

Decision following the hearing of a Plan Modification to the Auckland Unitary Plan under the Resource Management Act 1991



Proposal

This plan change seeks to rezone land in the Auckland Unitary Plan: Operative in Part (“**the Unitary Plan**”). The plan change has four components:

- Rezone 49 parcels that have recently been vested and acquired for open space/recreation purposes to an open space zone.
- Correct 22 open space zoning errors and anomalies.
- Facilitate Eke Panuku Auckland’s land rationalisation and disposal process by rezoning 24 parcels of land approved for disposal.
- Facilitate Kāinga Ora and Auckland Council’s redevelopment of certain neighbourhoods. By rezoning 8 parcels of land to enable redevelopment and/or improve the quality of open space or access to it

This plan modification is **GRANTED**, with modifications. The reasons are set out below. Submissions and further submissions are accepted and rejected in accordance with the decision

Plan modification number:	Plan Change 60 – Open Space (2020) and other rezoning matters
Site address:	Regionwide
Hearing commenced:	Tuesday 8 February 2022, 9.30am
Hearing panel:	Janine Bell (Chairperson) Nicki Williams
Appearances:	<p><u>For the Local Boards:</u></p> <p>Mr Apulu Reece Autagavia, Otara Papatoetoe Local Board</p> <p>John Gillon, Kaipātiki Local Board (11R Birmingham Road Otara).</p> <p>Brent Catchpole, Papakura Local Board (2R Keeney Court, Papakura).</p> <p>Kay Thomas, Whau Local Board (13 Davern Lane, New Lynn).</p> <p>Trish Deans and Ruth Jackson, Devonport-Takapuna Local Board (Linwood Reserve).</p> <p>Alexandra Bonham, Waitemata Local Board (45 Georgina Street, Freemans Bay).</p> <p>Christina Robertson, Albert Eden Local Board (Murray Halberg Reserve, Owairaka).</p>

For the Submitters:

James Hey for D Johannink and 10 others (11R Birmingham Road Otara)

Robert Tait for Friends of the Earth

Dr Mels Barton for the Titirangi Residents and Ratepayers Association (TRRA)

Mark Lockhart for the Tree Council

Crystal Chan, Kainga Ora

Brendon Liggett, Kāinga Ora- Corporate (Various)

LR Blackbourn & Trustee Professionals Limited - Lynette Blackbourn (2R Keeney Court, Papakura).

Redentor Bueno (13 Davern Lane, New Lynn)

Andrew & Dahlia Forlong (13 Davern Lane, New Lynn)

Tania Makani, who also spoke on behalf of Sailesh K Singh, (13 Davern Lane, New Lynn).

Lisa Varghese Kachappilly, (13 Davern Lane, New Lynn).

Annie Bradshaw, (13 Davern Lane, New Lynn).

John Cartwright who also spoke on behalf of Sunghwan Choi, (13 Davern Lane, New Lynn).

Mana Rākau – Lissa Knight (13 Davern Lane, New Lynn)

Davern Residents Inc – Tania Makani and David Wren (13 Davern Lane, New Lynn)

Michael Sit - Ky Sit Lh Sit F Jiang (23 Waipuna Rd, Mt Wellington)

Parnell Community Committee - Luke Niue, Jo Malcolm & Mike Blackburn (45 Georgina Street, Freemans Bay)

Freemans Bay Residents Association - Trevor Lund and David Alison (45 Georgina Street, Freemans Bay).

Tabled evidence

Rachel Morgan for Kāinga Ora– Planning (Various)

Letitia and Patrick Reddington (60 Rawene Road).

	<p><u>For Council:</u></p> <p>Tony Reidy, Reporting Officer</p> <p>Eryn Shields, Team Leader</p> <p>Ezra Barwell, Senior Policy Advisor – Parks</p> <p>Carl May, Eke Panuku - Portfolio Specialist</p> <p>Vrinda Moghe, Eke Panuku – Head of Planning and Consents</p> <p>Peter Reaburn, Eke Panuku – Consultant Planner</p> <p>Letitia Edwards, Eke Panuku - Head of Strategic Asset Optimisation</p> <p>Laura Ager, Senior Hearing Advisor</p> <p>Nick Somerville, Hearings Advisor</p>
Hearing adjourned	Tuesday 8 February 2022
Hearing reconvened	Thursday 26 May 2022
Hearing adjourned	Thursday 26 May 2022
Commissioners’ site visits	Wednesday 26 January 2022 and Thursday 19 May 2022
Hearing Closed:	15 July 2022

INTRODUCTION

1. This decision is made on behalf of the Auckland Council (“the Council”) by Independent Hearing Commissioners Janine Bell and Nicki Williams (“the Hearing Panel”) appointed and acting under delegated authority under section 34 of the Resource Management Act 1991 (“the RMA”).
2. The Hearing Panel have been given delegated authority by the Council to make a decision on Plan Change 60 (“**PC 60**”) to the Auckland Council Unitary Plan Operative in Part (“the Unitary Plan”) after considering all the submissions, the section 32 evaluation, the reports prepared by the officers for the hearing and information presented at the hearing of submissions.
3. PC 60 is a Council-initiated plan change that has been prepared following the standard RMA Schedule 1 process.
4. The plan change was publicly notified on 28 January 2021 following a feedback process involving iwi, as required by Clause 4A of Schedule 1. Notification involved a public notice as well as letters to directly affected landowners and occupiers alerting them to the plan change. The latter step was aimed at ensuring that landowners and occupiers of properties affected by potentially significant changes were made aware of the changes.

5. The submission period closed on 1 March 2021. A total of 107 submissions were received, including 3 late submissions. A summary of submissions was notified for further submissions on 25 March 2021. 28 further submissions were received to the plan change.

SUMMARY OF PLAN CHANGE

6. The proposed plan change is described in detail in the Council's section 42A hearing report. A summary of key components of the plan change is set out below.
7. PC 60 seeks to:
 - a) re-zone 49 parcels of land recently vested or acquired for open space purposes so that the zoning of the land reflects its purpose and intended use. These are set out in Attachment A.
 - b) correct some 22 open space zoning errors, typically private land that has been incorrectly zoned as open space. These are set out in Attachment B.
 - c) re-zone 24 parcels of land that are deemed surplus to the Council's open space requirements. These sites are currently zoned open space or shown as road. These sites have been determined by the Council to be no longer required for open space purposes and the proposed plan change seeks to re-zone these parcels to the same zone as applies to the adjoining land.
 - d) re-zone land to facilitate Kāinga Ora redevelopment and improve the quality of open space/access to open space, and to better reflect the use of land as a golf course or cemetery.
8. No proposed text changes to the Unitary Plan arise from PC 60.
9. In many cases the existing open space zoned land to be re-zoned is also subject to the Reserves Act 1977. The Hearing Panel were advised that the Council is undertaking a separate process of uplifting reserve classifications under that Act. We have not considered that matter further, having satisfied ourselves that the merits of land re-zoning under the Unitary Plan is not dependent on that process being completed.

PROCEDURAL MATTERS

Late Submissions

10. The Council's s42A report advised there were three late submissions received from:
 - (i) 105 – CNC Design Ltd – in relation to 11R Birmingham Road, Otara;
 - (ii) 106 – MF Soponga – in relation to 5R Ferguson Street, Mangere;

- (iii) 107 – Forest and Bird – in relation to Eke Panuku’s surplus land and rezoning.
11. Commissioners sought clarification around the receipt of these late submissions, noting that two of the submissions had been included in the Summary of Submissions.
 12. We were subsequently advised by Mr Reidy that on the 20 April 2021, Council officers had used their delegated authority to waive the time limit in respect of the three late submissions and a fourth late submission by Peter Simpson. No further action is required by the Hearing Panel in relation to the late submissions.

Partial withdrawal

13. On 1 July 2021 the Council withdrew the following parts of PC 60 pursuant to Schedule 1, Clause 8D of the RMA:
 - Map 83 - 30 Willerton Avenue, New Lynn (legal description Lot 4 DP 38999)
 - Map 92 - 28R Simon Owen Place, Howick (legal description Lot 10 DP 144679)
14. The reasons for the withdrawal of these sites are:
 - 30 Willerton Avenue, New Lynn – any future development is severely constrained by the location of underground wastewater and stormwater infrastructure.
 - 28R Simon Owen Place, Howick - is a flood plain and the possibility of future development requires further investigation.
15. Maps 83 and 92 therefore no longer form part of Plan Change 60.
16. While the circulated s42A report identified that the rezoning of 13 Davern Lane, New Lynn had been withdrawn, we were advised that this was incorrect, and that parcel was still part of Plan Change 60.

