does not take into account the recent developments (Mecury Building) and additional people working and living in the area. Current Manson Development also has not been considered. Reduction in height (and number of apartments) will assist the imbalance.

5. Traffic effect/Impact information in the report is dated and due to its age it is inaccurate and cannot be relied upon. Some aspects are incorrect. George Street and Morgan Street are not the same width! Traffic congestion in the immediate area has significantly increased in recent years, particularly with the recent implication of bus lanes in Khyber Pass, Carlton Gore and/or George Street to Broadway/Parnell Road is a Newmarket Bypass and congestion has vastly increased. The development proposes to use Morgan Street for primary vehicle access which will significantly increase congestion and delay for Newmarket residents and visitors, and would allow significant detrimental effects to amenity of residents. Proposed improved pathway to the Domain - there is no footpath on the adjoining Domain area, so it is not a natural pathway.

6. Individual Site Consent vs Plan Amendment. This development would be better considered individually vs the possibility the same height and bulk be applied across the precinct, which would without doubt negatively impact the amenity of the surrounding public spaces and neighbourhood.

The cumulative effects caused by the proposal have not been sufficiently mitigated and are more than minor.

37.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

Details of amendments: Reduction in height, revise traffic impact report, modify application to site consent only,

37.2

37.3

37.4

Submission date: 22 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

**For: Planning Technician
Unitary Plan
Auckland Council**

**From: Donald Kay Keung Yung
15 Orakei Road
Remuera
Auckland 1050
yung@xtra.co.nz**

Declaration of Interest

I am an owner of two tenanted properties of Domain Terraces at 1 George Street. My wife is also an owner of one tenanted property of Parkwood Apartments at 27 George Street.

Aim

38.1 | I oppose the entire plan change for the reasons below, and I seek the Local Authority to decline the entire plan change.

Reasons for my objection

1. The proposed increases to the maximum building height from the current maximum of 27 m are inappropriate. The effects of the increased height are potentially adverse, and include dominance, overlooking, wind and shading.
2. In light of the proposed increases to the maximum building height, the construction effects (such as traffic, noise, vibration, water pollution, smell, dust and fire hazard) which are likely to have significant adverse impacts on the owners and occupiers of nearby properties for an abnormally long period of time.
3. The cumulative total of retail Gross Floor Area that could be established on the site is unlimited. Therefore, the population gaining access to this area in future (as well as the consequential effect) is also unable to quantify.
4. The traffic issues (including spill over street parking) of the full extent of potential development on the site have not been addressed.
5. Auckland Domain is Auckland's oldest park and is one of the largest in the city. It is the extinct cone of Pukekawa volcano and has an extensive history of Maori and European use. Any plan change in the surrounding areas should be denied unless it is proven absolutely necessary. PC44 hasn't yet been able to justify its need in this regard.

I thank you for your attention and look forward to your favourable response.

Kind regards,
Donald Yung

Form 5

Submission on notified proposal for policy statement or plan, change or variation*Clause 6 of Schedule 1, Resource Management Act 1991*

To: Auckland Council
 Unitary Plan
 Private Bag 92300
 Auckland 1142

Attention: Planning Technician

And by email to: unitaryplan@aucklandcouncil.govt.nz

Name of submitter: **Roger & Julie France**

This is a submission on the following proposed plan change proposed to the following plan (the **proposal**):

Proposed Plan Change 44 (Private) – George Street Precinct, Newmarket Auckland under the Auckland Unitary Plan (Operative in Part)

The submitter could not gain an advantage in trade competition through this submission.

The submitter is directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The specific provisions of the proposal that my submission relates to are:

1. The scale and intensity of the proposed development raises concerns around:
 - Traffic flows and congestion in Morgan Street as its operational width effectively dictates a one-way limitation for most of its length;
 - Density – with the potential for 324 apartments, many of which are small 1BR/2BR and 500 carparks in four towers with close proximity to one another. Without considered design, there is the likelihood that the site will have a very low amenity for residents and visitors;
 - Quiet enjoyment and amenity issues for residents (existing and future, both on and adjacent to the site) if the site is developed as a food and beverage precinct with unlimited activities and hours of operation. Particular concern relates to the possible number, size and operating hours of licensed premises.


- 39.3 | 2. The proposed 65m height of the tower in the plan change raises many environmental concerns. In addition to the need to preserve sightlines to and from the volcanic cones, it is completely out of context and character with the immediately surrounding area, specifically:
- the 4 storey development on the Foundation for the Blind site;
 - the Auckland War Memorial Museum (possibly Auckland's best loved building);
 - the Auckland Domain, the City's oldest park; and
 - the wider Newmarket area.
- 39.4 | 3. The increased vehicular traffic on access to our carparks off Morgan Street which have two entry points. I note the proposal assumes the primary vehicle access will be off Morgan Street with secondary access off Clayton and George Streets.
- 39.3 | 4. The impact of a building twice as high as "Parkwood" on the local environment. It will tower over everything in its vicinity (I imagine similar to "The Sentinel" in Takapuna). It will seriously dominate views from around the Domain and, for example, will be clearly visible across the harbour from Devonport.
- 39.5 | 5. The use of a plan change to introduce a precinct, which means that the proponent will achieve a "building envelope" for the site within which certain activities must be assessed on a non-notified basis, for example, any new buildings, or additions and alterations of buildings, or buildings which exceed the proposed height limits. The ability to alter the minimum size of apartments is of particular concern. Such a blanket non-notification rule is not appropriate or acceptable.
- 39.3 | 6. The proposal is not suited to the underlying Mixed Use Zone which refers to its purpose of "managing the effects of building height".
- 39.6 | 7. Construction effects are also likely to be significant.

This submission is:

- 39.1 | *To oppose the entire plan change for the reasons set out above.*
- The submitter seeks the following decision from the local authority:
- To decline the entire plan change.*

The submitter wishes to be heard in support of this submission.

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


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

Date:

22 July 2020

Electronic address for service of submitter: roger@grwfrance.com

Telephone: 021909500

Postal address: 7E, Parkwood, 27 George Street, Newmarket 1023

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Katherine Lester Chairperson

Organisation name: 11 George Body Corporate 344700

Agent's full name:

Email address: 11georgestreet@gmail.com

Contact phone number: 0212432542

Postal address:
2E/11 George Street
Newmarket
Newmarket 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Property address: 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket

Map or maps:

Other provisions:

40.2 | Regarding the proposed change to remove the 27 metre height variation control and introduce building height up to 65 metres

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

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

The reason for my or our views are:

The height proposed is too big for this area and those streets.

1. It would shadow the east and north side of our George Street building
2. We believe it would create a tunnel effect with wind changes that would affect the outside enjoyment of life for Morgan Street facing balconies
3. Morgan, George and Clayton streets are very small narrow streets, with lots of pedestrians. The traffic volumes are already high, parking is already difficult and it would not only be deleterious in terms of traffic and volume but also potentially more dangerous for pedestrians.

The proposed structure is too big for the site that has been chosen and the 27 metre restriction needs to remain.

40.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 23 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Katherine S Lester

Organisation name:

Agent's full name:

Email address: katherinelester100@gmail.com

Contact phone number: 0212432542

Postal address:
2E/11 George Street
Newmarket
Newmarket 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Property address: 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The proposed change to the height Variation is too high at 65 metres. I would support an increase more in alignment with other residential buildings on the block up to 35 metres, but 65 is significantly more. George, Morgan and Clayton streets are very small and narrow and traffic during rush hour and parking are already a challenge. The development proposed is too large for this location and would significantly impact our quality of life if it goes forward.

In addition the size of the development would block the morning sun (the only sun on our side of the building) for the apartments that do not face the Domain (Carlton Gore and Morgan St facing units.)

41.1 | I or we seek the following decision by council: Amend the plan modification if it is not declined

41.2 | Details of amendments: Height restriction limited to 35 metres above ground level

Submission date: 23 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Yes

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

**SUBMISSION ON PLAN CHANGE 44 (PRIVATE) TO THE AUCKLAND
UNITARY PLAN UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council
Private Bag 92300
Auckland 1142
Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Name of submitter: Downtown House No.2 Limited ("**Submitter**")

Introduction

1. This is a submission on an application for a private plan change ("**Plan Change 44**", "**PC44**") by Newmarket Holdings Development Limited Partnership ("**Applicant**") in respect of the proposal that seeks to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. PC44 proposes to remove the 27 metre Height Variation Control and introduce building height up to 65 metres above ground level. The new precinct will enable mixed use development with a publicly accessible plaza, pedestrian connections and vehicular and pedestrian access to and from George, Morgan and Clayton Streets.
2. The Submitter owns and leases the site at 2 Alma Street, Newmarket, which is located directly adjacent the proposed George Street precinct and the area that is subject to this plan change. The Submitter's site comprises a two- to three-storey mixed use development, accommodating commercial activities on the ground floor and residential activity at upper floors.
3. The Submitter is not a trade competitor for the purposes of the Resource Management Act 1991 ("**RMA**") and in any event is directly affected by an effect of the proposal.

Scope and Reasons for Submission

4. The submitter **opposes** the plan change in its entirety, on the basis that, as notified, it:
 - a) does not promote the sustainable management of resources and therefore will not achieve the purpose and principles of the RMA;
 - b) is not consistent with Part 2 and other provisions of the RMA;
 - c) will not meet the reasonably foreseeable needs of the future generations;

- d) will not enable social, economic and cultural wellbeing;
 - e) is inconsistent with the purposes and provisions of the relevant statutory planning instruments, including the Auckland Unitary Plan – Operative in Part (“AUP”);
 - f) will not avoid, remedy or mitigate significant adverse effects on the surrounding environment.
5. The following comments are made in particular, without derogating from the generality of the above.

Preliminary Comments

6. The Plan Change’s analysis of effects on the Submitter’s property at 2 Alma Street is sub-standard – very light on detail and in the Submitter’s view misrepresentative of the potential for adverse effects, specifically in terms of dominance, shading and associated effects on residential amenity.
7. Further, the plan change proposal appears vague and unnecessarily complex, and therefore potentially misleading particularly in respect of maximum heights of buildings relative to both the AUP and immediately adjoining sites. For example, it is not clear in the Plan Change provisions which “example study” is specifically being pursued in terms of activities and built envelopes or design parameters.
8. Further, the concept design already exceeds the “plan change area” which given the excessive additional built envelope compared to the existing AUP provisions, is unacceptable. Some of the viewpoints chosen for the wider effects of the plan change on Auckland’s skyline are illogical. For example, some viewpoints are chosen from the northern and western side of the Domain where, given the topography in the intervening area, the sites were never perceptible, regardless of height.
9. Finally, the argument presented in the plan change documentation in favour of a plan change rather than a resource consent is not supportable from a planning perspective. Relying solely on the land ownership rather than considering the appropriate urban outcome for the block or even a portion of this block is not a good enough reason to support this ad-hoc approach and definitely does not outweigh the uncertainty and vagueness that arise from the proposal relative to immediately adjoining neighbours such as the Submitter’s site.

Insufficient Information and Assessment

Shading

42.5

10. The analysis in the plan change documentation regarding effects on neighbouring properties is limited. Further assessment is required in respect of the potential for shading and dominance effects, specifically on the Submitter's property. As it stands, the high-level shading analysis indicates that the property at 2 Alma Street will be adversely affected by shading for a considerable period of the day in both summer and winter. Some of this is "permitted" under the AUP already in respect of maximum building heights to 27m, however the plan change exacerbates this effect without mitigation or even specific analysis.

Dominance, including Cumulative Effects

11. The proposal results in the construction of four significantly taller than existing (and plan-enabled) towers in close proximity to the Submitter's site. The cumulative effects on the subject site in terms of amenity (both as an existing two storey development and in the future as an enabled 27m high building) are more than minor, owing to the lack of separation distance and the significant difference in bulk and dominance. At best, the building in Area C is located 20m from the Submitter's site and exceeds 44m in height (10 storeys); and the building in Area A comprises 16 – 18 storeys depending on final design, only 5-6m from the northern boundary.
12. Combined with the existing 27m high building immediately to the east (the Mercury Building), the plan change therefore represents an unacceptable enclosure of the Submitter's site in terms of surrounding built form. The site will be "dwarfed" by the development. This is well illustrated in the plan change documentation, excerpt below, and simply not assessed to any sufficient degree in the application:

Indicative Montage - View K

Plan Change Envelope and existing surroundings

[Faint, illegible text describing the plan change envelope and surroundings]



View from Carlton Gore Road and Clayton Street

Urban Design effects

13. The assessment of urban design effects on the Submitter’s site, and indeed all other immediately adjoining sites within the wider block is nominal in the plan change, with its documentation concluding that the requirement for active edges to the street frontage on Clayton Street results in an overall “neutral-positive effect” on these properties, irrespective of the significant increase in scale and bulk on the plan change sites.

Services, including Transport Network and Capacity

42.6

14. The plan change is unclear in respect of how the current function of Clayton Street may be impacted and the consequential effects on the use and access of the Submitter’s site and others on Clayton Street. The Integrated Transport Assessment identifies that the potential traffic generation needs to be capped through the introduction of a maximum of 500 car parks but this still represents a considerable increase in intensity on the network in the immediate and wider surroundings. This again has not been sufficiently assessed in the Submitter’s view.

15. The infrastructure report that accompanies the application pushes a significant portion of assessment in respect of effects of the proposal on infrastructure networks and capacity to later consenting stages. This is concerning given the intensity of development compared to what is “permitted” under the AUP.

42.7

- 16. It is not clear whether sufficient water (both potable and firefighting), wastewater and stormwater services are available and what subsequent consequential effects on development on surrounding sites might arise – considering the “first in first served” basis in terms of connection and demand.
- 17. Of concern, the plan change documentation acknowledges that there is not sufficient capacity or service available in terms of power supply for the proposed development and that Vector will need to (at the developer’s cost) install significant network upgrades. This may also have implications for development feasibility on surrounding sites and is an effect that has not been clearly addressed in the plan change.

Concluding Comments

- 18. Overall, the plan change application is not comprehensive enough to be certain about the level of effects, nor has it appropriately considered the interface of the precinct area within the surrounding Mixed Use block, specifically the Submitter’s site, which is dwarfed by the scheme and inappropriately compromised in terms of amenity effects and future development potential.

Planning Considerations

42.2

- 19. PC44 intends to introduce a new precinct that enables greater development heights and intensity, in some parts more than doubling the current relatively enabling AUP development height limit of 27m in this locale. The Submitter questions how the Applicant has determined that the only recently operative and transformative AUP framework could be considered restrictive in respect of development in this area. The Submitter considers the AUP-enabled 27m high mixed-use development in this area is appropriate and has been well-tested through that plan making process.

- 20. The Submitter considers the intensity and scale proposed by the plan change introduces effects on plan integrity and risks precedent effects across the widely applied Mixed Use zone.

42.3

- 21. Further, the plan change provisions seek to limit any future engagement with the public and neighbouring properties through non-notification rules (IX.5), essentially streamlining the concept development through the consenting process without recourse for adversely affected parties. This is wholly inappropriate. The Submitter strongly opposes these provisions, particularly given the “once over lightly” approach to assessment in the plan change.

42.4

22. The proposal by the Applicant to allow further height infringements beyond the excessive 65m height limits for the precinct as restricted discretionary activities (IX.4.1(A11)) (again able to be automatically non-notified) is also inappropriate. The Submitter strongly opposes these provisions.

Relief Sought

42.1

23. The Submitter seeks that the Plan Change is declined in its entirety for the reasons set out in this submission.

24. The Submitter wishes to be heard in support of its submission.

25. The Submitter would consider presenting a joint case with others at the hearing.

DATED at Auckland this

23rd

day of **July 2020**

Signed:

Chris Johanson
Property Manager, Downtown House No.2 Ltd

Address for Service:

Integral Property Management
PO Box 2462
Auckland 1140

**SUBMISSION ON PLAN CHANGE 44 (PRIVATE) TO THE AUCKLAND
UNITARY PLAN UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council
Private Bag 92300
Auckland 1142
Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Name of submitter: FourClayton Properties Limited ("**Submitter**")

Introduction

1. This is a submission on an application for a private plan change ("**Plan Change 44**", "**PC44**") by Newmarket Holdings Development Limited Partnership ("**Applicant**") in respect of the proposal that seeks to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. PC44 proposes to remove the 27 metre Height Variation Control and introduce building height up to 65 metres above ground level. The new precinct will enable mixed use development with a publicly accessible plaza, pedestrian connections and vehicular and pedestrian access to and from George, Morgan and Clayton Streets.
2. The Submitter owns and leases the site at 4 Clayton Street, Newmarket, which is located in very close proximity to the proposed George Street precinct and the area that is subject to this plan change. The Submitter's site comprises a two-storey commercial development.
3. The Submitter is not a trade competitor for the purposes of the Resource Management Act 1991 ("**RMA**") and in any event is directly affected by an effect of the proposal.

Scope and Reasons for Submission

4. The submitter **opposes** the plan change in its entirety, on the basis that, as notified, it:
 - a) does not promote the sustainable management of resources and therefore will not achieve the purpose and principles of the RMA;
 - b) is not consistent with Part 2 and other provisions of the RMA;
 - c) will not meet the reasonably foreseeable needs of the future generations;

- d) will not enable social, economic and cultural wellbeing;
 - e) is inconsistent with the purposes and provisions of the relevant statutory planning instruments, including the Auckland Unitary Plan – Operative in Part (“**AUP**”);
 - f) will not avoid, remedy or mitigate significant adverse effects on the surrounding environment.
5. The following comments are made in particular, without derogating from the generality of the above.

Preliminary Comments

6. The Plan Change’s analysis of effects on the Submitter’s property at 4 Clayton Street is sub-standard – very light on detail and in the Submitter’s view misrepresentative of the potential for adverse effects, specifically in terms of built character and dominance, intensity of activity and associated effects on overall amenity.
7. Further, the plan change proposal appears vague and unnecessarily complex, and therefore potentially misleading particularly in respect of maximum heights of buildings relative to both the AUP and immediately adjoining sites. For example, it is not clear in the Plan Change provisions which “example study” is specifically being pursued in terms of activities and built envelopes or design parameters.
8. Further, the concept design already exceeds the “plan change area” which given the excessive additional built envelope compared to the existing AUP provisions, is unacceptable. Some of the viewpoints chosen for the wider effects of the plan change on Auckland’s skyline are illogical. For example, some viewpoints are chosen from the northern and western side of the Domain where, given the topography in the intervening area, the sites were never perceptible, regardless of height.
9. Finally, the argument presented in the plan change documentation in favour of a plan change rather than a resource consent is not supportable from a planning perspective. Relying solely on the land ownership rather than considering the appropriate urban outcome for the block or even a portion of this block is not a good enough reason to support this ad-hoc approach and definitely does not outweigh the uncertainty and vagueness that arise from the proposal relative to neighbouring properties such as the Submitter’s site.

Insufficient Information and Assessment

Shading

- 43.2 | 10. The analysis in the plan change documentation regarding effects on neighbouring properties is limited. Further assessment is required in respect of the potential for shading and dominance effects, specifically on the Submitter's property. As it stands, the high-level shading analysis indicates that the property at 4 Clayton Street will be adversely affected by shading for a considerable period of the day at the September equinox. At other times of the year, the Submitter's site is shaded by the scheme and whilst some of this is "permitted" under the AUP already in respect of maximum building heights to 27m, the plan change exacerbates this effect without mitigation.

Dominance, including Cumulative Effects

11. The proposal results in the construction of four significantly taller than existing (and plan-enabled) towers in proximity to the Submitter's site. The cumulative effects on the site in terms of amenity (both as an existing two storey development and in the future as an enabled 27m high building) are more than minor, owing to the significant difference in bulk and dominance.
12. The intended "slender building form" sought by the plan change provisions and as assessed by the urban design report that accompanied the Application does not resolve these cumulative dominance effects on the lower-scale existing environment of Clayton Street and does not, in the Submitter's view, correspond to an appropriate scale and bulk relative to AUP-enabled development on the surrounding sites either.
13. The plan change therefore represents an unacceptable enclosure of the properties along Clayton Street, including the Submitter's site, in terms of surrounding built form. The sites will be "dwarfed" by the development. This is well illustrated in the plan change documentation, excerpt below, and simply not assessed to any sufficient degree in the Application:



Urban Design effects

14. The Application makes no assessment of urban design effects on the Submitter’s site, and indeed limits any such assessment in the immediate area to 2 Alma Street and 8 Clayton Street. Even then, the assessment is nominal, with its documentation concluding that the requirement for active edges to the street frontage on Clayton Street results in an overall “neutral-positive effect” on these properties, irrespective of the significant increase in scale and bulk on the plan change site.

43.3

15. A specific assessment of effects on the urban design and associated amenity of the properties on Clayton Street, including the Submitter’s site, is necessary, and ought to cover the preceding matters as well as consideration of the overall change in character to the area, even accounting for what development is already enabled by the AUP. It is the Submitter’s view that the plan change far exceeds the intensity of development within this block and those most affected by that increase in intensity have been dismissed as irrelevant by the Applicant.

Services, including Transport Network and Capacity

43.4

16. The plan change is unclear in respect of how the current function of Clayton Street may be impacted and the consequential effects on the use and access of the Submitter’s site and others on Clayton Street. The Integrated Transport Assessment identifies that the potential traffic generation needs to be capped through the introduction of a maximum of 500 car parks but this still represents a considerable

43.4 | increase in intensity on the network in the immediate and wider surroundings. This again has not been sufficiently assessed in the Submitter’s view.

17. The infrastructure report that accompanies the application pushes a significant portion of assessment in respect of effects of the proposal on infrastructure networks and capacity to later consenting stages. This is concerning given the intensity of development compared to what is “permitted” under the AUP.

43.8 | 18. It is not clear whether sufficient water (both potable and firefighting), wastewater and stormwater services are available and what subsequent consequential effects on development on surrounding sites might arise – considering the “first in first served” basis in terms of connection and demand.

19. Of concern, the plan change documentation acknowledges that there is not sufficient capacity or service available in terms of power supply for the proposed development and that Vector will need to (at the developer’s cost) install significant network upgrades. This may also have implications for development feasibility on surrounding sites and is an effect that has not been clearly addressed in the plan change.

Concluding Comments

20. Overall, the plan change application is not comprehensive enough to be certain about the level of effects, nor has it appropriately considered the interface of the precinct area within the surrounding Mixed Use block, specifically the Submitter’s site, which is dwarfed by the scheme and inappropriately compromised in terms of amenity effects and future development potential.

Planning Considerations

43.5 | 21. PC44 intends to introduce a new precinct that enables greater development heights and intensity, in some parts more than doubling the current relatively enabling AUP development height limit of 27m in this locale. The Submitter questions how the Applicant has determined that the only recently operative and transformative AUP framework could be considered restrictive in respect of development in this area. The Submitter considers the AUP-enabled 27m high mixed-use development in this area is appropriate and has been well-tested through that plan making process.

22. The Submitter considers the intensity and scale proposed by the plan change introduces effects on plan integrity and risks precedent effects across the widely applied Mixed Use zone.

43.6

23. Further, the plan change provisions seek to limit any future engagement with the public and neighbouring properties through non-notification rules (IX.5), essentially streamlining the concept development through the consenting process without recourse for adversely affected parties. This is wholly inappropriate. The Submitter strongly opposes these provisions, particularly given the “once over lightly” approach to assessment in the plan change.

43.7

24. The proposal by the Applicant to allow further height infringements beyond the excessive 65m height limits for the precinct as restricted discretionary activities (IX.4.1(A11)) (again able to be automatically non-notified) is also inappropriate. The Submitter strongly opposes these provisions.

Relief Sought

43.1

25. The Submitter seeks that the Plan Change is declined in its entirety for the reasons set out in this submission.

26. The Submitter wishes to be heard in support of its submission.

27. The Submitter would consider presenting a joint case with others at the hearing.

DATED at Auckland this

23^d

day of **July 2020**

Signed:

Chris Turney
Director

Address for Service:

Ergo Consulting Ltd
PO Box 9717
Auckland 1149

**SUBMISSION ON PLAN CHANGE 44 (PRIVATE) TO THE AUCKLAND
UNITARY PLAN UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council
Private Bag 92300
Auckland 1142
Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Name of submitter: TwoMorgan Properties Limited ("**Submitter**")

Introduction

1. This is a submission on an application for a private plan change ("**Plan Change 44**", "**PC44**") by Newmarket Holdings Development Limited Partnership ("**Applicant**") in respect of the proposal that seeks to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. PC44 proposes to remove the 27 metre Height Variation Control and introduce building height up to 65 metres above ground level. The new precinct will enable mixed use development with a publicly accessible plaza, pedestrian connections and vehicular and pedestrian access to and from George, Morgan and Clayton Streets.
2. The Submitter owns and leases the site at 2 Morgan Street, Newmarket, which is located in very close proximity to the proposed George Street precinct and the area that is subject to this plan change. The Submitter's site comprises a two-storey commercial development but is capable of accommodating a 27m-high mixed use development, enabled by the provisions of the Auckland Unitary Plan – Operative in Part ("**AUP**").
3. The Submitter is not a trade competitor for the purposes of the Resource Management Act 1991 ("**RMA**") and in any event is directly affected by an effect of the proposal.

Scope and Reasons for Submission

4. The submitter **opposes** the plan change in its entirety, on the basis that, as notified, it:
 - a) does not promote the sustainable management of resources and therefore will not achieve the purpose and principles of the RMA;
 - b) is not consistent with Part 2 and other provisions of the RMA;

- c) will not meet the reasonably foreseeable needs of the future generations;
 - d) will not enable social, economic and cultural wellbeing;
 - e) is inconsistent with the purposes and provisions of the relevant statutory planning instruments, including the AUP;
 - f) will not avoid, remedy or mitigate significant adverse effects on the surrounding environment.
5. The following comments are made in particular, without derogating from the generality of the above.

Preliminary Comments

6. The Plan Change's analysis of effects on the Submitter's property at 2 Morgan Street is sub-standard – very light on detail and in the Submitter's view misrepresentative of the potential for adverse effects, specifically in terms of built character and dominance, intensity of activity and associated effects on overall amenity.
7. Further, the plan change proposal appears vague and unnecessarily complex, and therefore potentially misleading particularly in respect of maximum heights of buildings relative to both the AUP and immediately adjoining sites. For example, it is not clear in the Plan Change provisions which "example study" is specifically being pursued in terms of activities and built envelopes or design parameters.
8. Further, the concept design already exceeds the "plan change area" which given the excessive additional built envelope compared to the existing AUP provisions, is unacceptable. Some of the viewpoints chosen for the wider effects of the plan change on Auckland's skyline are illogical. For example, some viewpoints are chosen from the northern and western side of the Domain where, given the topography in the intervening area, the sites were never perceptible, regardless of height.
9. Finally, the argument presented in the plan change documentation in favour of a plan change rather than a resource consent is not supportable from a planning perspective. Relying solely on the land ownership rather than considering the appropriate urban outcome for the block or even a portion of this block is not a good enough reason to support this ad-hoc approach and definitely does not outweigh the uncertainty and vagueness that arise from the proposal relative to neighbouring properties such as the Submitter's site.

Insufficient Information and Assessment

Dominance, including Cumulative Effects

10. The proposal results in the construction of four significantly taller than existing (and plan-enabled) towers in proximity to the Submitter's site. The cumulative effects on the site in terms of amenity (both as an existing two-storey development and in the future as an enabled 27m high building) are more than minor, owing to the significant difference in bulk and dominance.
11. The intended "slender building form" sought by the plan change provisions and as assessed by the urban design report that accompanied the Application does not resolve these cumulative dominance effects on the lower-scale existing environment of Morgan Street and does not, in the Submitter's view, correspond to an appropriate scale and bulk relative to AUP-enabled development on the surrounding sites either.
12. The impact in terms of scale will be exacerbated on properties to the south-west, such as the Submitter's site given the change in topography, which sees the properties near and adjoining Carlton Gore Road at the "bottom" of this urban block at least 10m lower in RL than the precinct. Any tall buildings on the ridgeline will therefore appear monumental in comparison to even the AUP-enabled height of 27m in the vicinity of the Submitter's site.
13. The plan change therefore represents an unacceptable adverse dominance effect of the properties along Morgan Street, including the Submitter's site, in terms of surrounding built form. The sites will be "dwarfed" by the development. This is well illustrated in the plan change documentation, excerpt below, and simply not assessed to any sufficient degree in the Application:

44.2

Indicative Montage - View J

Plan Change Envelope and existing surroundings

The montage shown here is indicative only. The schematic 3D rendering in the montage was generated using Autodesk Revit 2016 software. The montage is matched to the same time and date as the photograph. The photograph was taken from 1.35m above pavement level using a full frame DSLR camera with a 50mm focal length lens.



View from Carlton Gore Road and Morgan Street

Urban Design effects

14. The Application makes no assessment of urban design effects on the Submitter’s site, and indeed limits any such assessment in the immediate area to 9, 11, 19, and 25 Morgan Street. Even then, the assessment is nominal, with its documentation concluding that the proposal in an overall “neutral-positive effect” on these properties, irrespective of the significant increase in scale and bulk on the plan change site.

44.3

15. A specific assessment of effects on the urban design and associated amenity of the properties on Morgan Street, including the Submitter’s site, is necessary, and ought to cover the preceding matters as well as consideration of the overall change in character to the area, even accounting for what development is already enabled by the AUP. It is the Submitter’s view that the plan change far exceeds the intensity of development within this block and those most affected by that increase in intensity have been dismissed as irrelevant by the Applicant.

16. The Submitter contends that the overarching urban design principle of “ensuring buildings’ height and massing are positively integrated into the surrounding area” has not been achieved at all.

Services, including Transport Network and Capacity

- 44.4
17. The plan change is unclear in respect of how the current function of Morgan Street may be impacted and the consequential effects on the use and access of the Submitter's site and others on Morgan Street. This is particularly concerning given the plan change's intention to funnel most if not all traffic through its Morgan Street vehicle accesses.
18. The Integrated Transport Assessment identifies that the potential traffic generation needs to be capped through the introduction of a maximum of 500 car parks but this still represents a considerable increase in intensity on the network in the immediate and wider surroundings. This again has not been sufficiently assessed in the Submitter's view.
- 44.5
19. The plan change acknowledges that there is "conflict between the entry to the required pedestrian connection and the vehicle crossings" but dismisses this concern noting that pedestrian activity along Morgan Street is much lower in use compared to Clayton Street. This may be the case now, yet the Application relies heavily on a comparative assessment of all sites along Morgan Street (and indeed everywhere surrounding the site) achieving full bulk and intensity of activity and development as enabled by the AUP. If that is to occur, surely an increase in pedestrian and traffic movements along Morgan Street should be countenanced and considered in the comparative assessment.
20. The infrastructure report that accompanies the application pushes a significant portion of assessment in respect of effects of the proposal on infrastructure networks and capacity to later consenting stages. This is concerning given the intensity of development compared to what is "permitted" under the AUP.
- 44.6
21. It is not clear whether sufficient water (both potable and firefighting), wastewater and stormwater services are available and what subsequent consequential effects on development on surrounding sites might arise – considering the "first in first served" basis in terms of connection and demand.
22. Of concern, the plan change documentation acknowledges that there is not sufficient capacity or service available in terms of power supply for the proposed development and that Vector will need to (at the developer's cost) install significant network upgrades. This may also have implications for development feasibility on surrounding sites and is an effect that has not been clearly addressed in the plan change.

Concluding Comments

23. Overall, the plan change application is not comprehensive enough to be certain about the level of effects, nor has it appropriately considered the interface of the precinct area within the surrounding Mixed Use block, specifically the Submitter's site, which is dwarfed by the scheme and inappropriately compromised in terms of amenity effects and future development potential.

Planning Considerations

44.7 | 24. PC44 intends to introduce a new precinct that enables greater development heights and intensity, in some parts more than doubling the current relatively enabling AUP development height limit of 27m in this locale. The Submitter questions how the Applicant has determined that the only recently operative and transformative AUP framework could be considered restrictive in respect of development in this area. The Submitter considers the AUP-enabled 27m high mixed-use development in this area is appropriate and has been well-tested through that plan making process.

25. The Submitter considers the intensity and scale proposed by the plan change introduces effects on plan integrity and risks precedent effects across the widely applied Mixed Use zone.

44.8 | 26. Further, the plan change provisions seek to limit any future engagement with the public and neighbouring properties through non-notification rules (IX.5), essentially streamlining the concept development through the consenting process without recourse for adversely affected parties. This is wholly inappropriate. The Submitter strongly opposes these provisions, particularly given the "once over lightly" approach to assessment in the plan change.

44.9 | 27. The proposal by the Applicant to allow further height infringements beyond the excessive 65m height limits for the precinct as restricted discretionary activities (IX.4.1(A11)) (again able to be automatically non-notified) is also inappropriate. The Submitter strongly opposes these provisions.

Relief Sought

44.1 | 28. The Submitter seeks that the Plan Change is declined in its entirety for the reasons set out in this submission.