Hearing Process

17. In accordance with section 41B(3) and (4) of the RMA, the Hearing Panel issued a Direction on 27 July 2021, setting the timetable for the pre-circulation of the Council’s s42A report and any expert evidence to be given at the hearing on behalf of any submitter.
18. On 12 August 2021, the Hearing Panel were advised that the Council and Eke Panuku had requested the hearing, scheduled to commence on Friday 3 September 2021, be postponed allowing the parties to work through some issues that needed to be resolved prior to finalising the s42A hearing report.

19. A new Direction was issued on 13 August 2021 notifying all parties of the new hearing date and the revised timetable for the pre-circulation of the Council's s42A report and any expert evidence to be given at the hearing on behalf of any submitter.
20. On 26 January 2022, the Hearing Panel visited the sites subject to submission where submitters had indicated they wished to be heard along with some of the sites where the reporting planner recommended the proposed changes be rejected. The Hearing Panel were satisfied that the issues raised relative to the other land subject to PC 60, unaffected by the Amendment Act did not require a site visit to be undertaken.

Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021

21. In the later part of January 2022, the Hearing Panel received a series of emails and memorandum from Council officers related to the impact of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 ("the Amendment Act") on the processing of current plan change including PC 60.
22. Most relevant was the memorandum received on 27 January 2022, from Tony Reidy, the Council's Senior Policy Planner and reporting planner for PC 60. The purpose of the memorandum was to provide the Hearing Panel with advice on the effect of the Amendment Act on the Proposed PC 60 Hearing.
23. In summary the memo advised:
 - a) The Amendment Act came into effect on 21 December 2021.
 - b) The Amendment Act is primarily concerned with directing Councils on their implementation of the National Policy Statement on Urban Development 2020 (NPS-UD), including the introduction of the Medium Density Residential Standards (MDRS) and the roles and responsibilities of decision-makers in that process. The Amendment Act requires councils to notify an Intensification Planning Instrument (IPI) that gives effect to the NPS-UD in every residential zone in an urban environment and to apply MDRS in all relevant residential zones¹.
 - c) PC 60 was notified before 21 December 2021. It involves rezoning 105 land parcels. 32 of those land parcels involve rezoning land to a residential zone. Those parts of PC 60 could proceed where they did not relate to a relevant residential zone or propose a new (relevant) residential zone. Those parts of the plan change seeking to re-zone land to open space, business, rural

¹ For Auckland, relevant residential zones include THAB; MHU; MHS; and Single House, though there are exclusions as specified in the legislation.

etc. can continue to be heard, decisions notified in accordance with clause 10 of Schedule 1 of the RMA and made operative in due course.

- d) Those parts of PC 60 that involve rezoning land to a residential zone would need to be included in the IPI as part of a variation to be notified in August 2022.
24. The memorandum set out the context of the Amendment Act and the status of partly completed plan changes modifying relevant residential zones (i.e., clause 34. Schedule 12). The memorandum included an Auckland Council officers' recommendation that "No decisions involving a 'relevant residential zone' are made and notified because the Amendment Act directs Council to prepare a variation to its IPI that will be considered contemporaneously with the Council's IPI."
25. On the 27 January 2022, the Council emailed all affected submitters informing them that due to the Amendment Act, those parts of PC 60 that involve rezoning land to a residential zone would now be included in the IPI as part of a variation that the Council would publicly notify in August 2022 and that they would be receive notice of the IPI variation at that time. As a result, "that those parcels of land involving rezoning land to a residential zone will not be heard as part of the PC 60 hearing that had been set down for 8 and 9 February 2022"².
26. The email also included a further direction notifying all parties that in light of the Government's recent announcement that Auckland (and the rest of New Zealand) will move to the Protection Framework – Traffic Light Red at 11.59pm Sunday 23 January 2022, the hearing would continue on Tuesday 8 February 2022 but would occur using "remote access facilities" (Microsoft Teams) pursuant to s.39AA(2) of the RMA. The impact of this notification significantly reduced the number of submitters who wished to appear at the hearing.
27. The hearing commenced on 8 February 2022 with Hearing Panel hearing only from those submitters who opposed PC 60 in its entirety and those whose submissions related to parcels of land proposed to be rezoned to zones other than residential.
28. The only exception was the evidence presented by Kāinga Ora, that had been prepared and circulated in November 2021. The Kāinga Ora submissions were lodged in support of a proposed land exchange and rezoning in Mangere, Owairaka and Northcote. Kāinga Ora did appear at the hearing in respect to their pre-circulated statements of evidence. While Kāinga Ora had no legal representation, Brendon Liggett, Manager of Development Planning advised Hearing Panel that he disagreed with the Council's advice on Clause 34(1) and in his view, the IPI variation process did not preclude the Council making decisions on PC 60. He advised that the timing issues for Kāinga Ora were

² Email from Laura Ager dated 27 January 2022

significant if Council failed to make decisions on the rezoning of the sites that were the subject of land exchange between the Council and Kāinga Ora.

Hearing Adjourned

29. The hearing was adjourned on 8 February 2022, with Hearing Panel unsure whether they could close the hearing and what decisions, if any, could be made in respect of PC 60. Legal advice was sought on the following procedural matters:

- a) Is the Council's interpretation correct that those parts of PC 60 that involve rezoning land to a residential zone will need to be included in the IPI as part of a variation in August 2022 and as a consequence Hearing Panel are unable to make decisions on these parts of the plan change?
- b) Is it possible to close the hearing when submitters to those parts of the PC 60 that are subject to the Council's IPI variation have yet to be heard?
- c) Alternatively, could the hearing be closed in part and a partial or interim decision to PC 60 be released for those parts of the plan change that do not involve rezoning land to a residential zone?
- d) Could decisions (in whole or part) be made on those submissions which opposed all parts of PC 60 that deal with sites identified by the Council for disposal and proposed in PC 60 to be rezoned from an open space zone to a zone compatible with that applied to the adjacent land.

30. On 5 April 2022, we received legal advice that confirmed:

- a) The Council is required by the transitional provisions in clause 34(2) of Schedule 12 of the RMA to notify a variation to incorporate the MDRS in respect of the parts of PC 60 that seek to rezone land to 'a new residential zone' at the same time that it notifies its IPI in August 2022. That decisions on submissions on the parts of PC 60 that are subject of a variation can be made at the same time that the Council notifies its IPI. This would require the hearing to be resumed and following the notification of the Hearing Panel's decision, the Council should not then take steps to approve and make the parts of PC 60 operative that need to be varied, prior to the notification of the variation required by clause 34(2) of Schedule 12.
- b) The hearing should not be closed without hearing from submitters on the parts of PC 60 that seek to rezone land to 'new residential zone' various AUP Residential zone (or clarifying that those submitters do not want to be heard) as that would raise significant natural justice issues.
- c) While it is possible to close the hearing in part and release decisions on the parts of the PC 60 that do not request a residential zoning, this course of action was not recommended as it could give rise to uncertainty,

including as to when any appeal rights under clause 14 of Schedule 1 of the RMA might arise.

- d) If decisions are made on only some parts of PC 60, all relevant submissions to those parts should be considered, including submissions that address rezoning of land in more than one part or all parts of PC 60.

Reconvened Hearing

- 31. The Hearing Panel decided that to enable decisions to be made on the submissions received to PC 60, the hearing needed to be reconvened. This would enable the remainder of the submitters who wished to be heard to present material in support of their submissions to the Hearing Panel. Notification was sent to the submitters advising the hearing would reconvene on Thursday, 26 May 2022.

RELEVANT STATUTORY PROVISIONS CONSIDERED

- 32. The RMA sets out the requirements for the formulation of plans and changes to them. Section 4 of the s42A report and the section 32 assessment, that formed part of the hearing report, sets out the statutory context for the consideration of the plan change. We adopt that analysis and do not repeat it again in detail, as the plan change is very much focused on detailed methods.
- 33. Clause 10 of Schedule 1 requires that this decision must include the reasons for accepting or rejecting submissions. The decision must include a further evaluation of any proposed changes to the plan change arising from submissions; with that evaluation to be undertaken in accordance with section 32AA. Regarding Section 32AA, we note that the submissions and evidence presented by the Council, as well as our evaluation set out in this decision, represents this assessment, and that material should be read in conjunction with this decision, where we have determined that a change to PC 60 should be made.

PLANNING CONTEXT

- 34. The Unitary Plan became operative in part on 15 November 2016. Each year, however, many parcels of land are vested or acquired by the Council for open space purposes either as a result of subdivision or purchase by the Council. This land typically does not have a zone that reflects its intended use and development as open space. In addition, the public and Council staff identify a number of errors or anomalies where privately owned land is zoned as open space, or where historically vested open space is no longer required for that purpose.
- 35. Periodically the Council, undertakes plan changes to address these zoning anomalies. PC 60 proposes to re-zone 49 sites recently vested or acquired land for open space purposes to reflect the land's open space qualities and intended

use and development (for open space/recreation purposes). These parcels of land are set out in Attachment A.

36. PC 60 includes corrections to some open space zoning errors (a total of 22) identified in the Unitary Plan. These include privately owned land that has been zoned open space in error. These parcels of land are set out in Attachment B.
37. PC 60 proposes to re-zone 24³ parcels of land that are currently zoned as open space or shown as road in the Unitary Plan to either a residential or business zone, depending on the zoning of adjacent land. Auckland Council has approved the sale of these land parcels which are surplus to its open space requirements. The rezoning and sale of these properties is part of Auckland Council's Covid – 19 Recovery Budget (2021 – 2031). These parcels of land are set out in the table below.
38. The Council's section 32 report outlines the process in identifying these 24 parcels for disposal. The Council advised that one motivation for the re-zoning of these 24 parcels is to enable their urban re-development via its development arm Eke Panuku. The interests of a landowner are always a relevant consideration when considering what land use outcomes should be enabled on land and in this case, we have treated Eke Panuku as if it were any other developer with an interest in land.
39. We see very unambiguously that for land to be re-zoned from open space to an urban zone a two-step process must be followed. First, the land must be demonstrated as being no longer reasonably needed for the open space purpose that it is currently zoned for. We see potential redevelopment aspirations as having no valid part in this consideration.
40. The second step, assuming that the first step is 'cleared', is to then identify what of the various zone alternatives available would be the most appropriate for each area of land. The developer's preferences, whether that is Eke Panuku or any other third-party, then do form one of many factors to be considered in this step.
41. The 24 land parcels affected, and the proposed new zones are outlined in the following table:

Address	Legal Description	Auckland Unitary Plan zone	Proposed Zone
R 24 Linwood Avenue Forrest Hill Auckland 0620	Part of Lot 251 DP 53183	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
1-5 Lippiatt Road Otahuhu Auckland 1062	Lot 2 DP 189032	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone

³ PC 60 as notified also included sites at 30 Willerton Avenue, New Lynn and 28R Simon Owen Place, Howick. These sites were withdrawn from the plan change on 1 July 2021.

37 Olive Road Penrose Auckland 1061	Lot 5 DP 98115	Open Space - Informal Recreation Zone	Business - Light Industry Zone
23 Waipuna Road Mount Wellington Auckland 1060	Section 2 SO 399704	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone
12R Rockfield Road Ellerslie Auckland 1061	Lot 9 DP 18690	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
11R Birmingham Road Otara Auckland 2013	Lot 35 DP 57069	Open Space - Informal Recreation Zone	Business - Light Industry Zone
2R Keeney Court Papakura Auckland 2110	Lot 1 DP 88704	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
Brandon Road Glen Eden Auckland 0602	Lot 4 DP 49387	Open Space - Informal Recreation Zone	Residential - Terrace Housing and Apartment Buildings Zone
67A Glengarry Road Glen Eden Auckland 0602	Lot 3 DP 57164	Road	Residential - Mixed Housing Urban
45 Georgina Street Freemans Bay Auckland 1011	Lot 3 DP 71812	Open Space - Informal Recreation Zone	Residential - Single House Zone
36 Cooper Street Grey Lynn Auckland 1021	Lot 1 DP 87358	Open Space - Informal Recreation Zone	Residential - Single House Zone
Trojan Crescent New Lynn Auckland 0600	Lot 6 DP 119411	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
13 Davern Lane New Lynn Auckland 0600	Lot 13 DP 160552	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
67 East Street Pukekohe Auckland 2120	Section 1 SO 430835	Open Space - Informal Recreation Zone	Residential – Single House Zone
Princes Street West Pukekohe Auckland 2120	Section 1 SO 430835	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
Paerata Road Pukekohe Auckland 2120	Lot 6 DP 16500	Open Space - Informal Recreation Zone	Residential - Single House Zone

39R Pohutukawa Road Beachlands Auckland 2018	Lot 89 DP 19657	Open Space - Conservation Zone, Open Space - Informal Recreation Zone	Residential - Single House Zone
17W Hawke Crescent Beachlands Auckland 2018	Lot 11 DP 19523	Road	Residential - Single House Zone
8 Magnolia Drive Waiuku Auckland 2123	Lot 1 DP 190074	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
R 105 Stott Avenue Birkenhead Auckland 0626	Lot 3 DP 68569	Open Space - Conservation Zone	Residential - Single House Zone
5R Ferguson Street Mangere East Auckland 2024	Lot 46 DP 19985	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone
31R Killington Crescent Mangere Auckland 2022	Lot 145 DP 58967	Open Space - Informal Recreation Zone	Residential - Mixed Housing Urban Zone
26 Princes Street Otahuhu Auckland 1062	Part Allot 9 Sec 1 Village of Onehunga	Open Space - Informal Recreation Zone	Business – Mixed Use Zone
R1 Greenslade Crescent, Northcote 0626 & 140 Lake Road, Northcote 0626	Lot 1 DP 54824, Lot 5 DP 66691, Lot 6 DP 66691, Lot 7 DP 66691	Open Space – Sport and Active Recreation & Residential - Terrace Housing and Apartment Buildings Zone	Residential - Terrace Housing and Apartment Buildings Zone & Open Space – Sport and Active Recreation

42. PC 60 also proposes to rezone eight land parcels or groupings of land parcels to:
- enable redevelopment by Kāinga Ora
 - improve the quality of open space/access to open space
 - or in the case of privately owned land, to better reflect its current use.

43. The 8 land parcels affected, and the proposed new zones are outlined in the following table:

Address	Legal Description	Auckland Unitary Plan zone	Proposed Zone
117 Richardson Road Owairaka Auckland 1025	Part of Lot 251 DP 53183	Open Space - Sport and Active Recreation Zone	Residential -Terrace Housing and Apartment Buildings Zone
33R Watchfield Close Mangere Auckland 2022	Lot 36 DP 66356	Open Space - Sport and Active Recreation Zone	Residential - Mixed Housing Urban Zone
50 Mayflower Close Mangere East Auckland 2024	Lot 167 DP 55383	Open Space - Informal Recreation Zone	Residential - Mixed Housing Suburban Zone

27 Watchfield Close Mangere Auckland 2022	Part of Lot 40 DP 66356	Residential - Mixed Housing Urban Zone	Open Space - Sport and Active Recreation Zone
14-16 Cassino Terrace Owairaka Auckland 1025	Part of Lot 138 DP 38659	Residential - Mixed Housing Urban Zone	Open Space - Sport and Active Recreation Zone
4 and 8 Peak Road Kaukapakapa Auckland 0875	Part Allot 13 SO 1036	Residential - Rural and Coastal Settlement Zone	Special Purpose - Cemetery Zone
1337 Whangapara Road, Army Bay 0930	Lot 1 DP 455537	Residential - Single House Zone	Open Space - Sport and Active Recreation Zone
62 Mayflower Close Mangere East Auckland 2024	Lots 133-135 DP 55383 and Lots 159-161 DP 55382	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone, Road and Balance stays as Residential - Mixed Housing Suburban Zone

SUMMARY OF EVIDENCE

44. The hearing evidence in this case includes the notified plan change, the accompanying s32 report and supporting documentation, the Council officer's s42A report, the submissions received, and the presentations and evidence presented and tabled at the hearing by the Council's planner, submitters and the further information requested from the Council officers. This information is all part of the public record and is not repeated. This material was taken as read.