29. The Submitter wishes to be heard in support of its submission.

30. The Submitter would consider presenting a joint case with others at the hearing.

DATED at Auckland this 23rd day of **July 2020**

Signed: Chris Turney
Director

Address for Service:
Ergo Consulting Ltd
PO Box 9717
Auckland 1149

**SUBMISSION ON PLAN CHANGE 44 (PRIVATE) TO THE AUCKLAND
UNITARY PLAN UNDER CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE
MANAGEMENT ACT 1991**

To: Auckland Council
Private Bag 92300
Auckland 1142
Attention: Planning Technician
unitaryplan@aucklandcouncil.govt.nz

Name of submitter: Aclay Limited ("**Submitter**")

Introduction

1. This is a submission on an application for a private plan change ("**Plan Change 44**", "**PC44**") by Newmarket Holdings Development Limited Partnership ("**Applicant**") in respect of the proposal that seeks to introduce a new precinct at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket. PC44 proposes to remove the 27 metre Height Variation Control and introduce building height up to 65 metres above ground level. The new precinct will enable mixed use development with a publicly accessible plaza, pedestrian connections and vehicular and pedestrian access to and from George, Morgan and Clayton Streets.
2. The Submitter owns and leases out the site at 6 Clayton Street, Newmarket, which is located in very close proximity to the proposed George Street precinct and the area that is subject to this plan change. The Submitter's site comprises a three-storey commercial development but is capable of accommodating a 27m-high mixed use development, as enabled by the provisions of the Auckland Unitary Plan – Operative in Part ("**AUP**").
3. The Submitter is not a trade competitor for the purposes of the Resource Management Act 1991 ("**RMA**") and in any event is directly affected by an effect of the proposal.

Scope and Reasons for Submission

4. The submitter **opposes** the plan change in its entirety, on the basis that, as notified, it:
 - a) does not promote the sustainable management of resources and therefore will not achieve the purpose and principles of the RMA;
 - b) is not consistent with Part 2 and other provisions of the RMA;

- c) will not meet the reasonably foreseeable needs of the future generations;
 - d) will not enable social, economic and cultural wellbeing;
 - e) is inconsistent with the purposes and provisions of the relevant statutory planning instruments, including the AUP;
 - f) will not avoid, remedy or mitigate significant adverse effects on the surrounding environment.
5. The following comments are made in particular, without derogating from the generality of the above.

Preliminary Comments

6. The Plan Change's analysis of effects on the Submitter's property at 6 Clayton Street is sub-standard – very light on detail and in the Submitter's view misrepresentative of the potential for adverse effects, specifically in terms of built character and dominance, intensity of activity and associated effects on overall amenity.
7. Further, the plan change proposal appears vague and unnecessarily complex, and therefore potentially misleading particularly in respect of maximum heights of buildings relative to both the AUP and immediately adjoining sites. For example, it is not clear in the Plan Change provisions which "example study" is specifically being pursued in terms of activities and built envelopes or design parameters.
8. Further, the concept design already exceeds the "plan change area" which given the excessive additional built envelope compared to the existing AUP provisions, is unacceptable. Some of the viewpoints chosen for the wider effects of the plan change on Auckland's skyline are illogical. For example, some viewpoints are chosen from the northern and western side of the Domain where, given the topography in the intervening area, the sites were never perceptible, regardless of height.
9. Finally, the argument presented in the plan change documentation in favour of a plan change rather than a resource consent is not supportable from a planning perspective. Relying solely on the land ownership rather than considering the appropriate urban outcome for the block or even a portion of this block is not a good enough reason to support this ad-hoc approach and definitely does not outweigh the uncertainty and vagueness that arise from the proposal relative to neighbouring properties such as the Submitter's site.

Insufficient Information and Assessment

Shading

45.2

10. The analysis in the plan change documentation regarding effects on neighbouring properties is limited. Further assessment is required in respect of the potential for shading and dominance effects, specifically on the Submitter's property. As it stands, the high-level shading analysis indicates that the property at 6 Clayton Street will be adversely affected by shading for a considerable period of the day at the September equinox. At other times of the year, the Submitter's site is shaded by the scheme and whilst some of this is "permitted" under the AUP already in respect of maximum building heights to 27m, the plan change exacerbates this effect without mitigation.

Dominance, including Cumulative Effects

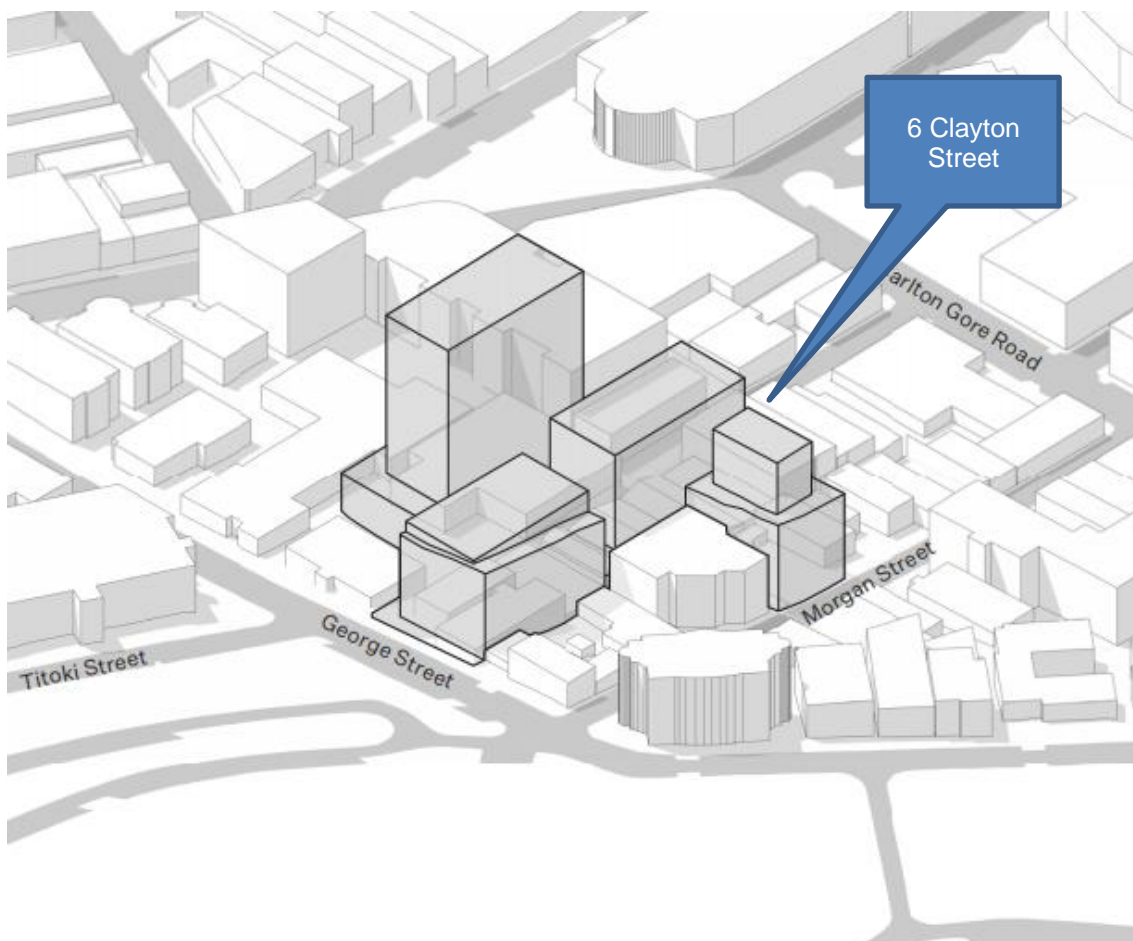
11. The proposal results in the construction of four significantly taller than existing (and plan-enabled) towers in proximity to the Submitter's site. The cumulative effects on the site in terms of amenity (both as an existing three-storey development and in the future as an enabled 27m high building) are more than minor, owing to the significant difference in bulk and dominance.
12. The intended "slender building form" sought by the plan change provisions and as assessed by the urban design report that accompanied the Application does not resolve these cumulative dominance effects on the lower-scale existing environment of Clayton Street and does not, in the Submitter's view, correspond to an appropriate scale and bulk relative to AUP-enabled development on the surrounding sites either.
13. The plan change therefore represents an unacceptable enclosure of the properties along Clayton Street, including the Submitter's site, in terms of surrounding built form. The sites will be "dwarfed" by the development. This is well illustrated in the plan change documentation, excerpts below, and simply not assessed to any sufficient degree in the Application:

Plan Change Envelope and existing surroundings

The montage shown here is indicative only. The schematic 3D model shown in the montage was generated using Autodesk Revit 2018 software. The montage is matched to the same time and date as the photo. The photo is taken from 1.75m above pavement level using a full frame DSLR camera with a 50mm focal length lens.

Approximate Geolocation: N801576, E401079
Approximate RL of Ground: 52.97
Date and Time: 16/01/2020, approximately 10am

Extent of Plan Change Envelope (exceeds scope of photo)





Urban Design effects

14. The Application makes no assessment of urban design effects on the Submitter’s site, and indeed limits any such assessment in the immediate area to 2 Alma Street and 8 Clayton Street (the latter being an existing residential development on the northern boundary of the Submitter’s site). Even then, the assessment is nominal, concluding that the requirement for active edges to the street frontage on Clayton Street results in an overall “neutral-positive effect” on these properties, irrespective of the significant increase in scale and bulk on the plan change site.

45.3

15. A specific assessment of effects on the urban design and associated amenity of the properties on Clayton Street, including the Submitter’s site, is necessary, and ought to cover the preceding matters as well as consideration of the overall change in character to the area, even accounting for what development is already enabled by the AUP. It is the Submitter’s view that the plan change far exceeds the intensity of development within this block and those most affected by that increase in intensity have been dismissed as irrelevant by the Applicant.

16. It is not acceptable in the Submitter’s view to limit sensitivity of viewing audience to those properties that only currently accommodate residential activity. All of the surrounding properties are zoned Mixed Use and all can accommodate residential activity as a permitted activity under the AUP. To this end, the assessment of the

impact must be on the anticipated amenity of both existing and future residents in the area.

Services, including Transport Network and Capacity

45.4 | 17. The plan change is unclear in respect of how the current function of Clayton Street may be impacted and the consequential effects on the use and access of the Submitter’s site and others on Clayton Street. The Integrated Transport Assessment identifies that the potential traffic generation needs to be capped through the introduction of a maximum of 500 car parks but this still represents a considerable increase in intensity on the network in the immediate and wider surroundings. This again has not been sufficiently assessed in the Submitter’s view.

18. The infrastructure report that accompanies the application pushes a significant portion of assessment in respect of effects of the proposal on infrastructure networks and capacity to later consenting stages. This is concerning given the intensity of development compared to what is “permitted” under the AUP.

45.5 | 19. It is not clear whether sufficient water (both potable and firefighting), wastewater and stormwater services are available and what subsequent consequential effects on development on surrounding sites might arise – considering the “first in first served” basis in terms of connection and demand.

20. Of concern, the plan change documentation acknowledges that there is not sufficient capacity or service available in terms of power supply for the proposed development and that Vector will need to (at the developer’s cost) install significant network upgrades. This may also have implications for development feasibility on surrounding sites and is an effect that has not been clearly addressed in the plan change.

Concluding Comments

21. Overall, the plan change application is not comprehensive enough to be certain about the level of effects, nor has it appropriately considered the interface of the precinct area within the surrounding Mixed Use block, specifically the Submitter’s site, which is dwarfed by the scheme and inappropriately compromised in terms of amenity effects and future development potential.

Planning Considerations

22. PC44 intends to introduce a new precinct that enables greater development heights and intensity, in some parts more than doubling the current relatively enabling AUP development height limit of 27m in this locale. The Submitter questions how the

Applicant has determined that the only recently operative and transformative AUP framework could be considered restrictive in respect of development in this area. The Submitter considers the AUP-enabled 27m high mixed-use development in this area is appropriate and has been well-tested through that plan making process.

45.6

23. The Submitter considers the intensity and scale proposed by the plan change introduces effects on plan integrity and risks precedent effects across the widely applied Mixed Use zone.

24. Further, the plan change provisions seek to limit any future engagement with the public and neighbouring properties through non-notification rules (IX.5), essentially streamlining the concept development through the consenting process without recourse for adversely affected parties. This is wholly inappropriate. The Submitter strongly opposes these provisions, particularly given the “once over lightly” approach to assessment in the plan change.

45.7

25. The proposal by the Applicant to allow further height infringements beyond the excessive 65m height limits for the precinct as restricted discretionary activities (IX.4.1(A11)) (again able to be automatically non-notified) is also inappropriate. The Submitter strongly opposes these provisions.

45.8

Relief Sought

45.1 | 26. The Submitter seeks that the Plan Change is declined in its entirety for the reasons set out in this submission.

27. The Submitter wishes to be heard in support of its submission.

28. The Submitter would consider presenting a joint case with others at the hearing.

DATED at Auckland this 23rd day of **July 2020**

Signed: Werner Hanni
Director

Address for Service:
21 Cliff Road
St Heliers
Auckland 1071

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: John Gilbert Ecroyd

Organisation name:

Agent's full name:

Email address: jgenewmarket@gmail.com

Contact phone number: 022 19 29 458

Postal address:
2/12 Sarawia Street
Newmarket
Auckland City 1052

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

Insufficient downstream capacity in the sewerage and stormwater drainage infrastructure will inevitably lead to an increase in wet weather overflows of sewerage to the receiving environment (stream and Waitaramoa/Hobson Bay). Watercare is already unable to keep within the target number (Two) of wet weather overflows from the sewerage set out in the Network Discharge Consent. On site storage of wastewater is required to attenuate the peak wet weather discharge

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

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

The reason for my or our views are:

Insufficient downstream capacity in the sewerage and stormwater drainage infrastructure will inevitably lead to an increase in wet weather overflows of sewerage to the receiving environment. Watercare is already unable to keep within the target number (Two) of wet weather overflows from the sewerage set out in the Network Discharge Consent. On site storage of wastewater is required to attenuate the peak wet weather discharge

46.1 | I or we seek the following decision by council: Accept the plan modification with amendments

46.2 | Details of amendments: On site storage of wastewater is required to attenuate the peak wet weather discharge to limit the load on the existing drainage infrastructure

Submission date: 23 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Robert Thomas Clark

Organisation name:

Agent's full name:

Email address: mrholdings@xtra.co.nz

Contact phone number: 09-3772418

Postal address:
3C/11 George Street
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Property address: 33-37 George Stree,13-15 Morgan Street, 10 Claton Street, Newmarket

Map or maps:

Other provisions:

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

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

47.2 | The reason for my or our views are:
The plan is for a change to 65 meters. This is too tall for the area, it will create a wind tunnel effect around other buildings and block light to the adjacent apartment buildings.

47.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 23 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

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

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

**Submission on publicly notified private plan change request:
Plan Change 44 – George Street, Newmarket**

Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

Submitter:
Auckland Council

Scope of submission:
This is a submission on the whole of proposed private Plan Change 44 – George Street (PC 44).

The specific provisions which my submission relates to are:

All provisions of proposed private PC 44 including:

- the IX. George Street Precinct
- the Auckland Unitary Maps.

Submission:
Our submission is:
PC 44 is opposed.

I (the council) seek the following decision:

- 48.1 | Proposed Plan Change 44 – George Street be declined, or amended as follows:
- 48.2 | A. To retain a building height standard the same as, or similar to the existing 27mm height variation control.
- 48.3 | B. To measure building height within the precinct so that the maximum height of the built form follows the contour of the land rather than a flat plain from the George Street Datum referenced in Table 1X6.1.1. This can be achieved via either of or both the average height or rolling height methods as used in the AUP.
- 48.4 | C. Amend the objectives, policies and rules of the precinct to require the height of built form to:
- a. follow the contour of the flanks of the maunga Pukekawa, and
 - b. ensure that views between the tops of Pukekawa and other maunga including Maungawhau, Te Kōpuke, Maungakiekie, and Ōhinerau, are not interrupted, or that cultural heritage offset is provided if those views are interrupted.

- 48.5 | D. Amend objective 1X.2(2) and associated subordinate policy and rules to explicitly require the avoidance of effects on the backdrop of the profile of the Auckland War Memorial Museum and Cenotaph when viewed from afar, and to avoid visual dominance when the precinct is viewed from the southern entrance and north eastern and western paths to the northern entrance to the museum, as well as from other locations.
- 48.6 | E. Amend the introductory clause to IX.4 Activity table as follows:
All relevant overlay, Auckland-wide and zone activity tables apply unless the activity is listed in Activity Table IX.4.1 below. All relevant rules in the zone, Auckland-wide provisions and any overlays apply in this precinct unless otherwise specified in Activity Table IX.4.1 below.
- 48.7 | F. Amend Activity Table IX.4.1 Activity Table to specify that development that does not comply with standard IX.6.1 Building Height is a non-complying activity.
- 48.8 | G. Amend IX.6.3(3) to provide for 24hr public access to the pedestrian plaza and connections.
- 48.9 | H. Include a standard that requires provision of the active edges specified in George Street Precinct Plan 2.
- 48.10 | I. Include a standard that requires the pedestrian connection type A and the plaza to not be enclosed inside buildings.
- 48.11 | J. Include policy and standards to protect daylight and sunlight access to the proposed public plaza and protect the plaza from wind funnelling or deflection from buildings. Example, provisions can be found in the City Centre sunlight access to public spaces provisions H8.3(30(b), H8.6.2, H.8.4.1(A40), Figure H8.11.4 and Appendix 11. These would need to be customised to the particular circumstances of the proposed public plaza. Infringement of the standards should be a non-complying activity.
- 48.12 | K. Delete IX.5 Notification rule (1) which requires non-notification and replace with text to read:
(1) Any application for resource consent for an activity listed in Table IX.4.1 Activity table will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
(2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).
- 48.13 | L. Delete reference to policy H13.3.(13) within assessment criteria IX.8.2(3)(b). Consider what other policy references or assessment criteria would be appropriate if this rule remains a restricted discretionary activity.