Council Officers

45. Mr Tony Reidy, the reporting planner, spoke to a power point presentation that outlined the background to the plan change, the main sites in contention and corrected some error in his original report.
46. Also in attendance for the Council were Mr Eryn Shields, Team Leader and Mr Ezra Barwell, Senior Policy Advisor – Parks, along with Eke Panuku representatives Mr. Carl May, Portfolio Specialist, Ms Vrinda Moghe, Head of Planning and Consents, Mr Peter Reaburn, consultant planner and Ms Letitia Edwards, Head of Strategic Asset Optimisation. The Eke Panuku representatives were in attendance to respond to any matters arising from the rezoning of the 24 parcels approved by the Council for sale which are surplus to open space requirements.
47. Eke Panuku is a council-controlled organisation that resulted from the merging of Auckland Council Property Limited and Waterfront Auckland. One of the roles of Eke Panuku is the sale of Council-owned land or properties that can be better utilised by others. Eke Panuku in conjunction with Auckland Council's Stakeholder and Land Advisory team had identified the 24 council-owned parcels of land which have been cleared for sale by Auckland Council and are deemed surplus to the Council's open space requirements.

Local Board Comments

Otara Papatoetoe Local Board

48. Mr Apulu Reece Autagavia, spoke on behalf of the Otara Papatoetoe Local Board. He outlined that the Board opposed the rezoning of 11R Birmingham Road, Otara and sought the zoning of the site be retained as Open Space – Informal Recreation Zone.
49. Mr Autagavia emphasised there are no other open spaces along Birmingham Road and the Local Board had identified the site for future improvement within the open space network. He explained that the local area has social deprivation, and the rezoning would have a cost on their quality of life. He asserted that the local area does not have the choice or ease of access to clean, green environments. Mr Autagavia advised that the Board was also seeking the site be retained in Auckland Council ownership to enable its public use by those in the Local Board area.
50. He referred to the petition with 72 signatures on behalf of Johannink Property Limited and the presentation made by Mr Darren Johannink to the Local Board meeting on 20th April 2021. Mr Autagavia accounted Mr Johannink demonstrating day-to-day use of the site by local workers, the adjoining Cook Island Church, the childcare facility across the road and by groups outside the industrial area such as the East Tamaki Rugby Club.
51. Mr Autagavia advised that the Local Board considered that rezoning 11R Birmingham Road would be ‘detrimental’ for future communities, residing, worshipping and working in the local area. He considered there were few quality open spaces in the area, advising that the area has the second lowest tree coverage in Auckland. He also advised that Local Board was looking into the development of facilities on the site such as tables and seating as part of its future works programme in the next financial year.

Kaipātiki Local Board

52. Mr John Gillon spoke on behalf of the Kaipātiki Local Board. He advised that the Board supported the proposed rezoning changes in the Local Board area with the exemption of 105 Stott Avenue, Birkenhead. He noted that the Board’s opposition to the rezoning of Stott Avenue aligned with the recommendation in the Hearing Report, and the submissions made by Pest Free Kaipātiki Restoration Society Incorporated, and Martyn and Sally Sissons.
53. Mr Gillon highlighted that the Stott Avenue site was part of a Significant Ecological Area (SEA_T_8039, Terrestrial) and part of a continuous wildlife corridor that and follows a stream through to Birkdale. He stated that the rezoning would be contrary to the Kaipātiki Local Board Plan 2020 – Environmental Agendas.

54. Where isolated from people, Mr Gillon emphasised there are opportunities for indigenous planting on the site. With regard to the Hearings Report, Mr Gillon concurs that any development on the site as a consequence of the rezoning would likely result in a significant loss in vegetation.

Papakura Local Board

55. Brent Catchpole with the aid of some power point slides, spoke on behalf of the Papakura Local Board and outlined its opposition to the loss of 2R Keeney Court. He outlined the Board was aware the Auckland Council Open Space Provision Policy 2016 discouraged pocket parks if there is a neighbourhood park within 600m.
56. He outlined that while Massey Park was within this radius it was difficult for residents from Keeney Court to access as they had to cross Clevedon Road, a busy main arterial road and navigate a 5-arm roundabout to access Massey Park. Even then the access was on the other side of the park on Ron Keat Drive.
57. He advised that the local board supported the Keeney Court residents' argument to retain the reserve as open space zone. The site serviced an area of small sites and provided a space for children to kick a ball around.

Devonport-Takapuna Local Board

58. Ms Ruth Jackson, accompanied by Trish Dean, spoke on behalf of the Devonport-Takapuna Local Board spoke to the Board's pre-circulated submission that outlined the Board's opposition to the reserve revocation and disposal recommendation for 24R Linwood Avenue, Forrest Hill. They outlined that they didn't consider that the proposed disposal and rezoning of the site met the Mayor's debt reduction objective and the money received from the sale of the strip of land would be unlikely to cover the cost of the process to rezone and dispose of the site.
59. Ms Jackson explained that there had been some confusion experienced by Sunnynook residents who had only submitted to the reserve revocation process and were not involved in the rezoning process. Residents in the area had made the local board aware of their opposition to the sale of open spaces and reserves. Ms Jackson also noted that the weekly resource consent information provided to the Local Board showed there was significant growth in the local area therefore open spaces were very important. There was a lack of reserves in Sunnynook. She considered the loss of this walkway was in conflict with the Council's policies and found the s32 report generic in its evaluation. She advised the Board challenged the appropriateness of the sale of the reserve and its inconsistency with the Takapuna Devonport open space network plan. Ms Jacksons' views were reinforced by Ms Dean, they requested that PC 60 as it related to 24R Linwood Reserve should not be approved.

Whau Local Board

60. Kay Thomas and Jessica Rose appeared on behalf of the Whau Local Board, to voice the Board's opposition to the reserve revocation, proposed rezoning and disposal of Davern Lane reserve, New Lynn. They were particularly concerned at the loss of mature trees on the site advising that tree coverage was low in the Whau area, and this was an important concern for local residents. They felt that intensification in the New Lynn area meant it was counter intuitive to remove open space areas.

Waitematā Local Board

61. Alexandra Bonham spoke on behalf of the Waitematā Local Board she explained that the Board opposed the rezoning and disposal of 45 Georgina Street, Freemans Bay and 36 Cooper Street, Grey Lynn. Like a number of the other submitters, she was critical of the Council's consultation process around the rezoning and disposal of these sites.
62. With the level of intensification proposed in the city, pocket parks were essential. They provided spaces for birds, community gardens and green space. She advised that New Zealand cities will never be as green as they are now. This was particularly important in the Georgina Street area where intensification was likely to occur with the reduction in the area that would be covered as a qualifying matter.

Albert Eden Local Board

63. Christina Robertson spoke on behalf of the Albert Eden Local Board and advised of its support for the proposed rezoning of land recently acquired or vested as open space in their area. She also advised of their support for the associated land swaps and re-zonings between the Council and Kāinga Ora at Halberg Reserve in Ōwairaka.

Submitters

D Johannink and 10 others - 11R Birmingham Road, Otara

64. Mr. James Hey, a planning consultant spoke to his pre-circulated statement of evidence prepared on behalf of D Johannink and others. He outlined the submitters opposed the proposed re-zoning of 11R Birmingham Road, Otara from 'Open Space – Informal Recreation Zone' to 'Business – Light Industry' and subsequent 'Reserve Revocation'. He noted that the submitters agreed with the matters identified in the Council's report and supported the recommendation that Plan Change 60 be withdrawn in respect of 11R Birmingham Place.
65. Mr Hey's evidence outlined the long association Johannink Property and the associated companies had in the area having owned the premises at 1, 3 and 5 Birmingham Road. Since the 1970's the Johannink family had developed and owned not just the aforementioned properties but also 10 Birmingham Rd, 2, 6

and 8 Newark Place, all for light industrial activities. He advised that T&T Childrenswear and a number of other submitters have been part of the business neighbourhood for well in excess of 30 years.