- M. Amend the text and images relating to the reference data as set out in Appendix 5.

The reasons for this submission are:

Background

1. The PC 44 precinct proposes a significant policy change to control of the height of built form in the Business – Mixed Use zoned area adjoining The Domain in the vicinity of George Street. This is in the form of a large increase in allowed building height. The council is concerned that significant adverse effects could arise from these changes. In addition, there is potential for a precedent effect on other similarly zoned areas.
2. There are also matters of good planning practice and urban design that the council requests be addressed in the precinct should it proceed.
3. The following paragraphs set out the council's reasons for opposing the plan change in more detail.

Reasons for decisions requested – A, B, C and D on building height

4. The proposed additional building height enabled by the precinct is not supported for the following reasons:
 - the effect on the human scale of the environment including shading and dominance
 - the relative efficiency of built form
 - inconsistency of built form with the surrounding Business – Mixed Use Zone
 - inappropriate transition in built form from Newmarket through to The Domain
 - inappropriate building height in the context of The Domain, the Auckland War Memorial Museum and Cenotaph, and the status of Pukekawa as a maunga
 - use of a horizontal height datum rather than height following the landform of Pukekawa
 - precedent and cumulative effects of built form in the zone and around The Domain.

These are explained further below.

5. The existing 27m building height control in this part of the Business – Mixed Use Zone provides an appropriate human scale (about 7 to 8 storeys) in an area that is not in a centre and is gradually being redeveloped for apartment living. This 27m scale retains a reasonable element of human relationship

between buildings and the public street. It also reduces shadowing and dominance effects relative to even taller buildings.

6. At the same time, an efficient built form with intensive residential activity can be achieved at 27m building height. This can usually be achieved up to 27m without resorting to planning controls such as tower spacing, tower dimension, tower setback and podiums, used for still taller tower buildings to mitigate effects (as proposed in PC 44). While taller tower buildings offer additional vertical floor levels, the additional spacing controls for tower buildings come at the cost of reduced horizontal buildable space in a given land area. Consequently, the 27m height control represents a scale of built form that remains both efficient and effective in meeting human needs in an intensive urban environment, particularly for residential areas.
7. The proposed tower spacing, and other related precinct controls, do not fully mitigate shading and dominance effects of extra height in a future residential or mixed-use area. Shading and dominance effects may remain significant both within the precinct and the surrounding environment.
8. The proposed increase in height up to 55m or more would provide a tower based built form in the precinct that is not consistent with the evolving human scale environment in the neighbourhood outside the precinct. Other sites outside the precinct under the 27m control may not adopt a tower based built form in the future and overall built form in the precinct may remain inconsistent in the context of the surrounding urban environment (However, refer to paragraphs 25 to 28 for precedent and cumulative effects).
9. The proposed precinct is not in or adjoining the Newmarket centre. Consequently, the proposed additional precinct height is inconsistent with the role of the Business - Mixed Use Zone in providing a transition in built form height between centres and other zones (in this case open space zones).
10. The precinct includes land that is part of the outside tuff ring or volcanic cone of the maunga Pukekawa. The inner part of volcanic cone of Pukekawa is the public reserve known as The Domain which is Auckland's oldest reserve. Appendix 4 contains a geology map of the area. This shows that the full extent of the Pukekawa volcano extends outside The Domain, under the PC44 precinct, to Newmarket. Pukekawa has a less distinctively steep cone than other maunga but nevertheless, the cone lies under the proposed precinct sloping down towards Newmarket. All of Pukekawa, including parts outside the reserve are important parts of Auckland's Mana Whenua and Pākehā heritage. Relevant AUP policy includes:
 - B4.2.1(2)and (3),
 - B6.5.1 (1) and (3),
 - B6.5.2 (1) and (7)(a) and (c), and
 - D14.3(2),(3) and (6).

11. This policy is included in Appendix 1.
12. To give effect to these policies it is important that building height here respects and follows the shape of the maunga by:
 - not being excessive, and
 - following the contour of the maunga ground line rather than a horizontal form based on a horizontal datum or other form that does not follow the contour of the outside of the maunga.
13. Accordingly, height in the precinct should be limited to about 27m and use the AUP rolling or average height methods rather than referencing a horizontal George Street datum.
14. It is also important to mana whenua that culturally significant views between the tops of maunga are retained even if they are not specifically scheduled in as an official viewshaft in the AUP. The extra height enabled by PC44 in the precinct enables buildings that could block views of some of the maunga such as Maungakiekie from Pukekawa as indicated in the application material. This needs to be assessed for viewing points from Pukekawa to other maunga.
15. Either the views of the maunga should be protected or if they are not protected, cultural heritage offset should be incorporated into the precinct as requested by Mana Whenua. Further advice should be sought from Mana Whenua on this matter. The I423 Puhinui Precinct provides one possible example of how a precinct can reflect Mana Whenua values, though the circumstances are different so cannot be translated directly into the PC 44 context.
16. The proposed additional height is inappropriate in the context of the adjoining open space of The Domain and the Auckland War Memorial Museum. For the museum, crucial viewing points to the proposed precinct include:
 - the southern entrance to the museum
 - the western path approach to the northern entrance
 - the eastern car park and approach path to the northern entrance.
17. These locations are highly used by the public and tall buildings in the proposed precinct could be prominent when viewed from these locations (refer to the VLT analysis for tower A in the Assessment of Landscape and Visual Effects). These viewing points do not appear to have been assessed in the Assessment of Landscape and Visual Effects. Refer to Appendix 2 for photos of the locations.
18. More generally, The Domain is a large reserve with extensive open space and tree covered landscape. When moving around inside The Domain, it quickly

becomes apparent that the surrounding city is not prominently visible from inside The Domain. This is a consequence of:

- moderate building height around the edges (Auckland Hospital is an exception)
- topographic elevation of the edges along the rim of the volcanic cone of The Domain that partially screens buildings on land beyond
- mature tree plantings in The Domain that partially screen views of buildings.

19. In other words, The Domain is not enclosed by tall buildings. This is an essential part of the character of The Domain. It allows visitors to escape from the city and enter an extensive area of open space largely removed from the city. The only visually distinctive reminder of the city is the protruding built form of Auckland Hospital to the north west.
20. By way of contrast, Myers Park in the CBD is fully enclosed by tall apartment buildings and the park user experience of that park is a totally urban one.
21. Apart from the hospital, existing buildings in the Newmarket area are not highly visible at the edge of The Domain. This includes the existing 8 – storey apartment block on 27 George Street. This is visible in Photomontage VPT 6 of the Assessment of Landscape and Visual Effects (included in Appendix 3). The existing apartment building is partly visible behind and above the trees but is not a protrusive feature.
22. However, the proposed concept buildings used in the photomontage as representative of the height enabled by the precinct, protrude considerably higher and will be more visible to users of The Domain and will alter their experience of The Domain.
23. Even partial enclosure of The Domain by tall building towers would not be appropriate particularly given its identified significance as:
 - Auckland’s oldest park
 - one of Auckland’s premier Maunga
 - a scheduled Outstanding Natural Feature
 - a scheduled site of place of significance to many Tāmaki Makaurau mana whenua and Kīngitanga
 - a scheduled historic heritage place
 - the site of the Auckland War Memorial Museum and Cenotaph.
24. The existing 27m height control does allow some increase in building height around The Domain, but not in excess of existing buildings in the area. For the reasons given above, it is inappropriate to provide for much taller buildings around the edge of The Domain. This is not to say that it would be inappropriate to have taller tower buildings around some other types of parks in Auckland.

25. There is nothing that significantly differentiates the statutory, physical or human environment of the proposed precinct site, in relation to the surrounding Business – Mixed Use zoned land. Consequently, the circumstances of the site do not give rise to a specific planning rationale for a localised height exception to the zone height standards. For example, while part of the proposed precinct site is not under a volcanic viewshaft, there are also many other sites in the zone to the east that are not under a volcanic viewshaft; so this is not a distinguishing feature, or a justification for a higher height standard.
26. The proposed precinct also sets a precedent for allowing tall buildings further to the west in the zone around the south eastern edge of The Domain. If PC 44 is approved, then it is likely that the same planning logic would be applied to obtain increased height in other parts of zone near The Domain. The precedent could also extend to other similarly zoned areas elsewhere.
27. This could cumulatively result in the south western part of The Domain being enclosed by tall buildings. This would be a cumulative significant effect because of the scale of change in built form over the zone and around The Domain. This would result in a built form and human environment that was totally different than that provided by the current zone provisions. It would also be a major change in policy direction.
28. The council believes that such major precedent setting changes could have significant adverse and cumulative effects, the implications of which have not been appropriately assessed in PC44.
29. The reasons below this point relate to specific provisions within the precinct that the council requests be addressed if the Panel is of a mind to approve PC44. They are set out in the approximate order of the text of the proposed precinct provisions.

Reasons for decisions requested – E priority of overlays and other controls in the precinct

30. The proposed introductory clause to Table IX.4.1 implies that the AUP overlays do not apply to activities listed in the activity table. This is inappropriate and inconsistent with C1.6(3). This clause should be worded so that other AUP provisions apply unless the precinct expressly states otherwise.

Reasons for decisions requested – F consent activity status for buildings that exceed the height standard

31. If the main relief requested to retain a 27m height restriction is not upheld, and the precinct height standards are accepted as proposed, it is important that the precinct height rules provide a firm boundary to further additional height by way of resource consent. Accordingly, the activity table should specify that infringement of the standard is a non-complying activity.

Reasons for decisions requested – G, H, I and J pedestrian connections and plaza

32. Full public access to the pedestrian connections over 24 hours is important if these areas are to form a public connection.
33. The precinct does not contain standards requiring the active edges proposed in the precinct plan for George Street and the pedestrian connections. The proposed standard IX.6.5 Residential along active edges is intended to control residential activity on the active edges but does not actually require the edges to be active. The active edges are important to the future amenity of the area and should not be left to assessment criteria alone. Standards should be included to require the active edges as a priority.
34. It is also important to maintain pedestrian connection type A with as close a resemblance as possible to an open-air public street. Therefore, a standard rather than simply assessment criteria, requiring that this pedestrian connection not be enclosed within a building, would be appropriate.
35. The proposed plaza is intended as a public space providing amenity to the precinct. However, there is insufficient solar access to this plaza because of the tall buildings that could surround it under the proposed precinct provisions and the zone provisions outside the proposed precinct. Without adequate solar access, the amenity of the plaza would be poor. Sunlight access to public space controls similar to the ones used the City Centre Zone should be applied to ensure the plaza can function as proposed.
36. It is noted that the proposed plaza and accompanying pedestrian connection type A face southwest which corresponds to the predominant south westerly wind (refer to Appendix 5 for prevailing winds). In addition, the tall buildings may deflect wind onto the plaza. It is not clear that the built form required by the precinct would meet standard H13.6.8. Wind or be able to comply with Policy H13.3(11).

Reasons for decisions requested – K notification of resource consents

37. The precinct proposes that activities listed in the precinct activity table be non-notified. Given that this includes all buildings and a wide variety of uses and

standards, effectively most activities would not be notifiable. This includes activities that could have more than minor effects or would not meet various criteria for non-notification under the Act as recently amended. Specifying non-notification would be inappropriate and it is more appropriate to rely on the Act's provisions to determine whether or not a resource consent is notified.

Reasons for decisions requested – L assessment of consent applications to exceed the height standards

38. Policy H13.3.(13) is a policy that applies to the development of the business zone controls to enable the application of the height variation control in locations that are “identified” in the plan. It enables the application of the alternative height standards for the Business – Mixed Use zone set in standard H13.6.1(2). The policy could also potentially authorise higher height in a precinct “identified” in the plan provided parts (a) to (d) of the policy are met, which is not clear. However, it is not intended to authorise height above those standards by way of resource consent. It should not therefore be referenced in assessment criteria IX.8.2(3)(b) for the assessment of consent applications to exceed the height standard set in the precinct.

Reasons for decisions requested – M reference point for height

39. The reference datum in PC 44 is Reduced Level above Mean Sea Level. This needs to be updated to comply with the current New Zealand Planning Standard 16.A.2 Electronic Accessibility and Functionality requirements, which requires the use of New Zealand Vertical Datum 2016.

I (the council) wish to be heard in support of this submission.

If others make a similar submission I (the council) would consider presenting a joint case with them at the hearing.

Submission prepared by:
Christopher Turbott
Principal Planner
Auckland Council

On behalf of Auckland Council:

A handwritten signature in black ink that reads "Warren A. MacLennan." The signature is written in a cursive style with a period at the end.

Signature of person authorised to sign on behalf of submitter

Warren MacLennan
Manager Planning North West and Islands
Plans and Places
Auckland Council

Dated: 23 July 2020

Appendix 1: referenced RPS policy.

B4.2.1. Objectives

...

(2) The ancestral relationships of Mana Whenua and their culture and traditions with the landscapes and natural features of Auckland are recognised and provided for.

(3) The visual and physical integrity and the historic, archaeological and cultural values of Auckland's volcanic features that are of local, regional, national and/or international significance are protected and, where practicable, enhanced.

B6.5.1. Objectives

(1) The tangible and intangible values of Mana Whenua cultural heritage are identified, protected and enhanced.

(2) The relationship of Mana Whenua with their cultural heritage is provided for.

(3) The association of Mana Whenua cultural, spiritual and historical values with local history and whakapapa is recognised, protected and enhanced.

B6.5.2. Policies

(1) Protect Mana Whenua cultural and historic heritage sites and areas which are of significance to Mana Whenua...

(7) Include a Māori cultural assessment in structure planning and plan change process to do all of the following:

(a) identify Mana Whenua values associated with the landscape;...

(c) reflect Mana Whenua values.

D14.3. Policies [rcp/dp]...

(2) Manage subdivision, use and development to ensure that the overall contribution of the regionally significant volcanic maunga scheduled as outstanding natural features to the landscape of Auckland is maintained and where practicable enhanced, including by protecting physical and visual connections to and views between the volcanic maunga.

(3) Protect the historic, archaeological and cultural integrity of regionally significant volcanic features and their surrounds by avoiding activities that detract from these values and the mana of the maunga.

(6) Require urban intensification to be consistent with the protection of volcanic features and viewshafts.

Appendix 2: views of the precinct from near the museum

Figure 1. View towards the precinct from southern entrance of the Auckland War Memorial Museum (Taamaki Paenga Hira Memorial Whare Taonga). Views between the grassed foreground and other maunga are also important in the context of the Taamaki Paenga Hira Memorial Whare Taonga (Auckland's memorial to fallen chiefs and their gathered taonga).



Figure 2. View towards the precinct from western path to northern museum entrance. Taken from the path. This path connects the northern edge of the museum, carparking and the Wintergarden. It is popular with the public.



Figure 3. View towards the precinct from western path to the northern museum entrance. Located further west of figure 2. Taken from the path.



Figure 4. View towards the precinct from eastern carpark and path to the northern museum entrance.