66. Mr Hey outlined that the site is required and regularly used for open space informal recreation. He considered that the s32 report lacked 'rigour' and had "a flawed methodology of reporting and assessment that did not recognise the role of reserves within the Business Zone, or value [the] role and subsequent social wellbeing benefits⁴. In addition, the s32 report provided insufficient comment and evaluation of the development constraints for business use, particularly in relation to the effects on the overland flow path across the site and the displacement effects on neighbouring properties.
67. He explained the site is used by local workers during the day, as well as community groups such as the local Pacifica church. He acknowledged the site had limited recreational assets, which he considered was the result of the Council's 'historical' under investment. He did not consider that these circumstances justified the Council's disposal of this open space area. In his opinion, retaining this area of open space was consistent with AUP(OP) Open Space Policies H7.3.1(e) and H7.5.3.2.
68. Mr Hey expressed concern at the consultation and engagement process that had been undertaken for the disposal of properties. He disagreed with Panuku's assertion that the process of 'asset recycling' to raise funds had been approved by the community through the Council's Emergency Budget process.
69. Mr Hey had used the LOGIMA process to review agenda items put before the Otara Papatoetoe Local Board. While he had found a record of reserves identified by the Council's Emergency Budget process that the Board was asked to approve, he found "there was no assessment of the reserves, their uses and amenity values, tabled for review. He questioned whether the Local Board were properly briefed, and the robustness of the reporting provided to them.
70. Mr Hey outlined the process undertaken by his clients with the Local Board, including site visits with Local Board members and a community petition, to demonstrate the community support for retention of the reserve. He provided a copy of the Board's resolutions passed on 20 April 2021 that set out a range of actions to be undertaken by the Board with the various parts of Council to articulate the community's use of the reserve and the Board's desire to retain the reserve. Mr Hey contended that the s32 analysis does not satisfy s32(1)(c) of the RMA.
71. Mr Hey outlined that the assessment undertaken in accordance with the Open Space Provision Policy 2016 assessed the reserve as "unknown". He highlighted that the primary focus of the Open Space Network Strategy 2016 which was a core assessment tool focused on reserves that serve residential areas and did

⁴ Statement of Planning Evidence of James Hamish Hey, page 3, paragraph [10]

not appropriately recognise reserves which serve industrial and commercial locations.

72. He contested Panuku's findings that there is no local use of the reserve. These findings were based on desktop assessments. He was critical of the approach and felt that if community consultation had been undertaken in the preparation of the s32 report and/or reserve revocation process, the regular community use of the reserve would have been recognised and a different conclusion reached on the reserve's value. He directed the Hearing Panel to the submissions received which documented the local use of the site, despite its lack of facilities.
73. In Mr Hey's opinion it was improper for Panuku to claim the land was surplus and as the Reserve Revocation process had not been completed. Only then can Panuku assert that there has been a proper public process declaring the land as being surplus, be used [to] support the stated purpose of the Plan Change"⁵.
74. Mr Hey noted that the reserve contained an overland flow path and that a flow path for flood water through the site was required. He noted that the volume, depth and velocity of flows would affect many of the listed permitted activities in the Light Industry zone.
75. In his assessment of the site there were a multitude of constraints that would limit the achievable floor plate with flooding also constraining outdoor uses. The water depths likely to be encountered over more than half the site meant that it would not be safe to use those areas for parking. The overland flow path also raised concerns about the ground conditions and the ability of the site to accommodate high load bearing structures. He also highlighted other possible risks to Council's piped assets underground and from contamination discharge. He therefore concluded that "much of the site is unsuitable for any urban development or land use, other than an as open space reserve."⁶.
76. Mr Hey also noted that an 'Arboriculture and Eco Specialist' had reported on the trees present on the reserve and assessed the site as having ecological values with the native and non-native trees having some asset value. The removal of the open space zoning on this site meant these trees would no longer be protected. He felt the trees on site should be assessed against the notable tree criteria to see if they warranted protection.
77. Mr Hey undertook an assessment of the proposed rezoning in terms of s74 of the RMA. He considered that the Council's proposed rezoning of the site failed to meet the functions and obligations under the Act. It would result in potential contamination, and indigenous biodiversity adverse effects from industrial activities and would be contrary to s5(1)(b), s5(2)(a), s6(h) and s7(c). In light of this assessment, he advised the submitters viewed the s32 report was flawed

⁵ Ibid, page 9, paragraph [32]

⁶ Ibid, pages 11, paragraph [41]

and did not provide an evidential based assessment to justify the change in zoning.

78. He considered the proposal was also inconsistent with section 3.3 of the National Policy Statement on Urban Development (NPS-UD) that required Council's to provide sufficient land that was 'plan enabled and infrastructure ready. In his view rezoning the land to Business Light Industry did not make it plan ready due to the flood hazard and overland flow path further constrained or prevented the industrial type buildings and land uses. He also considered the proposal would be inconsistent with the Proposed National Policy Statement for Indigenous Biodiversity.
79. In terms of the Regional Policy Statement, he concurred with Council's s42A report assessment, adding it was important to recognise that these other informal recreation areas are not accessible from the industrial area. Without this open space area "there would be no informal recreation space available to staff of the business in the Birmingham Road locale."⁷
80. Mr Hey concluded that the rezoning and disposal of 11R Birmingham Road should not proceed:
 - Due to the lack of consultation with the affected community.
 - The rezoning was not supported by the Otara-Papatoetoe Local Board.
 - The s32 report was inadequate in its justification of the land being surplus.
 - The reserve was valued by the local community, frequently used by the staff of local businesses for lunch and rest breaks and by community groups.
 - Flooding constraints made the site unsuitable for industrial development.
 - The land has yet to be approved for disposal under the Reserves Act.
 - As it would be contrary to the Council's responsibilities under s31(1) of the RMA "to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the district," and
 - Contrary to Part II of the RMA.

⁷ Ibid, page 15, paragraph [58]

Friends of the Earth – Robert Tait

81. Mr Robert Tait spoke on behalf of Friends of the Earth (submission 94). He was critical of the Council's approach, the adequacy of the public notice and the appropriateness of the information accompanying PC 60.
82. Mr Tait felt that the effort had not been made to advertise PC 60 and to "slip it under the radar". He asserted that information was not made accessible nor sufficiently detailed to comprehend the impact of the plan change.
83. Mr Tait considered that PC 60 should be considered in the context of climate change outcomes for Auckland. He emphasised that mature trees have an important role in open spaces for climate change and we need more, not less of them.
84. Mr Tait expressed concern at the lack of accessibility for people to be heard in person at the PC 60 hearing. He also added that he did not receive a planning report.
85. Overall, on behalf of Friends of the Earth, Mr Tait opposed PC 60 and referred the Hearing Panel to his submission, reiterating the concerns raised about the notification of the hearing and consultation process.

Titirangi Residents and Ratepayers Association – Dr Mels Barton

86. Dr Mels Barton, on behalf of the Titirangi Residents and Ratepayers Association (TRRA), advised she supported those parts of the plan change where residentially zoned sites were to be rezoned open space zone and opposed those parts of the plan change which rezoned open space zoned areas into business zones.
87. Dr Barton describes the 'rapid' urban intensification of local suburbs. She was particularly concerned in light of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill and the resulting intensification as a result of the re-zoning of the single house zone. Emphasised that in an intensifying city, that no open space is surplus to requirement. Dr Barton asserted that people living in terrace housing and apartment buildings will need parks in their local area with decreased (private) outdoor living space.
88. Dr Barton recognised the recreational, and mental and physical health benefits of accessible open spaces. She also iterates the environmental benefits of open spaces as: carbon sinks; stormwater treatment; air pollution; and temperature treatment.
89. She asserted that tree protection on open spaces is made more important as there is limited tree protection on private land. She considers that open spaces need to be retained and should not be rezoned either residential or business.
90. To conclude Dr Barton stated that many open spaces were vested to the Council as part of development contributions as these spaces were deemed important at

the time. In this case, these open spaces should be “valued and retained” by the Council.

Mark Lockhart

91. Mr Mark Lockhart spoke to his submission. He outlined that he was a landscape architect and a member on behalf of the Tree Council. He opposed the rezoning of sites from open space to urban zonings. He highlighted how Auckland Council has declared ‘a climate emergency’ and considered those parts of PC 60 which sought to rezone open space or urban development to be at odds with this declaration. He describes the benefits of trees; particularly, large trees and their role in managing (carbon emissions in) our environment. He reinforced that many open space areas that the Council proposed to rezone contained large trees.
92. Mr Lockhart noted that the Council have not scheduled any trees for protection since 2012 and asserted the Council was doing “less than nothing, to protect trees”. He considered PC 60 was short sighted if it enabled pocket parks to be sold as that would be a ‘travesty’.