Appendix 3: Extracts from VPT6 in Assessment of Landscape and Visual Effects

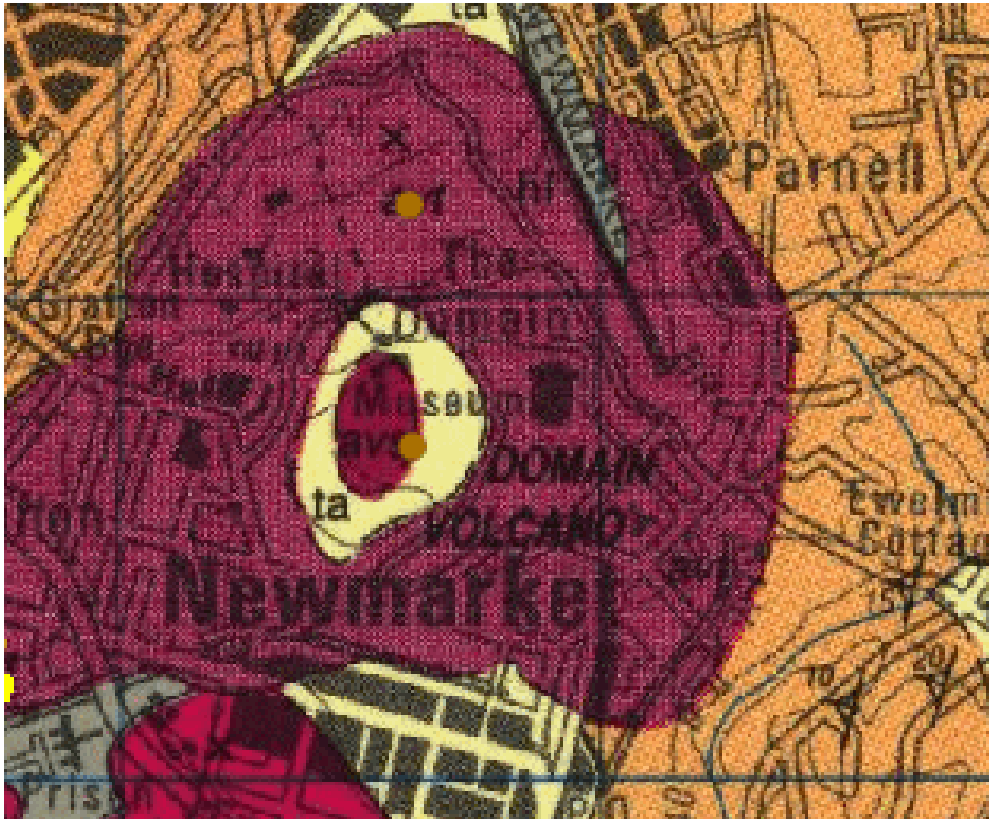


Existing buildings

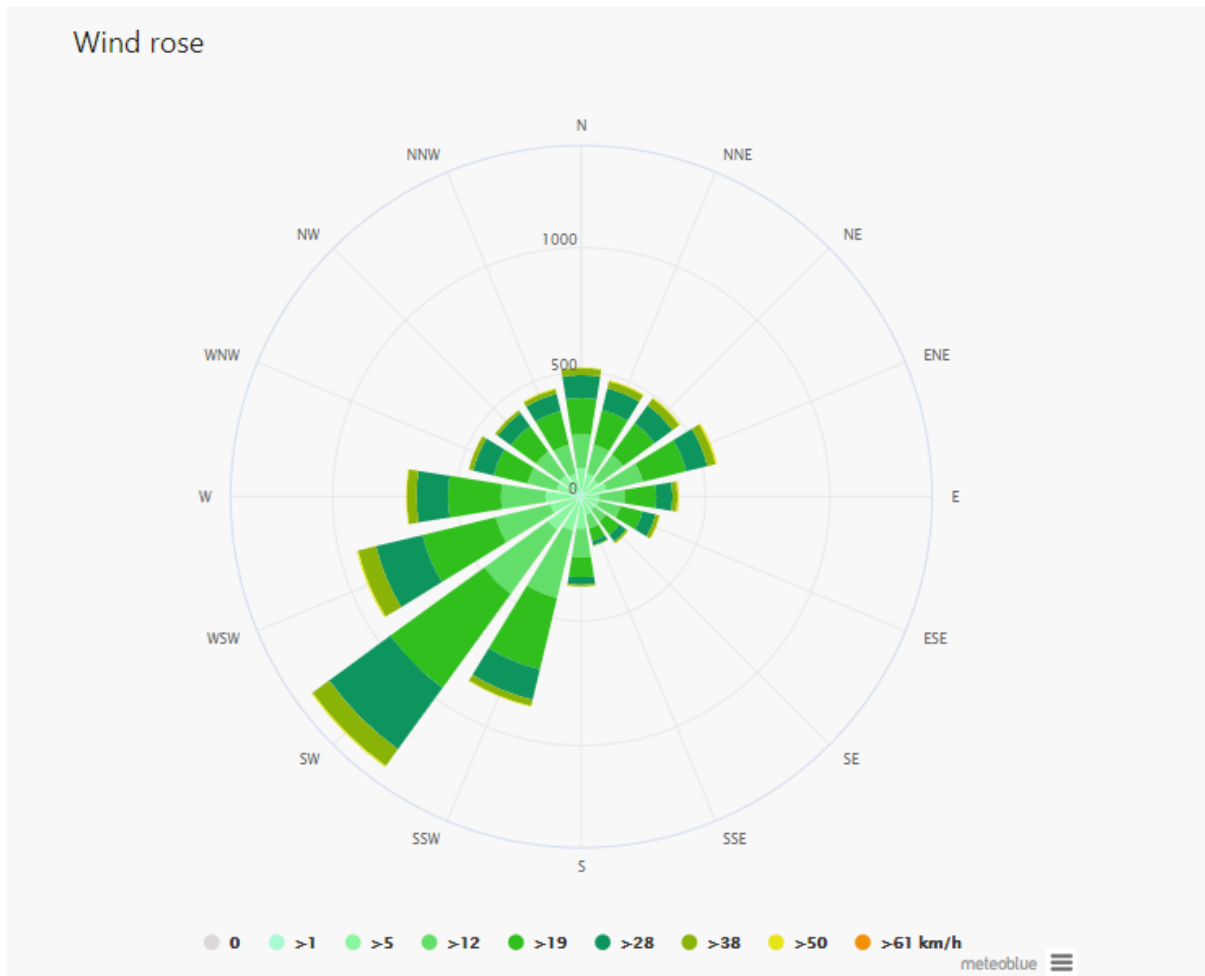


Existing buildings plus applicant's concept for new buildings

Appendix 4: Extract from GNS Geology Maps 1:50,000 series



Appendix 5: Wind rose for Auckland



The wind rose shows how many hours per year the wind blows from the indicated direction. The colour gradations indicate wind speed. The predominant wind is from the south west. This corresponds to the axis of the proposed pedestrian connection and plaza.

Appendix 6: amendments to the datum references.

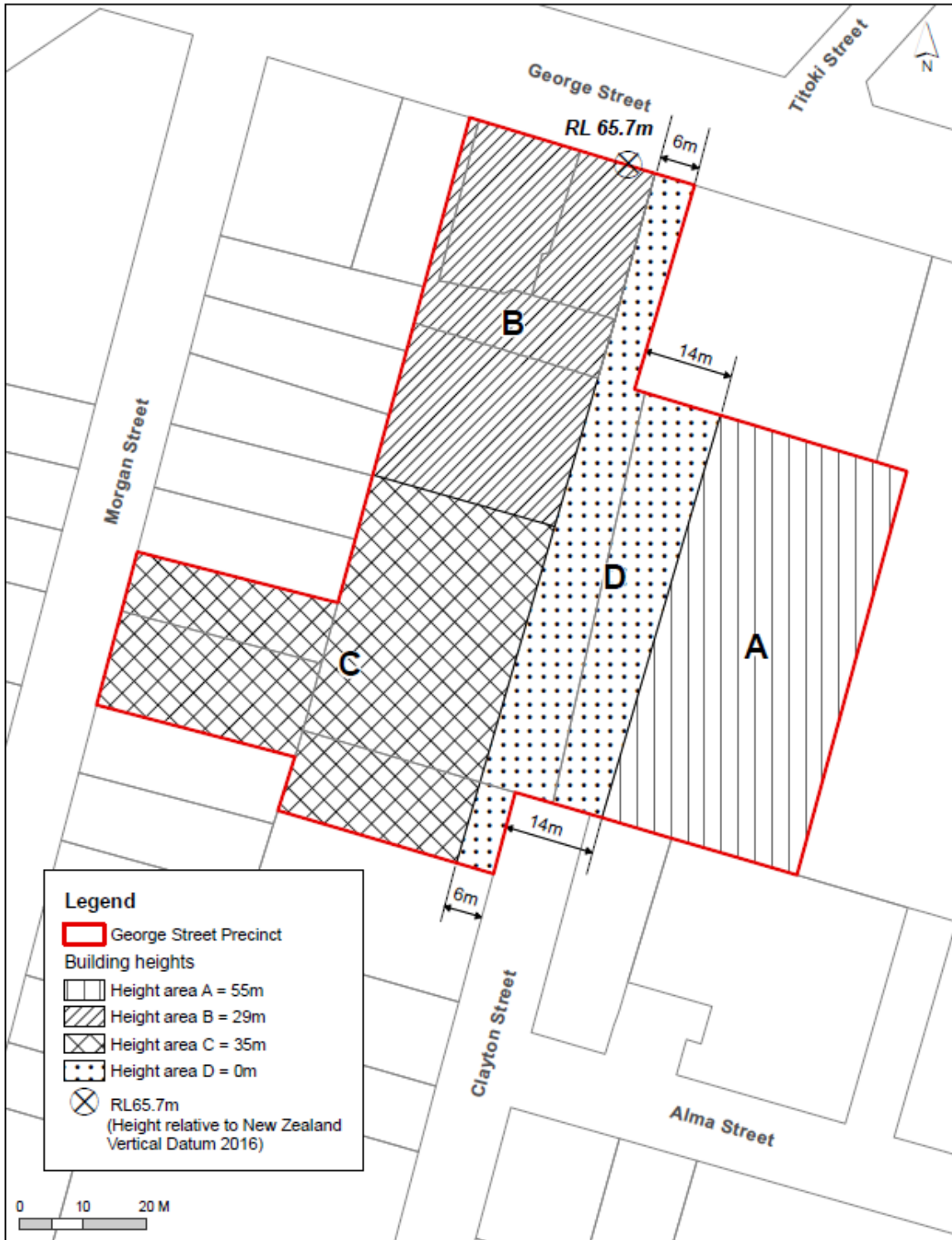
¶

IX.11 Definitions

George Street Datum: The George Street Datum is the reference point for measuring height within the George Street Precinct unless otherwise stated in a rule. The George Street Datum point is located along the precinct's George Street frontage as indicated on Precinct Plan 1. The George Street Datum is approximately ~~66 Reduced Level above Mean Sea Level.~~

¶

Replace with ~~65.7m relative to New Zealand Vertical Datum 2016~~¶



George Street : Precinct plan 1



The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Penelope Jane Hansen

Organisation name:

Agent's full name:

Email address: pjhansen48@gmail.com

Contact phone number: 021 585 078

Postal address:

10 Ada St,
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

Please refer to attached submission

Property address: George St Precinct PPC 44 (Private)

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Please see submission attached as a PDF document which reads as follows:

This submission concerns PPC 44 (Private) George St precinct

I raise the following objections to the proposal:

1 Unitary Plan 6.3 Volcanic Viewshafts and Height Sensitive Areas

Rules in the Unitary Plan allow "The maximum height no greater than 25m or 10% on additional to the existing height of the structure whichever is the lesser"

2 PPC 44 (Private) exceeds this at the final height of 65m.

3 What is the point of specifications in the Unitary Plan if challenges to them are constantly made and developers win the challenge? Developers should know that the rules are the rules.

4 Allowing changes, as in the case of this PPC, gives developers the impression they can submit a plan for approval, gain that approval and then subsequently, slowly, almost imperceptibly, apply to change parts of their original planning approval so that a conflict with the Unitary Plan arises, in the hope of slipping the conflicting change through. They are led to believe they can sidestep the Unitary Plan, and developer creep begins to dominate our city. It needs to be clear that this cannot happen particularly in the case of the viewshafts which are constantly under challenge.

5 The volcanic viewshafts require protection for the following reasons:

- They are iconic emblems of our city. They imprint ourselves on our psyche, they make us proud of our city. They give us moments of calm in the hurly burly of city life. We pause and look up to them, and then we get on with the life of the city.
- They are historic monuments essential to the original story of Maori in our city and crucial to current tikanga. As such they are visible signals to us of our shared history.
- They provide pathways through the city for the birds, insects and people who pass through them, nest and feed in them. Blocking the volcanoes off with buildings confuses these pathways, crucial to species survival in the case of birds and insects.
- In addition the volcanoes enable us to grow tall trees visible from many parts of our city. They provide places for we Aucklanders to grow trees, crucial to our survival in these days of hurtling climate change.

6 Strong and continued adherence to the volcanic viewshaft rules leaves developers in no doubt as to the requirements.

7 The applicants can achieve their objective of a vibrant Newmarket development, great views from their development, without this additional height. Their development will enhance the area without the additional height. The views the development delivers at 65m as opposed to 25m are for the few who can afford to live in the tower, blocking volcanic views for the many.

8 The Newmarket hub, visited by people from all over Auckland, is enhanced by the volcanic viewshafts and visual connection to the Domain and everything should be done to prevent these connections becoming privileged.

9 Allowing this PPC creates a precedent.

Finally, do we want to be the generation that allows our volcanoes to be submerged in a sea of buildings? I think not.

Thank you for the opportunity to make this submission

Penelope Hansen
10 Ada St
Remuera
Auckland, 1050.

Tel 09 630 0335
Mob 021 585 078

1

49.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 23 July 2020

Supporting documents
PPC 44 - PJ Hansen submission.pdf

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

This submission concerns PPC 44 (Private) George St precinct

I raise the following objections to the proposal:

49.2

- 1 Unitary Plan 6.3 Volcanic Viewshafts and Height Sensitive Areas
Rules in the Unitary Plan allow “The maximum height no greater than 25m or 10% on additional to the existing height of the structure whoever is the lesser”
- 2 PPC 44 (Private) exceeds this at the final height of 65m.
- 3 What is the point of specifications in the Unitary Plan if challenges to them are constantly made and developers win the challenge? Developers should know that the rules are the rules.
- 4 Allowing changes, as in the case of this PPC, gives developers the impression they can submit a plan for approval, gain that approval and then subsequently, slowly, almost imperceptibly, apply to change parts of their original planning approval so that a conflict with the Unitary Plan arises, in the hope of slipping the conflicting change through. They are led to believe they can sidestep the Unitary Plan, and developer creep begins to dominant our city. It needs to be clear that this cannot happen particularly in the case of the viewshafts which are constantly under challenge.
- 5 The volcanic viewshafts require protection for the following reasons:
 - They are iconic emblems of our city. They imprint ourselves on our psyche, they make us proud of our city. They give us moments of calm in the hurly burly of city life. We pause and look up to them, and then we get on with the life of the city.
 - They are historic monuments essential to the original story of Maori in our city and crucial to current tikanga. As such they are visible signals to us of our shared history.
 - They provide pathways through the city for the birds, insects and people who pass through them, nest and feed in them. Blocking the volcanoes off with buildings confuses these pathways, crucial to species survival in the case of birds and insects.
 - In addition the volcanoes enable us to grow tall trees visible from many parts of our city. They provide places for we Aucklanders to grow trees, crucial to our survival in these days of hurtling climate change.

- 6 Strong and continued adherence to the volcanic viewshaft rules leaves developers in no doubt as to the requirements.
- 7 The applicants can achieve their objective of a vibrant Newmarket development, great views from their development, without this additional height. Their development will enhance the area without the additional height. The views the development delivers at 65m as opposed to 25m are for the few who can afford to live in the tower, blocking volcanic views for the many.
- 8 The Newmarket hub, visited by people from all over Auckland, is enhanced by the volcanic viewshafts and visual connection to the Domain and everything should be done to prevent these connections becoming privileged.
- 9 Allowing this PPC creates a precedent.

Finally, do we want to be the generation that allows our volcanoes to be submerged in a sea of buildings? I think not.

Thank you for the opportunity to make this submission

Penelope Hansen
10 Ada St
Remuera
Auckland, 1050.

Tel 09 630 0335
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Form 5

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR
PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Auckland Council

Name of submitter: 33 Broadway Trust (*33 Broadway*)

- 1 This is a submission on proposed Private Plan Change 44 – George Street Precinct, Newmarket (*PC44*) to the Auckland Unitary Plan (*AUP*).
- 2 33 Broadway could not gain an advantage in trade competition through this submission.

33 Broadway Nominee Ltd

- 3 33 Broadway is a registered managed investment scheme under the Financial Markets Conduct Act 2013 and is the beneficial owner of the recently developed commercial building at 33 Broadway, Newmarket (*Site*). There are over 500 ultimate investors in 33 Broadway. 33 Broadway's sole purpose is to invest in the Site and it does not hold any other investments. Augusta Funds Management Limited is the manager of 33 Broadway.
- 4 As 33 Broadway is a unit trust, legal title to the Site is held by 33 Broadway Nominee Limited as custodian for 33 Broadway.
- 5 Part of the Site is directly adjacent to the southern boundary of the PC44 area. Vehicle access to the Site is from Alma Street.

PC44 opposed in its entirety

- 6 33 Broadway is generally supportive of the PC44 area being developed comprehensively for mixed commercial and residential uses, but opposes PC44 in its entirety in its current form.