Kāinga Ora - Various

93. Mr Brendon Liggett, Manager of Development Planning at Kāinga Ora, spoke to his pre-circulated statement on behalf of Kāinga Ora. He endorsed the submissions made by Kāinga Ora to PC 60 and specifically in relation to the following 8 parcels of interest:
 - 50 & 62 Mayflower Close, Mangere East
 - 117 Richardson Road, and 14-16 Cassino Terrace, Owairaka
 - R1 Greenslade Crescent & 140 Lake Road
 - 27 and 33R Watchfield Close, Mangere
 - 2 Timatanaga Rise, Glen Innes.
94. Mr Liggett set out that Kāinga Ora’s role is the Government’s delivery agency for housing and urban development. The agency’s statutory objective is “to contribute to sustainable, inclusive, and thriving communities”⁸. While managing a large portfolio of dwellings, Kāinga Ora has a legislative mandate to initiate, facilitate and/or undertake development. He advised that under the Urban Development Act 2020, Kāinga Ora has additional statutory obligations and powers to undertake urban development functions including facilitating strategically important urban development projects⁹.
95. Mr Liggett gave an overview of Kāinga Ora’s property portfolio noting it managed approximating 67,000 properties and 1,550 community group homes, 98.3 per cent of Kāinga Ora’s houses were tenanted with approximately 189,000

⁸ Ibid, page 2, paragraph [2.3]

⁹ Ibid, page 4, paragraph [2.12]

occupants; 96% of these tenancies are supported by income-related rent subsidies. While 2,000 homes had been added in 2019/2020 there was increasing demand for public housing. He advised that tenants' needs were at the forefront of Kāinga Ora's decision making with priority being given to making and increasing the pace and scale of housing; and optimising the management of Kāinga Ora homes.

96. He reinforced how brownfield redevelopment of existing brownfield land will ensure more effective use of land, developments that sympathetically integrated into existing communities and meet the future needs of families. He outlined that the Government was aiming to secure around 8,000 additional public and transitional housing places across New Zealand by June 2024. He recognised that a responsive planning framework was essential for enabling this redevelopment.
97. Mr Liggett confirmed that the Kāinga Ora submissions to PC 60, would facilitate its large-scale brownfield redevelopment projects at Northcote, Ōwairaka and Mangere to provide for public housing, affordable and private homes, resulting in enhanced community outcomes. While Kāinga Ora's original submissions related to 9 parcels of land, it no longer wished to progress the submission related to the parcel at Trojan Crescent, New Lynn.
98. In relation to the other 8 parcels of land, the proposed land zoning will better reflect the land use for the land parcel identified in the masterplans of the respective large scale project area. He confirmed that Kāinga Ora have involved Auckland Council in the proposed rearrangement of land parcels for parks, accessways and residential purposes, noting that the land exchange process required under the Reserves Act 1977 for each parcel had or was in the process of being completed. He concluded by advising that he supported the recommendations made in the Council's s42a report for the proposed rezoning of the 8 land parcels of interest.
99. Mr Liggett did express concern at the Council's interpretation of s34 of the Amendment Act, he didn't consider that it precluded the Council from making decisions on the submissions, emphasising that there were significant timing issues for Kāinga Ora if the Council delayed releasing the decisions to rezone these sites.
100. We also received tabled evidence from Rachel Morgan, a planning consultant, for Kainga Ora. Ms Morgan outlined the proposed zone changes and how they aligned with the respective masterplans prepared by Kāinga Ora for the redevelopment of the respective neighbourhoods and the submissions received. She advised that she agreed with the recommendations of the Council planner. This included supporting the recommended change to the height variation control (19.5m) proposed in conjunction with the zone changes to the boundary between Greenslade Reserve and the Residential – Terrace Housing and Apartment Building zone to the north.

101. Ms Morgan's evidence concluded that amendments proposed in PC 60 would assist in meeting the recreational needs of the community through the provision of a range of quality open spaces that provide for both passive and active activities. It would also enable land close to public transport and centres to be used efficiently for high density urban living. She considered the proposed rezoning would achieve the purpose of the RMA of promoting the sustainable management of natural and physical resources under s5(1).

LR Blackbourn & Trustee Professionals Limited - 2R Keeney Court, Papakura.

102. Lynette Blackbourn a resident of Keeney Court spoke to her submission which opposed the rezoning of the reserve at 2R Keeney Court which would lead to the sale and the loss of this local reserve. She advised that Keeney Court Reserve had been acquired as a past reserve contribution by the Papakura Council and she was opposed to the sale of reserve to support the Council's funding shortfall. That the reserve provided a safe place for children to play, and reiterated the earlier points made by Brent Catchpole from the local board regarding accessing Massey Park. She also considered that the residential intensification being undertaken in the surrounding area placed greater emphasis on the need for areas such as 2R Keeney Court.
103. She was also critical of the Council's process that had been undertaken in relation to the rezoning, reserve revocation and land disposal; outlining the difficulties she had had in accessing information and her concerns with the consultation and notification processes. She highlighted that the reserve contained an underground sand filter which in her view made it undesirable to dispose of the site.
104. She introduced Mr Archibald, who advised he had a 75-year association with the area including 15 years as a Papakura District Councillor. He too outlined his dissatisfaction with the Council's process advising that he and Ms Blackbourn had not received notice of the reserve revocation hearing which they had submitted too. He reminded the Hearing Panel of the importance of considering s5 of the RMA in making decisions on the rezoning requests.
105. Ms Blackbourn concluded by expressing her opinion that the revocation process needed to come first, prior to any decision on rezoning.

Redentor Bueno - 13 Davern Lane, New Lynn

106. Mr Redentor Bueno, a resident of Davern Lane and member of the Davern Lane Association spoke in support of his submission. He had lived at 12 Davern Lane for 16-17 years. The reserve was in front of his property and an integral part of the cul de sac and a primary reason for his purchase of his house. The reserve was an integral part of the character and utilised by the surrounding residents. That the park had been used by his own children while growing up in the Lane and was now being used by the next generation of children within Davern Lane and the surrounding area.

107. He described the reserve as a “gem” in Davern Lane and outlined its importance to local residents during the periods of COVID lockdown. That the park was used for meetings and socialising with its trees bringing birdlife to the park.
108. Mr Bueno outlined the current challenges experienced by emergency service vehicles entering Davern Lane and the difficulty the rubbish vehicles had servicing the lane. He was concerned the redevelopment of the reserve would add more housing and increase congestion. Davern Lane is a narrow single lane carriageway that only allowed one vehicle to pass at a time. It had no footpaths, and more houses would increase the risk to pedestrians in particular for children and the elderly.
109. He considered the removal of the reserve would totally change the character of Davern Lane and was concerned that housing intensification in the surrounding area would result in less designated green space. That the closest parks were in Craigavon and Crum Park located 3km and 2km away respectively separated from the area by busy roads. He concluded that historically, the Council’s intention was to keep pockets of green land, so people had meeting places to go to, especially in high-density housing areas such as Ponsonby, Grey Lynn. Davern Lane was no different and should be kept as it was originally intended.

Andrew & Dahlia Forlong

110. Dahlia Forlong spoke in support of the submission lodged on behalf of herself and her husband. She advised that they lived at 1/115 Hutchinson Avenue, which backed onto the local reserve. The Forlongs had lived here since 2003 and their family had enjoyed the use of the reserve. The reserve had provided a safe play area for their now adult children when they were growing up in the area and was now being used by their grandchildren. Like Mr Bueno the lovely green space at the rear of their property had been a consideration in the purchase of their home.
111. Mrs Forlong could imagine the reserve area being redeveloped for high density housing and was concerned about the impacts this would have on services in Davern Lane in particular rubbish collection and on street parking.

Tania Makani - 13 Davern Lane, New Lynn

112. Tania Makani advised she lived on the corner of Davern Lane and Hutchinson Avenue. She described the local area which contains two schools and a childcare facility. Hutchinson Avenue is a busy road and bus route and as a consequence very noisy. The Davern Lane Reserve was therefore an important community space that had provided generations of children in the local vicinity with a safe space to play. The reserve with its large pōhutukawa trees had created a sense of community, a supportive neighbourhood based around the reserve. She considered this would become more important as Hutchinson Street continued to intensify. She requested the preservation of successful spaces such as 13 Davern Lane.

113. Ms Makani also read out a submission on behalf of Sailesh Singh. He had lived in Davern Lane for 23 years and opposed the proposed rezoning of the park. Like other residents, the presence of the reserve had been a factor in deciding to purchase his home in Davern Lane. He considered the park was well used, a safe area looked over by surrounding properties, with mature trees and valued by the local community.

Lisa Varghese Kachappilly - 13 Davern Lane, New Lynn

114. Lisa Varghese Kachappilly advised she had been a resident since 2009 and that her whole family opposed the rezoning of the reserve. She spoke of the personal and family connection she had with the reserve. It had been a reason for purchasing their house, while the section was small this was offset by the presence of the reserve which provided a safe space for her children to bike around and play football and tag. It provided many good family memories.
115. The reserve had also enabled her to become acquainted with her neighbours not just in Davern Lane but in the surrounding area of Hutchinson Street. The land had been provided as a reserve contribution by the developer and she considered it immoral for the Council to now sell the land. It was a valuable local open space and parking area.
116. Ms Kachappilly also expressed her concern at the Council's assessment of the land pointing to the description of the medium sized shrubs on the site which in fact were large native trees. She considered the space important on several levels – the large mature trees, the contribution to climate change and as an open space area in an area experiencing a lot of new development. Lastly, she didn't consider the sale of this actively used and "cherished" piece of land would make much difference to the Council's financial situation.

Annie Bradshaw - 13 Davern Lane, New Lynn

117. Annie Bradshaw has lived at 11 Davern Lane, opposite the reserve for the last 3-4 years. Like those speakers before her, the reserve was an important consideration in her decision to purchase in the cul de sac.
118. She also expressed her concern at the loss of the reserve in the face of increased development in New Lynn. That there was limited open space in the area with the next closest reserve being Crum Park located 1.4kms away.
119. Ms Bradshaw considered the trees were an important component of the reserve, not only did they provide shade and birdlife, but they also instilled a sense of pride in the area. The removal of the trees would be contrary to the Council Urban Ngahere Strategy. Lastly from a human perspective the removal of the reserve would have a harsh social impact on their community.

John Cartwright - 13 Davern Lane, New Lynn

120. John Cartwright advised he was a former resident of Birmingham and in his view the Council should be aiming for more parks and open space. That these areas

were important with the intensification occurring in the city. A resident of Davern Lane for 28 years he opposed the loss of the 300m² reserve, occupied by its 6 mature trees, for housing.

121. Mr Cartwright also read out a submission on behalf of Sunghwan Choi from 4 Davern Lane who opposed the rezoning of the reserve and the social impact it would have on the sense of community.

Davern Residents Incorporated - 13 Davern Lane, New Lynn

122. Tania Makani with the aid of a power point presentation outlined the concerns of the Davern Residents Incorporated (DRI) and the desire that the reserve should retain its open space zoning. The presentation summarising the concerns presented by the individual submitters – loss of a purpose designed open space, removal of mature native trees, loss of a local, safe, passive recreation area and heart of their neighbourhood.
123. She introduced David Wren a planning consultant engaged by the residents. Mr Wren had submitted a statement of expert evidence in support of the submissions and further submissions lodged on behalf of the DRI. He advised the DRI opposed the proposed rezoning of the Davern Reserve from Open Space - Informal Recreation Zone (OSIF) to Residential – Mixed Housing Urban Zone. In addition, the DRI had lodged a submission opposing the reserve revocation under the Reserves Act 1977. He considered that the site zoning is important, “in that the open space zone can be applied to land that is not reserve and the removal of reserve status under the Reserves Act (should that occur) does not prevent the retention of Open Space zoning”¹⁰.
124. He advised the DRI is a residents’ association made up of the owners and occupiers of properties located within the vicinity of Davern Lane reserve. The association had 27 members. The DRI are concerned that the change of zoning of the Davern Reserve will adversely affect their neighbourhood and their properties. A number of the association members had also lodged individual submissions.
125. He set out that the Davern Reserve is 300m², an almost square shaped property located at the end of Davern Lane. The reserve provides a high level of amenity to surrounding residents and had been intentionally provided at the time of subdivision on the area in response to planning policy.
126. Having visited the site and neighbourhood, considered the surrounding neighbourhood context and the relevant statutory and non-statutory documents, in Mr Wren’s opinion the Davern reserve should remain zoned Open Space zone. He considered the change in zoning will adversely affect the amenity of residents

¹⁰ Evidence of David Wren on behalf of Davern Residents Inc, page 2, paragraph [1.5]

in the neighbourhood of the zone and exacerbate the shortage of open space in the neighbourhood.

127. The change to Residential – Mixed Housing Urban zone will remove the tree protection provisions currently applied to the trees on the reserve which contribute to the amenity of the area and the city. In his view the proposed rezoning will not achieve any significant benefit in terms of additional housing, nor did it give effect to the Auckland Regional Policy Statement.
128. In Mr Wren's assessment the proposed rezoning is inconsistent with the NPS:UD 2020, the relevant provisions within the Auckland Council Open Space Provision Policy 2016, Auckland's Urban Ngahere (Forest) Strategy, Auckland's Climate Change Plan and the Whau Open Space Network Plan - March 2017. He also considered the evaluation undertaken under s32 of the RMA is insufficient and fails to show that the proposed rezoning achieves the purpose of the RMA.

Michael Sit - 23 Waipuna Rd, Mt Wellington

129. Michael Sit appeared via MS Teams on behalf of Ky Sit, Lh Sit, and F Jiang who had lodged a submission that opposed the rezoning of 23 Waipuna Road Mount Wellington. He considered the site would provide an ideal cultural or arts corner. It provided a space for neighbours to share culture and ideas. The current space with its gardens and bench seating was ideal for neighbourhood picnics. He sought the proposed rezoning of the site to Residential – Terrace Housing and Apartment Buildings zone be declined.

Parnell Community Committee – 45 Georgina Street, Freemans Bay and Cooper Street Reserve, Grey Lynn.

130. Luke Niue, Jo Malcolm and Mike Blackburn appeared in support of the submission by the Parnell Community Committee. Mr Niue advised of the Community Committee's opposition to rezoning pocket parks such as 45 Georgina Street and the Cooper Street Reserve in Grey Lynn. They considered the removal of these rare green spaces so close to the city centre, in areas which are set for residential intensification as contrary to the Council's commitment to increase tree coverage and meeting the Climate Emergency Mitigation goals. It was also at odds with the Waitemata Local Board's Open Space Network Plan 2019-2029 and the Parnell Plan.
131. He introduced Jo Malcolm a member of the Community Committee who outlined the importance of pocket parks particularly in a rapidly intensifying city. She spoke of the work of those who had shown foresight and championed the acquisition of pocket parks, referencing the great cities of the world that had invested in green spaces as they grew. She also highlighted the work undertaken by her mother, Astrid Malcolm, an Auckland City councillor in the 1990's which included championing the purchase of pocket parks to ensure pathways for native birds to cross the city and enable native trees to thrive and places for the community to meet, connect and a place to throw a ball.

132. She advised that if we wanted a liveable city, we need to resist the temptation to see an immediate revenue stream and look to the future. “A city without greenspace is not liveable. Every single great city in the world has wonderful big parks and even more wonderful tiny, pocket parks.”¹¹
133. Mike Blackburn and Mr Nuie questioned the merit of sacrificing small corner/street parks like 45 Georgina Avenue and 36 Cooper Street in Grey Lynn with the impending residential intensification. Mr Blackburn emphasised the social and environmental benefits these spaces brought to the community. Places for exercise, social gatherings, for trees and wildlife as well as opportunities for enhancements. He referenced the work being undertaken in the Wynyard Quarter to create open, accessible public spaces.
134. They were critical of the Council’s process and lack of consultation with affected property owners in Freemans Bay and Arch Hill/Grey Lynn.

Freemans Bay Residents Association – 45 Georgina Street, Freemans Bay

135. Mr Trevor Lund and David Alison co-chairs of the Freemans Bay Residents Association spoke to their submission that opposed the rezoning of 45 Georgina Street in Freemans Bay. Like the Parnell Community Committee members, they were critical of the Council’s lack of consultation with neighbouring property owners.
136. Mr Lund considered open space was critical for the wellbeing of residents and noted there was an absence of open space in Freemans Bay. They highlighted the importance of publicly owned open spaces which provided opportunities to give effect to the Council’s Urban Ngahere Strategy and the Council’s Climate Plan 2020.
137. He considered 45 Georgina Street was an ideal small parcel and should retain its current zoning and use. It should be improved with plantings and a bench and seat arrangement so residents could enjoy it. With greater housing density being sort by Auckland Council, they considered these small pocket parks would become the only outdoor amenities for residents in the future. Retaining the Georgina Street open space for future use was critical not only for the current residents, but for the hundreds of future apartment residents if the proposed zone changes take place.