Reasons for submission

- 7 The reasons for this submission are that PC44, in its current form:
 - 7.1 Will not promote the sustainable management of resources, and therefore will not achieve the purpose and principles of the Resource Management Act 1991;
 - 7.2 Will not promote the efficient use and development of natural and physical resources;
 - 7.3 Will not ensure consistency with good resource management practice;
 - 7.4 Is contrary to the Regional Policy Statement within the AUP;
 - 7.5 Is contrary to Part 2 and other provisions of the RMA, including section 75 of the RMA;

- 7.6 Does not represent the most appropriate way to achieve the purpose of the Act, in terms of section 32 of the RMA;
- 7.7 Would have significant adverse effects on the environment, including on the owners and occupiers of the Site;
- 7.8 Would impact on the function, role and amenity of the neighbouring Newmarket Metropolitan Centre; and
- 7.9 Has not been adequately assessed against relevant statutory requirements. For example, 33 Broadway considers the section 32 evaluation provided with PC44 is inadequate. It provides inadequate analysis of the effects from the significant increase in building height limits on neighbouring properties, including the potential adverse effects on the Site. This inadequacy means that the benefits and costs of PC44 cannot be appropriately quantified.

8 Without limiting the generality of the above, the specific reasons for 33 Broadway’s opposition to PC44 in its current form include (but are not limited to):

Building height effects

- 8.1 Proposed Height Area A will permit the greatest height increase across the PC44 area (up to 55m above the proposed podium). As Height Area A of PC44 is located directly adjacent to part of the Site, the Site will potentially experience significant shading, dominance and other visual amenity effects from a future development on Height Area A. The commercial buildings on the Site have been designed to optimise amenity values, including incorporating the use of natural light through a light well. 33 Broadway is concerned that the proposed building height for Height Area A will cause significant adverse effects to the light well, reducing the natural light through the Site.
- 8.2 33 Broadway considers that the proposed building heights for PC44 are disproportionate within the PC44 area and the wider environment. Further, the building heights for the PC44 area were recently considered during the formation of the AUP. Greater building height than the standard zone height was enabled through that process - an increased height of 27m was provided due to the proximity of the PC44 area to the Newmarket Metropolitan zoning. 33 Broadway considers that the existing AUP zone provisions represent the most appropriate way to achieve the purpose of the Act and that a further increase to the building heights for the PC44 area is not appropriate. Reduced height and height in relation to boundary controls along with increased setbacks from the Site may assist in addressing 33 Broadway’s concerns.

50.2 |
50.3 |
50.4 |

Lack of integration

- 8.3 PC44 is restricted to property owned by Newmarket Holdings Development Ltd Partnership and is in effect a spot zoning application. As a consequence, PC44 will not enable development that integrates appropriately into the surrounding area. Rather, the plan change will impact on the expected character of the area and will generate adverse effects that are not in keeping with the area.

50.5 |

- 50.5 | 8.4 Further, the policies that support integrating development of the PC44 area are relatively weak in only “encouraging” comprehensive and integrated development and a mix of heights and “promoting” high-quality architecture and urban design.

General amenity values

- 50.6 | 8.5 PC44 inadequately assesses the adverse effects on amenity values that PC44 will have on the Site, which 33 Broadway considers will be significant. 33 Broadway considers that the proposed planning provisions for PC44 do not adequately avoid, remedy or mitigate the potential adverse effects on amenity values on the Site and the wider Newmarket area.

Transport effects

- 8.6 PC44 inadequately assesses the adverse traffic safety and efficiency effects on the Site and wider road users.
- 8.7 Clayton Street is a one-way street between Carlton Gore Road and Alma Street, allowing vehicles to travel from Carlton Gore Road towards George Street. Alma Street is also a one-way street, allowing vehicles to travel from Clayton Street to Broadway. The Site has basement carparking, which is accessed via Alma Street.
- 8.8 PC44 proposes a secondary vehicle access on Clayton Street, which is likely to result in an increase in traffic movements along Alma Street.
- 8.9 As outlined in the Integrated Transport Assessment, between 2014-2019 the intersection between Alma Street/Davis Crescent/Broadway and Railway Street has resulted in 9 crashes, causing 1 minor injury. 33 Broadway has significant concerns that the increased traffic movements along Alma Street will result in increased traffic safety issues for vehicle users accessing the Site and using the intersection.
- 8.10 Further, 33 Broadway has concerns that the promotion of pedestrian and cyclist connectivity through the PC44 area will significantly increase pedestrians and cyclists using Alma Street to access Broadway and the wider Newmarket area. 33 Broadway has significant concerns that the interaction between pedestrians/cyclists and vehicle users have not been adequately assessed and as a result, there could be significant safety issues.

- 50.7 | 8.11 33 Broadway considers the proposed planning provisions for PC44 do not adequately avoid, remedy or mitigate the potential adverse effects on traffic safety and efficiency for vehicle users, pedestrians and cyclists using Alma Street.

Parking effects

- 50.8 | 8.12 PC44 has the potential to create substantial parking shortages in the area, given the proposal to limit the number of car parking spaces in the George Street Precinct.

Construction effects

- 8.13 33 Broadway has significant concerns as to how construction noise and vibration, construction traffic and the general construction methodology

(particularly in relation to the construction of any building within Height Area A) will adversely affect the Site, particularly over an extended period of time.

8.14 The PC44 site is complex, it enables unusually high buildings for this location and involves the proposed construction of a podium prior to the construction of any buildings. In this context, 33 Broadway considers general reliance on the existing AUP provisions may be insufficient to adequately avoid, remedy or mitigate the potential adverse effects from construction noise and vibration, construction traffic and the general construction methodology that will occur on the Site. This is a particular issue in that PC44 seeks that a wide range of activities be processed on a non-notified basis (eg the restricted discretionary activities listed in Table IX4.1).

50.9 | 8.15 33 Broadway considers bespoke planning provisions or specific management plan requirements should be provided to address the adverse effects from the construction of the PC44 development on its neighbours. There should also be a general prohibition on construction traffic using Alma Road.

Relief sought

9 33 Broadway seeks the following:

50.1 | 9.1 PC44 is rejected in its entirety; or

9.2 PC44 is amended to address 33 Broadway concerns.

Hearing

10 33 Broadway wishes to be heard in support of the submission.

11 If others make a similar submission, 33 Broadway will consider presenting a joint case with them at a hearing

Signed for and on behalf of 33 Broadway Trust by Ben Harding



Ben Harding
Head of Asset Management
23 July 2020

(A signature is not required if you make your submission by electronic means)

Address for service of submitter:

33 Broadway Trust
c/- Will Allan
Augusta Capital
Level 2, 30 Gaunt Street
Auckland 1010
Email address: will.allan@augusta.co.nz

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

Submitter Details
 Rostrevor Edwin Burnell
rburnell@xtra.co.nz
 15/7 Cliff Road
 St Heliers
 Auckland 1071

Scope. This is a submission on Proposed Private Plan Change 44 to the existing Unitary Plan

The specific provisions that this submission relates to are:

The whole proposed plan change and especially:

- 51.2 | 1 The increased height provided for in the Proposed Plan Change.
- 51.3 | 2 The impact on the character and amenity of the area
- 51.4 | 3 The increased traffic problems
- 51.5 | 4 Lack of consultation

Reasons for the submission are

1 Height. The proposed new provisions are excessive for the local environment. They will dominate the local community, overlooking all other buildings, and destroy the precinct as envisaged in the Unitary Plan. The proposed height is at odds with the rest of the zone, and I submit that a maximum height of 27m is appropriate, and this can be achieved with the zoning provisions in the existing Business-Mixed Use Zone for the area.

2 I submit that the Visual/Landscape assessment is deficient, especially in the area of urban character and amenity values. Amenity values in the Resource Management Act means the physical qualities or characteristics of an area that contributes to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. Huge and domineering buildings, more than double the permitted height for this zone, will without doubt destroy these attributes, and will change the character, and the living and recreational environment forever.

3 The Traffic Report would appear to be flawed. The proposed development envisages 324 apartments, plus retail with 500 car parks. Just where will other cars be parked. Likely on the street, or in parking designated for local business, and other residents of the area. The increased traffic will be a nightmare for local residents and impact on those who visit the Domain. Both Morgan and George Street's are narrow and cannot take more traffic. George Street is already a major thoroughfare between Parnell and Carlton Gore Roads. Increased traffic flows will significantly impact on the local community.

4 The applicant company has not discussed their proposals with the local community. It is hard to believe that the changes they propose which will forever change the fabric of a local community, have not been discussed with that community. We are now forced to participate in this process to be heard.

I seek the following decision by Council.

- 51.1 | I Request That The Proposed Private Plan Change 44 Be Declined

I will not gain an advantage in trade competition through this submission.

Signed.
Rostrevor E Burnell

A signed copy is been sent by Post

Sent from my iPad

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: WJR Browne IF Williams

Organisation name: Roland No2 Trust

Agent's full name: Warwick Browne

Email address: warwick@browne.net.nz

Contact phone number:

Postal address:
1B Sarawia St
Newmarket
Auckland 1052

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
The increase of height to 67 meters

Property address:

52.2 | Map or maps:

Other provisions:

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

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

The reason for my or our views are:
I object to the proposed 67 meter height

52.1 | I or we seek the following decision by council: Accept the plan modification

Submission date: 23 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

FORM 5
RESOURCE MANAGEMENT ACT 1991

Submission on notified private plan change 44: George Street Precinct

23 July 2020

Planning Technician
Auckland Council
Private Bag 92300
Auckland 1142
BY EMAIL unitaryplan@aucklandcouncil.govt.nz

Introduction

1. This submission is made on behalf of the Tūpuna Maunga o Tāmaki Makaurau Authority (**the Authority**).
2. The submission is to Proposed Private Plan Change 44 (**the plan change**) to the Auckland Unitary Plan (Operative in part) (**AUP**). This plan change introduces a Precinct Plan and deletes the Height Variation Control – Newmarket, 27m from the site at 33-37 George Street, 13-15 Morgan Street and 10 Clayton Street, Newmarket.

Tūpuna Maunga Authority

3. In 2014, following five years of Te Tiriti of Waitangi settlement negotiations, 14 Tūpuna Maunga were transferred to the 13 iwi/hapū of Ngā Mana Whenua o Tāmaki Makaurau. The Tūpuna Maunga are held in Trust for the benefit of those iwi/hapū and people of Auckland.
4. Governance and administration of the Tūpuna Maunga is undertaken by the Authority. This is a co-governance body with equal representation from mana whenua and Auckland Council (together with a non-voting Crown representative).

5. Under section 109 of the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, the Authority must have regard to the spiritual, ancestral, cultural, customary, and historical significance of the Tūpuna Maunga to Ngā Mana Whenua.
6. The Tūpuna Maunga are among the most significant spiritual, cultural, historical, archaeological and geological landscapes in the Auckland region. The maunga are sacred to Mana Whenua as taonga tuku iho (treasures handed down the generations). The Authority has a direct interest in protecting views to, from and between the Tūpuna Maunga.

Scope of the submission

7. This submission is limited to those provisions that may impact on the Tūpuna Maunga:
 - a. Regionally Significant Volcanic Viewshaft E8 to Maungawhau (Mount Eden), which applies to the western portion of the plan change site. The AUP planning maps record the floor of viewshaft varying from RL 33m to RL 49m; and
 - b. Broader visual connections between maunga because they represent an enduring symbolic connection between tangata whenua groups and distinctive land forms.

Tūpuna Maunga Authority submission

8. In the absence of information to address concerns, the Authority opposes the following specific parts of the plan change:
 - a. Removal of the Height Variation Control - Newmarket, 27m (**HVC**);
 - b. Increased building height; and
 - c. Changes to the measurement for height and ground level by introducing a datum for average ground level.

Reasons for the submission

9. The reasons for this submission are that the plan change:
 - a. Does not promote the sustainable management of resources, and will not achieve the purpose of the Resource Management Act 1991 (**RMA**);
 - b. Is inconsistent with Part 2 of the RMA, particularly sections 6(b), 6(e), 7(a) and 8;
 - c. Does not avoid, remedy or mitigate the adverse effects of the proposal on mana whenua;
 - d. Does not enable an understanding of the effects on visual amenity from, or between the Tūpuna Maunga; and
 - e. Is not the most appropriate way to achieve the objectives of the Auckland Unitary Plan, in terms of section 32 of the RMA.

10. Without limiting the generality of the above, the Authority makes the following additional comments in support of its submission.

Regionally Significant Volcanic Viewshaft E8 to Maungawhau

11. The plan change seeks to replace the HVC and introduce heights of 29m, 35m and 55m. To address a 10m difference in ground level across the site and cap height at a horizontal plane, a podium base height has been introduced. The Authority is concerned that this method of calculating height relative may result in a building height above the floor of the Regionally Significant Volcanic Viewshaft E8 to Maungawhau.

Visual connections between Tūpuna Maunga

12. Photomontages in the Landscape Visual Assessment (**LVA**) prepared by LA4 Landscape Architects show a 55m high building on the site from various viewpoints. This includes from the Tūpuna Maunga of Ōhinerau, Maungawhau, Maungauika and Takarunga.
13. Beyond the Regionally Significant Volcanic Viewshaft E8 to Maungawhau the Authority is concerned there is no discussion on the impact on Maungawhau's profile, legibility, or effect on perceived anchoring within the surrounding landscape. Similarly, when viewed from Maungauika, the building would be visible from different locations, particularly along the eastern and southern sides of the maunga. A singular static presentation is provided and it is unclear if different perspectives have been considered and assessed.
14. There is no assessment on maunga to maunga views. Visual connections between Tūpuna Maunga are part of the cultural landscape that is embedded with identify, meaning and significance to mana whenua. The Authority is concerned that introducing a height at least double the current height immediately east of a Regionally Significant Volcanic Viewshaft reduces the value of the viewshaft and will compromise what remains of these connections.

Decision by the Council

15. The Tūpuna Maunga Authority seeks the following decisions by the Auckland Council:

- 53.1 | a. Decline Private Plan Change 44; or
- 53.2 | b. If Private Plan Change 44 is not declined, amend plan change to confirm:
- 53.3 | (i) the permitted height of any building will not intrude into the Regionally Significant Volcanic Viewshaft E8 to Maungawhau using the datum method of assessing height;
- 53.3 | (ii) the increased building height outside of the Regionally Significant Volcanic Viewshaft E8 to Maungawhau has no impact on the profile of Maungawhau and maunga to maunga visual connections.
- 53.4 | c. Any other relief that addresses the concerns of the Tūpuna Maunga Authority.

16. The Tūpuna Maunga Authority could not gain an advantage in trade competition through this submission.
17. The Tūpuna Maunga Authority wishes to be heard in support of this submission.
18. If others make a similar submission, the Tūpuna Maunga Authority will consider presenting a joint case with them at the hearing.

23 July 2020



Dominic Wilson
Head of Co-governance / Te Pou Mana Whakahaere
Tūpuna Maunga o Tāmaki Makaurau Authority

Address for service of submitter:

Tūpuna Maunga o Tāmaki Makaurau Authority
C/- Dominic Wilson
Private Bag 92300
Victoria Street West
Auckland 1142
dominic.wilson@aucklandcouncil.govt.nz

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Luke Niue

Organisation name: Parnell Community Committee (Inc)

Agent's full name:

Email address: parnellpcc@gmail.com

Contact phone number: 0210554574

Postal address:

Parnell
Auckland 1052

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:

As per the observations/reasons that follow

Property address: George Street Precinct, Newmarket - as per the notified application

Map or maps: As per the notified application

Other provisions:

As per the observations/reasons that follow

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

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

The reason for my or our views are:

Parnell Community Committee (Inc) opposes Plan Change 44 and seeking it be declined.

Points for Parnell, based on past positions are as follows;

This proposal is excessive and the Proposed Plan Change does not detail robustly how environmental effects from development within the Precinct are to be managed or mitigated. The Proposed Plan Change is so permissive as to not provide within it, any checks and balances to ensure the purposes and principles of the RMA are met and also the Objectives and Policies of the AUP.

The Proposed Plan Change does not detail the environmental effects possible from the increase in scale and intensity of development on this site, including visual dominance effects, shadowing, traffic generation.

Parnell is a recognised historic suburb with relatively low to moderate building heights (8-16m) except around the Town Centre and along parts of Parnell Road.

- George St defines the boundary of Parnell and bookends the suburb with the historic heritage category A buildings- for The Royal Foundation for the Blind, at 545 Parnell Road, ID 01794.

- The Domain frames the suburb to the north with its vast open space and historic heritage building, the Auckland War Memorial Museum.

- The Business Mixed Use zoning between George St and Carlton Gore Road continues this coherent pattern in recognition of the historic function of this area as a warehousing and industrial/commercial services location to support

- Newmarket, with its regionally significant Broadway commercial strip. This coherence is recognized in the zoning and height limits prescribed in the AUP. The sensitivity of the area is also articulated in the volcanic cone viewshaft overlay and the Auckland War Memorial Viewshaft overlay, the special character overlays affecting much of Parnell.

54.2 | 5. The proposed Plan Change introduces a new height of 55m (65 total) which is inappropriate in this location. It is beyond what the Unitary Plan (and community) has contemplated. It has the potential to detract from the importance of the Royal New Zealand Foundation for the Blind site in the immediate vicinity, detract from the openness of the landscape of the Domain, with a new 'landmark' building rising in this location and visible for considerable distances.

6. The proposed height is purely self serving for the applicant in presumably creating optimal views for the proposed residential tower. If this new height is permitted on this site, the door is open for this height and other towers to establish randomly, and to the detriment of the AUP Centres based height and zoning hierarchy. PCC has played an active role in seeking appropriate height limits in this area, in the context of a compact city model. PCC supports heights as currently prescribed in the AUP (which have already been raised as a result of AUP hearings and through the introduction of a flexible height overlay).

7. PCC supports mixed use zoning for the site and rejects the need for any specific precinct to be provided for on this site. There are many diverse sites in the mixed use zone which display similar characteristics to the subject site. The reason for the collective size of this land is only aggregation of landholdings by the owner.

54.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 23 July 2020

Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and

- Does not relate to trade competition or the effects of trade competition.

Yes

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

Submission on Proposed Private Plan Change 44

23 July 2020

Submission to Auckland Council. –unitaryplan@aucklandcouncil.govt.nz

Att: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Auckland 1142

Submitter details:

Patricia_Judd

Resident/Owner
5/29 George Street
Newmarket 1020

Scope of Submission:

This is a submission on Proposed Private Plan Change 44(PC44) to the existing Auckland Unitary Plan.

The specific provisions that this submission relates to are:

The whole proposed plan change including:

- 55.2 | (1) There is no need for a plan change in relation to the objectives and policy direction sought for the zone.
- 55.3 | (2) The appropriateness of the new Precinct being located within the zone.
- 55.4 | (3) Traffic
- 55.5 | (4) The increased height provided for in the Proposed Plan Change
- 55.6 | (5) Consultation

.

The reasons for this submission are:

- ¶1) Over recent years the older, often rundown buildings in the neighbourhood have been and are being replaced with modern, visually attractive office blocks, housing and cafes. They have not detracted from the environmental value of the Domain and have been undertaken within the existing Auckland Unitary Plan.
- (2) When considering the appropriateness of the development it is important to consider the present community uses of the neighbourhood.

There are three AGC schools- Titoki Street, George Street and Davis Crescent. There is considerable movement of students and teachers between the schools, usually via George Street or Clayton Street.

Titoki Street also contains 'Birthcare', to which new mothers and babies are taken from hospital at all hours, as well as medical rooms.

'Blind. Low Vision', formerly the Foundation for the Blind. Is in Maunsell Street off Titoki Street and used as a through road to Parnell Road.

All will be affected by the increased numbers and movement of people in this proposed Precinct.

- (3) One of the worrying effects of this planned development will be the traffic flow.

There has been and is a continuing increase along Carlton Gore Road and George Street as vehicle avoid the frequent traffic congestion in Khyber Pass Road, particularly around the Khyber Pass/Gillies Avenue intersection. This traffic movement extends to Titoki from George Street and to Davis Crescent from Carlton Gore Road as it heads to and from Parnell Road and Broadway.

When there is any disruption to the overall traffic flow the roads become clogged. I have experienced an incident when the traffic in George Street was frozen and I had to cancel an engagement because all of the traffic movement in the surrounding streets was stopped for a considerable amount of time. Nothing could get in or out.

Morgan Street is a small narrow street between Carlton Gore and George. Vehicle movement is often difficult to such an extent that last one of the owners/residents contacted the Council to see if Morgan Street could be made one way. He was told that it was not possible. This is the street that is intended to be used for the main traffic exit from the Proposed Precinct with its 400 car parks

The pedestrian crossing in George Street is used by the many students from the three schools, before and after school and during the day. The other vehicle exit from the planned Precinct from Clayton Street is a few yards up above the crossing. If it goes ahead there will be massive pedestrian safety issues.

(4) The proposed height of the towers in PC44 is out of character with the surrounding neighbourhood which has been developing into a pleasant mixed use area and is at odds with attractive urban design.

Consultation with the community on this proposal has been minimal and a disappointment. The notification date was 25th June 2020 and submissions had to be in by the 23 July 2020. A matter of four weeks. At a time when the country was moving from lockdown and just before the school holidays when people often go away.

This development will impact on three schools, Birthcare, 'Blind Low vision' and the many people who have homes in these streets and we were only given four weeks to object. Most disappointing.

55.1 | I seek the following decision by Council
Decine Proposed Private Plan Change.

Patricia Judd

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Raymond Robinson

Organisation name:

Agent's full name:

Email address: arjayrobinson@gmail.com

Contact phone number:

Postal address:
3B/19 George Street
Newmarket
Auckland 1023

Submission details

This is a submission to:

Plan modification number: Plan Change 44 (Private)

Plan modification name: PC 44 (Private) - George Street Precinct, Newmarket

My submission relates to

Rule or rules:
PC 44 (Private)-George Street Precinct, Newmarket

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Concern about the negative effect of PC44

56.1 | I or we seek the following decision by council: Decline the plan modification

Submission date: 23 July 2020

Supporting documents
Apartment submission_20200723184253.309.pdf

Attend a hearing

Do you wish to be heard in support of your submission? No

Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

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

Raymond Robinson

Resident

3B/19 George Street,

Newmarket.

Submission Against Proposed Plan Change 44 (Private)

I am against the proposed Plan Change 44 (Private) for the following reasons:

1. Under the current and previous development plans, the George Street environment that has been steadily eroded from being a pleasant living environment to one of increasing frustration. The pleasant side was a product of the harmony previous plans have produced in terms of the manner in which the blending of residential and commercial has formed over the years. The changes and improvements have been steady but always in keeping with the vision the various plans have nominated. Developments on George Street have generally been a low rise style, giving ample residential stock but also not overpowering the current feel of the residential environment. They have also kept within the height restrictions of the time and this is solely the major contributory factor to the character of George Street.
2. The current proposal under Change 44 to significantly break through the current 27 metre height element is a highly noxious element. It severely changes the style of living environment that has evolved along George Street. The granting of a departure from the current height restrictions would simply not positively contribute to the future form, quality or sense of place for George Street residents.
3. There is a responsibility on the Council Planning to mitigate the increasing congestion on the local Newmarket roads. The current congestion is basically in two forms, road usage congestion and the increasing pressure on parking facilities. In terms of the increased congestion, an all Auckland phenomenon, George Street, is a major bypass for the Newmarket Broadway congestion area. Carlton Gore Road is also part of this bypass

system. Added to this is the pick up of students from the AGC Parnell College and for large parts of the day George Street is already at over capacity. The introduction of bus lanes on Khyber Pass Road has also contributed a large increase of motorists using the George Street bypass. The bike lanes have increased the congestion on Carlton Gore road as well. All these elements have the unintended consequences of congesting the local roads. At times a 2 minute journey from George Street to Khyber Pass Road can take up to 15 minutes, so traffic is now a significant problem on our local roads.

4. Parking locally has been at capacity for years along George Street, Morgan Street, Titoki Street and Carlton Gore Road. This is also the case for any parking in the Auckland Domain. The availability of a parking spot is very much a rarity. Morgan Street with two sided parking has become a single lane road. There is not sufficient room for two way usage along it. George Street has become dangerously narrow in terms of a two way street. A recent accident ended up with 3 parked cars damaged and the offending car on it's side as a result of a driver straying only a half metre or so. Titoki Street is similar to Morgan Street in being a oneway street particularly during school pick up and dropoff periods. Whenever the local business, Academic Hire are active, the increased vehicle activity frequently clogs George Street to a standstill. Driveways are used as convenient parking spots, severely restricting residents access to their homes. Residents are often abused in the latter situations. The figures in the Commute Report are based on 2016 figures and bare no resemblance to today's reality in terms of traffic numbers. In other words, George Street has developed significant traffic problems and is operating well over it's design capacity and there is no available on street parking left.
5. The current Change Proposal 44 will have a significant effect on both traffic issues. There will be an increased vehicle usage, as well as generating another dimension to the existing parking pressure. The Commute Report assesses the car ownership at various percentages using the 2013 Newmarket NZ Statistic survey. This is well out of date. The proposed development is presumably a high end development. The household ownership of cars along George Street apartment residents is very heavily biased towards two and it could be assumed that it would also be the similar in the high end apartments proposed. This would mean a significant increase in George

Street movements and the use of street parking. There will not be sufficient off- street parking for residents of the proposed development and this will overspill onto street parking. There is also no consideration for visitor parking pressure on the on- street parking availability.

- 56.2 |
6. The only method available to maximise the mitigation of the negative effects generated by this proposal is to limit the number of apartments to a minimum by denying the current height increase request.
 7. The current Auckland problems can be squarely put down to either erroneous, flawed or lack of appropriate human decision making. The facts on this project indicate a significant reverse sensitivity issue for the current residents. The planners and decision makers generally do not have to live with any downside, but we the residents do.
 8. Thank you for your consideration.

Form 6

Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

Clause 8 of Schedule 1, Resource Management Act 1991

To Auckland Council
Unitary Plan
Private Bag 92300
Auckland 1142

Attention: Planning Technician

And by email to: unitaryplan@aucklandcouncil.govt.nz

Name of person making further submission: Parkwood Body Corporate 162274

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

Proposed Plan Change 44 (Private) – George Street Precinct, Newmarket, Auckland under the Auckland Unitary Plan (Operative in Part)

The submitter is

- *Not a person representing a relevant aspect of the public interest.*
- *A person who has an interest in the proposal that is greater than the interest the general public has. The grounds for saying that the submitter comes within this category are that the submitter's property has frontage to both George Street and Morgan Street, as has the land the subject of Plan Change 44 and the submitter will be directly affected by the proposed Plan Change and its environmental effects.*
- *Not the local authority for the relevant area.*

I support (*or* oppose) the submission of: see attached.


The particular parts of the submission I support (*or* oppose) are: see attached

The reasons for my support (*or* opposition) are: see attached

I seek that the whole (*or* part) of the submission be allowed (*or* disallowed): as attached

I wish to be heard in support of my further submission.

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



Signature of person making further submission
(*or* person authorised to sign
on behalf of person making further
submission)

Date 22 September 2020

(A signature is not required if you make your submission by electronic means.)

Electronic address for service of person making further submission:
david.mcgregor@envirocounsel.co.nz or rebecca.macky@envirocounsel.co.nz

Telephone: 021936016 or 021933989

Postal address 3C, Parkwood, 27 George Street, Newmarket, Auckland 1023

Contact person: [*name and designation, if applicable*]
David McGregor / Rebecca Macky on behalf of Parkwood Body Corporate 162274

Note to person making further submission

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

**Plan Change 44 (Private) - George Street Precinct, Newmarket
Further Submissions by Parkwood Body Corporate 162274**

Sub #	Sub Point	Name of Submitter	Address for Service	Support/ Oppose Submission	Reasons for Support for or Opposition to the Submission	Whole/ Part of Submission	Allow/ Disallow Submission
2		Marco Creemers c/- Marco Creemers	marco.c@samson.co.nz	Oppose	The use of the plan change process for the proposed development is not in accordance with sound resource management practice, the section 32 analysis supporting the proposed plan change is inadequate, and the adverse effects on the environment as a consequence of development enabled by the proposed plan change have not been appropriately assessed in the application.	Whole	Disallow
7		Cleveland Properties Limited C/- James Hook	james.hook@envivo.nz	Oppose	The use of the plan change process for the proposed development is not in accordance with sound resource management practice, the section 32 analysis supporting the proposed plan change is inadequate, and the adverse effects on the environment as a consequence of development enabled by the proposed plan change have not been appropriately assessed in the application.	Whole	Disallow
10		Moana Point Farms Ltd c/- Michael John Fischer and Gabrielle Lesley Fischer	lesandmichael@gmail.com	Support	The adverse effects of the proposed building height and adverse traffic effects on Morgan Street as identified in the submission.	Whole	Allow
12	12.1	KD Properties, The James Gang Trust (Warwick James, Jennifer Goulding and Dean Ellwood) c/- Jenni Goulding	jennigoulding@gmail.com	Support	The reasons stated in the submission in relation to the use of the plan change process for the proposed development, the adequacy of the section 32 analysis supporting the proposed plan change, and deficiencies in the assessment of adverse effects on the environment as a consequence of development enabled by the proposed plan change.	Whole	Allow
22		Zamin Investment Limited c/- Roya Reyhani	roya@corecity.co.nz	Support	As stated in the submission, the proposed plan change does not promote the sustainable management of natural and physical resources and is not the most appropriate way to achieve the purpose of the RMA; the development enabled by the proposed plan change will result in significant adverse effects; and, if approved, the provisions will result in consistency issues within the Unitary Plan.	Whole	Allow
23		Core City Investments Limited c/- Roya Reyhani	roya@corecity.co.nz	Support	As stated in the submission, the proposed plan change does not promote the sustainable management of natural and physical resources and is not the most appropriate way to achieve the purpose of the RMA; the development enabled by the proposed plan change will result in significant adverse effects; and, if approved, the provisions will result in consistency issues within the Unitary Plan.	Whole	Allow
26	26.1	Auckland Transport c/- Liam Burkhardt	liam.burkhardt@at.govt.nz	Oppose	The submission by Auckland Transport provides support for the proposed plan change conditional on narrowly focused transport related matters being addressed to the submitter's satisfaction. However, for the reasons given in the primary submission of Parkwood Body Corporate 162274, the proposed plan change is fundamentally flawed and should be declined in its entirety.	Whole	Disallow

**Plan Change 44 (Private) - George Street Precinct, Newmarket
Further Submissions by Parkwood Body Corporate 162274**

Sub #	Sub Point	Name of Submitter	Address for Service	Support/ Oppose Submission	Reasons for Support for or Opposition to the Submission	Whole/ Part of Submission	Allow/ Disallow Submission
27		James A Carmichel	james@jcar michael.co.nz	Support	The reasons set out in the submission in relation to building height, the assessment of visual effects and traffic effects, and the lack of consultation.	Whole	Allow
30		Domain Terraces Body Corporate 192346 c/- Darren van der Wal	darrenv@sbcild.co.nz	Support	The reasons set out in the submission in relation to the use of the plan change process for the proposed development, the adequacy of the section 32 analysis supporting the proposed plan change, and deficiencies with the assessment of adverse effects on the environment as a consequence of development enabled by the proposed plan change.	Whole	Allow
31		Domain Apartments c/- Craig Shearer and James Carmichael	craig@craigshearer.co.nz james@jcar michael.co.nz	Support	The reasons set out in the submission, particularly in relation to the use of the plan change process, effects of the height provided for, the notification provisions, the appropriateness of the visual/landscape assessment in the application, the deficiencies of the transport assessment accompanying the application, the lack of consultation, and the lack of consistency with the RPS.	Whole	Allow
42		Downtown House No. 2 Ltd	chris@integralproperty.co.nz	Support	The reasons set out in the submission in relation to the limited nature of the assessment of effects on the environment accompanying the plan change application, the risk of precedent effects, the proposed notification provisions, and the activity status of infringements of the proposed building height standard.	Whole	Allow
43	43.1	FourClayton Properties Limited	admin@formeplanning.co.nz	Support	The reasons set out in the submission in relation to the limited nature of the assessment of effects on the environment accompanying the plan change application, the risk of precedent effects, the proposed notification provisions, and the activity status of infringements of the proposed building height standard.	Whole	Allow
44	44.1	TwoMorgan Properties Limited	admin@formeplanning.co.nz	Support	The reasons set out in the submission in relation to the limited nature of the assessment of effects on the environment accompanying the plan change application, the risk of precedent effects, the proposed notification provisions, and the activity status of infringements of the proposed building height standard.	Whole	Allow
45	45.1	Aclay Ltd	admin@formeplanning.co.nz	Support	The reasons set out in the submission in relation to the limited nature of the assessment of effects on the environment accompanying the plan change application, the risk of precedent effects, the proposed notification provisions, and the activity status of infringements of the proposed building height standard.	Whole	Allow
48	48.1	Auckland Council c/- Christopher Turbott	christopher.turbott@aucklandcouncil.govt.nz	Support	For reasons (1), (2), and (4) to (29) in the submission in relation to the adverse effects, and the precedent effect, of the additional building height proposed with PC44.	Point 48.1	Allow
53	53.1	Tupuna Maunga o Tamaki Makaurau Authority	dominic.wilson@aucklandcouncil.govt.nz	Support	The AEE for PC44 does not include an assessment of the effects on visual amenity from or between the Tupuna Maunga.	Point 53.1	Allow

24 September 2020

Plans and Places
Auckland Council
Private Bag 92300
Auckland 1142
Attn: Bruce Young

Email: unitaryplan@aucklandcouncil.govt.nz

Re: Further Submission for Proposed Private Plan Change 44 – George Street Precinct

Please find attached Auckland Transport's further submission to the submissions lodged on Proposed Private Plan Change 44 – George Street for Newmarket Holdings Development Limited Partnership.

If you have any queries in relation to this further submission, please contact me at liam.burkhardt@at.govt.nz, or on 09 447 4513.

Yours sincerely



Liam Burkhardt
Planner, Land Use Policy and Planning North / West

Further Submission by Auckland Transport on Proposed Private Plan Change 44 – George Street Precinct

To: Auckland Council
Private Bag 92300
Auckland 1142

Further submission on: Submissions to Proposed Private Plan Change 44– George Street for Newmarket Holdings Development Limited Partnership. This plan change is to introduce a new precinct at 33-34 George Street, 13-15 Morgan Street, and 10 Clayton Street, Newmarket to enable mixed use development and alter height provisions.

From: Auckland Transport
Private Bag 92250
Auckland 1142

1. Introduction

- 1.1 Auckland Transport represents a relevant aspect of the public interest and also has an interest in the proposal that is greater than the interest that the general public has. Auckland Transport's grounds for specifying this are that it is a Council-Controlled Organisation of Auckland Council ('the Council') and Road Controlling Authority for the Auckland region.
- 1.2 Auckland Transport's legislated purpose is "to contribute to an effective, efficient and safe Auckland land transport system in the public interest".

2. Scope of further submission

- 2.1 The specific parts of the submissions supported or opposed, and the reasons for that support or opposition, are set out in **Attachment 1**.
- 2.2 The decisions which Auckland Transport seeks from the Council in terms of allowing or disallowing submissions are also set out in **Attachment 1**.

3. Appearance at the hearing

- 3.1 Auckland Transport wishes to be heard in support of this further submission.

- 3.2 If others make a similar submission, Auckland Transport will consider presenting a joint case with them at the hearing.

UK.

Signed for and on behalf of Auckland Transport

Christina Robertson
Group Manager: Strategic Land Use and Spatial Management

24 September 2020

Address for service of further submitter:

Liam Burkhardt, Planner
Auckland Transport
20 Viaduct Harbour Avenue
Auckland Central
Auckland 1010

Email: liam.burkhardt@at.govt.nz

Attachment 1:

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
10.8	<p>Moana Point Farms Ltd c/- Michael John Fischer and Gabrielle Lesley Fischer lesandmichael@gmail.com</p>	<p>Allocate the same property rights for 7 Morgan Street and the surrounding area by extending the plan change area.</p>	<p>Oppose</p>	<p>Extending the plan change area is not appropriate without proper assessment, including provision of necessary assessments and technical analysis.</p> <p>Any proposal to extend the plan change area must be accompanied and supported by an updated Integrated Transport Assessment.</p>	<p>Disallow</p>
48.12	<p>Auckland Council c/- Christopher Turbott christopher.turbott@aucklandcouncil.govt.nz</p>	<p>Delete IX.5 (1) notification rule which requires non-notification and replace it with the normal tests for notification under the relevant sections of the Resource Management Act 1991 (as per wording outlined in submission).</p>	<p>Support</p>	<p>Auckland Transport supports this submission as it applies to proposals that do not comply with IX.6.9 Number of car parking spaces.</p> <p>Auckland Transport's primary submission 26.9 seeks to amend IX.5 (1) so that (A13) is subject to the normal tests for notification. Auckland Transport notes that (A11) should also be subject to the normal tests for notification. Both (A11) and (A13) provide for activities that do not comply with Standard IX.6.9 relating to parking.</p> <p>It is not appropriate to apply an automatic non-notification rule to activities which exceed the maximum parking requirement, and which may</p>	<p>Allow</p>

#	Submitter	Summary of submission	Support or oppose	Reasons	Decision sought
				have adverse transport effects beyond the precinct.	

Form 6

Further submission on Proposed Plan Change 44 to the Auckland Unitary Plan (Operative Part)

Clause 8 of Schedule 1, Resource Management Act 1991

To:

Planning Technician
Plans and Places
Auckland Council
Private Bag 92300
AUCKLAND 1142

By email: unitaryplan@aucklandcouncil.govt.nz

Name of submitter:

Tūpuna Maunga Authority (**the Authority**)

1. The Authority makes this further submission on Proposed Plan Change 44 to the Auckland Unitary Plan (Operative Part) in support/opposition of original submissions to the plan change.
2. The Authority is a person who has an interest in the proposal that is greater than the interest the general public as:
 - a) governance and administration of the Tūpuna Maunga is undertaken by the Authority, which is a co-governance body with equal representation from mana whenua and Auckland Council (together with a non-voting Crown representative);
 - b) in exercising its powers and carrying out its functions under the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Act 2014, the Authority must have regard to the spiritual, ancestral, cultural, customary, and historical significance of the Tūpuna Maunga to Ngā Mana Whenua;
 - c) the provisions the subject of the plan change impact on Ngā Mana Whenua and Tūpuna Maunga; and
 - d) the Authority is a submitter on the plan change (submission #53).
3. The Authority supports/opposes those submissions and parts of submissions as set out in Attachment A.
4. The reasons for the support are set out in Attachment A.
5. The Authority seeks that the submissions be allowed as set out in Attachment A.

6. The Authority wishes to be heard in support of this further submission.
7. If others make a similar submission, the Authority will consider presenting a joint case with them at the hearing.

24 September 2020



Dominic Wilson
Head of Co-governance / Te Pou Mana Whakahaere
Tūpuna Maunga o Tāmaki Makaurau Authority

Address for service of submitter:

Tūpuna Maunga o Tāmaki Makaurau Authority
C/- Dominic Wilson
Private Bag 92300
Victoria Street West
Auckland 1142
dominic.wilson@aucklandcouncil.govt.nz

Attachment A

Proposed private plan change 44: George Street Precinct, Parnell						
Summary of Decisions Requested						
Sub no	Sub point	Name	Decision requested	Support or Oppose	Allow / Disallow in whole or in part	Reasons
3	3.2	Rob Thomas	Decline the plan change	Support	Allow	The submission aligns with matters raised in the Authority's submission relating to the proposed building height impacting on views to and between maunga.
15	15.2	Sharon Stayt	Oppose the removal of the 27m Height variation control and insertion of the proposed building height standard	Support	Allow	This part of the submission aligns with matters raised in the Authority's submission relating to the proposed building height impacting on views to maunga.
16	16.2	Parkwood Corporate 162274 Body	Decline the entire plan change for the reasons set out in the submission including: -Inadequate Section 32 on the matters outlined in the submission	Support	Allow	That part of the submission relating to the insufficient or inadequate assessment of impacts on landscape and views to and from maunga aligns with matters raised in the Authority's submission.
	16.4		Oppose the increased building height	Support	Allow	That part of the submission relating to the method of calculating height aligns with matters raised in the Authority's submission.
22	22.1	Zamin Investment Limited	Decline the plan change	Support	Allow	Paragraph 6(a) of the submission raises matters that align with the Authority's submission on the impact on the proposed height resulting in development that impacts on the broader landscape.
23	23.1	Core City Investments Limited	Decline the plan change	Support	Allow	Paragraph 6(a) of the submission raises matters that align with the Authority's submission on the impact on the proposed height resulting in development that impacts on the broader landscape.

Proposed private plan change 44: George Street Precinct, Parnell						
Summary of Decisions Requested						
Sub no	Sub point	Name	Decision requested	Support or Oppose	Allow / Disallow in whole or in part	Reasons
30	30.2	Domain Terraces Corporate 192346	Decline the entire plan change for the reasons set out in the submission including: -Inadequate Section 32 on the matters outlined in the submission	Support	Allow	That part of the submission relating to the insufficient or inadequate assessment of impacts on landscape and views to and from maunga aligns with matters raised in the Authority's submission.
	30.4		Oppose the increased building height	Support	Allow	That part of the submission relating to the method of calculating height aligns with matters raised in the Authority's submission.
31	31.1	Domain Apartments	Decline the plan change	Support	Allow	That part of the submission relating to the method of calculating height and the additional height resulting in a form that is incongruous with its context aligns with matters raised in the Authority's submission.
37	37.2	Cushla O'Shea	Amend the plan change if it is not declined	Support in part	Allow	That part of the submission relating to the lack of protection to maunga and inadequate assessment of tikanga aligns with matters raised in the Authority's submission.
48	48.2	Auckland Council	Amend the plan change if it is not declined	Support in part	Allow	That part of the submission relating to the impact of additional height aligns with matters raised in the Authority's submission.
	48.3		Amend the plan change if it is not declined	Support in part	Allow in part	That part of the submission relating to the method of calculating height aligns with matters raised in the Authority's submission.
	48.4		Amend the plan change if it is not declined - Amend objectives, policies	Oppose in part	Oppose in part	The Authority agrees that that views should be protected but

Proposed private plan change 44: George Street Precinct, Parnell						
Summary of Decisions Requested						
Sub no	Sub point	Name	Decision requested	Support or Oppose	Allow / Disallow in whole or in part	Reasons
49	49.1	Penelope Hansen	and rules to ensure views between maunga are not interrupted, or that cultural heritage offset is provided if these views are interrupted Decline the plan change	Support	Allow	opposes the use of off-sets as all adverse effects on these taonga must be avoided. Points 5 and 6 of the submission aligns with matters raised in the Authority's submission relating to the proposed building height impacting on views to and between maunga.

**FURTHER SUBMISSION ON PLAN CHANGE 44 (PRIVATE – GEORGE STREET
PRECINCT, PARNELL) TO THE AUCKLAND UNITARY PLAN OPERATIVE IN PART**

Clause 8 of Schedule 1, Resource Management Act 1991

To Auckland Council

via email: unitaryplan@aucklandcouncil.govt.nz

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

Name of person making further submission: **Mercury NZ Limited (Mercury)**

- 1 This is a further submission in support of submissions on the proposed Private Plan Change 44 - George Street Precinct, Newmarket (PC44) to the Auckland Unitary Plan Operative in Part.
- 2 Mercury has an interest in PC44 that is greater than the interest of the public generally, as it is the occupier (under a long term lease) of a property at 33 Broadway which is directly adjacent to the southern boundary of the area subject to PC44.
- 3 Mercury is generally supportive of the PC44 area being developed comprehensively for mixed commercial and residential uses, but opposes PC44 in its entirety in its current form.
- 4 Mercury's support of or opposition to submissions on PC44 is listed in **Annexure 1**, including the particular parts of the submissions that are supported or opposed, the reasons for support or opposition, and the relief sought. As identified in Annexure 1, Mercury supports the submissions of Auckland Council and 33 Broadway Trust for the reasons set out therein.
- 5 Mercury wishes to be heard in support of this further submission. If others make a similar submission, Mercury will consider presenting a joint case with them at any hearing.

Signed for and on behalf of Mercury NZ Limited by its solicitors and authorised agents
Chapman Tripp



Catherine Somerville-Frost
Partner
24 September 2020

Address for service of Mercury:

Mercury NZ Limited
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Chapman Tripp
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PO Box 2206
Auckland 1140
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alana.lampitt@chapmantripp.com

Annexure 1 – Mercury NZ Limited Further Submission

Submitter Name	Submission Point (Summary Reference)	Support/Oppose	Reason for the support/opposition	Relief Sought
Auckland Council (Submitter number 48)	Submission Subpoint 48.1	Support	<p>Mercury supports the submission's request that PC44 be declined. The reasons for Mercury's support for the submission point is that Mercury has concerns related to PC44's:</p> <ul style="list-style-type: none"> • Proposed building height; • Proposed height in relation to ground contour definition; • Proposed setback standard; • Lack of integration; • Adverse effects on amenity values; • Adverse effects on traffic safety (including on pedestrians and cyclists); • Adverse effects on parking (including parking shortages); and • Construction effects (including construction traffic) on neighbouring properties. <p>More specifically, but without limiting the generality of the above, Mercury supports the submission's request to decline PC44 because Mercury considers that:</p> <ul style="list-style-type: none"> • PC44's proposed building height would have potentially significant adverse effects with respect to shading, dominance and visual amenity. By way of example, the building occupied by Mercury at 33 Broadway was designed to maximise daylight and includes an atrium to enable light penetration throughout the building. Impacts of PC44 on shading affecting that design would 	Allow the submission point

Submitter Name	Submission Point (Summary Reference)	Support/Oppose	Reason for the support/opposition	Relief Sought
			<p>have a significant adverse amenity effect on Mercury and its staff.</p> <ul style="list-style-type: none"> PC44's application to a single property has adverse impacts on plan continuity. PC44 does not appropriately provide for continuity as it does not include sufficiently robust provisions to ensure integration between the subject property and the surrounding area. PC44 does not sufficiently avoid, remedy or mitigate adverse effects on traffic safety, efficiency of the transportation network or parking. In particular, it does not address the adverse effects resulting from increased traffic movements along Alma Street and potential conflicts with cyclists and pedestrians. PC44 will have significant construction noise, vibration and traffic effects which are likely to have adverse amenity impacts on Mercury. Given the peculiarities of the subject site, including its surrounding one-way streets, Mercury considers that further consideration and bespoke arrangements with respect to construction effects are necessary. PC44's provisions with respect to non-notification do not sufficiently support that outcome. 	
Auckland Council (Submitter number 48)	Submission Subpoints 48.2, 48.3, 48.6, 48.7 48.12, PC44	Support (subject to Mercury's primary support of 48.1)	<p>Mercury supports the decline of PC44. However, in the event PC44 is not declined, Mercury supports Auckland Council's submission points as they relate to proposed amendments to PC44 with respect to:</p> <ul style="list-style-type: none"> Submission Subpoint 48.2: Retaining a building height standard the same as, or similar to the existing 27m height variation control; Submission Subpoint 48.3: Measuring building height within the precinct so the maximum height of the built form follows the contour of the land; 	In the event that PC44 is not declined, allow the submission points together with such other relief as may address Mercury's concerns.

Submitter Name	Submission Point (Summary Reference)	Support/Oppose	Reason for the support/opposition	Relief Sought
			<ul style="list-style-type: none"> • Submission Subpoint 48.6: Amending the introductory clause to IX.4 Activity table; • Submission Subpoint 48.7: Amending Activity Table IX4.1 to specify that development that does not comply with standard IX.6.1 Building Height is a non-complying activity; • Submission Subpoint 48.12: Deleting IX.5 Notification rule (1) which requires non-notification and replacing it with the text set out in submission Subpoint 48.12. <p>The reasons for Mercury's support of the above submission Subpoints are as set out above in relation to the reasons for Mercury's support for submission point 48.1. In particular, Mercury supports these amendments as they address Mercury's concerns related to PC44's:</p> <ul style="list-style-type: none"> • Proposed building height; • Proposed height in relation to ground contour definition; • Effect on plan continuity and the proposed treatment of Auckland-wide provisions and overlays; • Proposed status of activities; and • Proposed notification requirements. 	
33 Broadway Trust (Submitter number 50)	Entire Submission Including Submission Subpoints 50.1-50.9, PC44	Support	<p>Mercury supports the entire submission of 33 Broadway Trust due to shared concerns relating to:</p> <ul style="list-style-type: none"> • Height of the proposed buildings; • Height in relation to boundary standard; 	<p>Allow the submission in its entirety.</p> <p>PC44 should be rejected in its entirety or should be amended to address the concerns raised in the submission of 33 Broadway Trust and supported by Mercury.</p>

Submitter Name	Submission Point (Summary Reference)	Support/Oppose	Reason for the support/opposition	Relief Sought
			<ul style="list-style-type: none"> • Setback standard; • Lack of integration; • Adverse effects on amenity values; • Traffic safety (including on pedestrians and cyclists); • Parking shortages; and • Construction effects and construction traffic on neighbouring properties. <p>More specifically, but without limiting the generality of the above, Mercury supports the submission because Mercury considers that:</p> <ul style="list-style-type: none"> • PC44's proposed building height would have potentially significant adverse effects with respect to shading, dominance and visual amenity. By way of example, the building occupied by Mercury at 33 Broadway was designed to maximise daylight and includes an atrium to enable light penetration throughout the building. Impacts of PC44 on shading affecting that design would have a significant adverse amenity effect on Mercury and its staff. Consequently, Mercury supports the retention of the existing 27m height variation control. • PC44's application to a single property has adverse impacts on plan continuity. PC44 does not appropriately provide for continuity as it does not include sufficiently robust provisions to ensure integration between the subject property and the surrounding area. • PC44 does not sufficiently avoid, remedy or mitigate adverse effects on traffic safety, efficiency of the transportation network or parking. In particular, it does not address the adverse effects 	

Submitter Name	Submission Point (Summary Reference)	Support/Oppose	Reason for the support/opposition	Relief Sought
			<p>resulting from increased traffic movements along Alma Street and potential conflicts with cyclists and pedestrians.</p> <ul style="list-style-type: none"> PC44 will have significant construction noise, vibration and traffic effects which are likely to have adverse amendment impacts on Mercury. Given the peculiarities of the subject site, including its surrounding one-way streets, Mercury considers that further consideration and bespoke arrangements with respect to construction effects are necessary. PC44's provisions with respect to non-notification do not sufficiently support that outcome. 	