Tabled: Letitia and Patrick Reddington – 60 Rawene Road, Northcote

138. Due to ill health, the Reddingtons were unable to attend the hearing, sending an email outlining their concerns with the proposed rezoning of 60 Rawene Road. They previously owned the whole site and allowed the Council to acquire it to give the public of Birkenhead and wider Aucklanders legal access enabling

¹¹ Statement Jo Malcolm.

access to Chelsea Sugar Works land, plus to get the legal rights over the Mc Caul right of way.

139. Their email advised they found the Council PC 60 plans difficult to understand and inaccurate as the Mc Caul right of way was not shown on the plans. The right of way was for access and could not be built on. In their view the land should be limited to pedestrian use only and with restriction on use of the area by dogs, skateboarders, cyclists and those using scooters and motorbikes.
140. They would also like to see the area developed with facilities such as picnic tables provide a safe place for people to eat and use the area in the way it was intended. They were also concerned about the lack of tree maintenance in this area and dog control.

Council Response to Matters Raised in the Hearing

141. In response to the submissions made by submitters, Mr. Reidy advised that he agreed that with increased housing intensification there would be greater importance placed on pocket parks in the suburbs. He considered that the hearing had highlighted the need for the Council to review its Open Space Provision Policy (2016), or Parks and Open Space Acquisition Policy (2013) to reflect the changes being required to intensify the urban areas.
142. He acknowledged that running the disposal and rezoning process in parallel had caused some unnecessary confusion but at the time of the Emergency Budget discussions it had been seen as important to expedite the two processes. Although Mr Reidy did highlight that reserve revocation didn't necessitate rezoning the land open space, noting that over 50% of the reserve land in the city did not have a reserve classification. He concluded by confirming the recommendations made in his s42A report.
143. In relation to the reserve revocation issues, Mr May confirmed that the Council had recommended that the reserve status of both 23 Waipuna and 12R Rockfield Road be revoked and these proposals had been forwarded to the Department of Conservation for decision by the Minister.
144. Mr Shields advised that the dual revocation and rezoning processes had been in response to the Council's emergency budget and was a part of the Council's prudent assets management in the next 5-10 years. That all Local Boards have been given the opportunity to comment on the proposals. He concluded by reminding the Hearing Panel that PC 60 would be varied in August when the Council notified its intensification planning instrument to incorporate the Medium Density Residential Standards required by the RMA Enabling Housing Supply Act.

PRINCIPAL ISSUES IN CONTENTION

145. Having considered the submissions received, the hearing report, the evidence presented at the hearing and the Council officers' response to questions we are in general agreement with the recommendations in the officer's s42 report.
146. The principal issues in contention can be categorised as follows and are limited to the proposed rezoning of the following areas:
- a) Land recently vested or acquired for open space purposes.
 - *142 Triangle Road, Massey (Maps 4 and 37); and*
 - *R60 Rawene Road, Birkenhead (Map 11)*
 - b) Errors & Anomalies Land currently zoned as Open Space or shown as Road and approved by the Council for sale.
 - *2157 East Coast Road, Stillwater (Map 71)*
 - c) Council owned land currently zoned as Open Space that have been cleared for disposal.
 - *11R Birmingham Road, Otara (Map 77)*
 - *2R Keeney Court, Papakura (Map 78)*
 - *13 Davern Lane, New Lynn (Map 85)*
 - *45 Georgina Street, Freemans Bay (Map 81)*
 - *36 Cooper Street, Grey Lynn (Map 82)*
 - *23 Waipuna Rd, Mt Wellington (Map 75)*
 - *12R Rockfield Road, Ellerslie (Map 76)*
 - *Brandon Road Walkway, Glen Eden (Map 79)*
 - *R105 Stott Avenue, Birkdale (Map 93)*
 - *26 Princes Street, Otahuhu (Map 96)*
 - *1-5 Lippiatt Road, Otahuhu (Map 73)*
 - *67 East Street, Pukekohe (Map 86)*
 - *Princes Street West, Pukekohe (Map 87)*
 - *5R Ferguson Street, Mangere East (Map 94)*
 - *Trojan Crescent, New Lynn (Map 84)*
 - d) Kāinga Ora and Auckland Council's redevelopment land to enable redevelopment and/or improve the quality of open space
 - e) General opposition to the PC 60.

FINDINGS ON THE PRINCIPAL ISSUES IN CONTENTION

Recently vested or acquired for open space purposes

147. There are 49 sites included in PC 60 which have been recently vested or acquired by the Council for open space purposes. These are set out in Attachment A. Of these sites only four sites (two at 142 Triangle Road, Massey; 2 Timatanga Rise, Glen Innes and 60 Rawene Road, Birkenhead,) were subject to submission. These are discussed below.
148. With respect to the balance of the sites in Attachment A, we find the proposed open spaces zones to be applied to these pieces of land reflect their intended recreational use and development.

142 Triangle Road, Massey (Maps 4 and 37)

149. In the case of 142 Triangle Road, the submitter, Triangle 786 Properties Limited (Submission 52), sought the Plan Change be approved but with an amendment to rezone an adjoining site at 146 Triangle Road from Residential – Single House zone to Residential – Mixed Housing Urban.
150. We agree with the Council's s42A report that the request to rezone 146 Triangle Road lies outside the scope of this plan change. Therefore, this part of the relief sought in the submission is rejected.

2 Timatanga Rise, Glen Innes (Map 8)

151. The site at 2 Timatanga Rise, Glen Innes has been vested with Auckland Council as a recreation reserve as part of the Tamaki regeneration project. The proposed rezoning the site from Residential – Mixed Housing Urban Zone to Open Space – Informal Recreation reflects the anticipated land uses for the site. Kāinga Ora's submission (Submission 63) supports the rezoning of the site. Two further submissions were received opposing the rezoning of the site (from Penny Rodway and Tom Ang)
152. We agree with the Council's s42A report and find that Open Space – Informal Recreation is the appropriate zoning for the site as it will reflect the intended use and development of the site as a local reserve for informal recreation activities. The submission by Kāinga Ora is accepted with the related further submissions rejected.

R60 Rawene Road, Birkenhead (Map 11)

153. The land at R60 Rawene Road, Birkenhead is vested in Auckland Council as a local purpose reserve (esplanade). PC 60 proposes to rezone the land from Residential – Single House to Open Space – Conservation zone. The proposed Open Space – Conservation zone is consistent with the zoning applied to the esplanade reserve that adjoins the site's western boundary that runs from Maunganui Road and enables access to the reserve land at the Chelsea Sugar works.

154. The former owners of the land, Mr and Mrs Reddington (Submission 100), who live at the adjoining 58 Rawene Road, lodged a submission in support of the rezoning but raised concerns with the how the land was being used and the lack of facilities provided for users of the reserve. They were also concerned about the use of the area by skateboarders, cyclists, those using scooters and motorbikes and the lack of tree maintenance and dog control. In their email to the Hearing Panel, they also asserted that the maps were inaccurate as they did not show the Mc Caul right of way raising their concerns that this right of way was for access and could not be built on.
155. The concern about the accuracy of the maps was raised with Council officers, who rechecked the site proposed to be rezoned open space and confirmed that it is owned by the Auckland Council. In relation to the other amendments sought, the Hearing Panel were advised that these were outside the scope of the plan change but were being addressed separately and involved the trimming of trees (including a notable tree) and animal (dog) management.
156. We agree with the Council's s42A report and find that Open Space – Conservation zone is the appropriate zoning for this piece of vested esplanade reserve. This zone will reflect the intended use and development of the site and is consistent with the zoning applied to the adjacent esplanade reserve. Therefore, the submission by the Reddington's is accepted in part with the related further submission rejected.

Correction of Errors & Anomalies

157. There are 22 sites included in PC 60 which seek to correct errors or anomalies (typically private land that has been incorrectly zoned as open space). These are set out in Attachment B. Of these only 2157 East Coast Road, Stillwater was subject to submission and is discussed below. With respect to the balance of the sites in Attachment B, we find the proposed zonings will correct and resolve the current anomalies to the zones applied to these sites and appropriately reflect their intended use and development.

2157 East Coast Road, Stillwater (Map 71)

158. The only site that was subject to submission was 2157 East Coast Road, Stillwater (Map 71) which related to the proposed zoning of land that was formerly part of the Auckland Memorial Park and Cemetery. PC 60 seeks to rezone this site from Special Purpose – Cemetery to Residential – Large Lot zone.
159. Two submissions were received to the rezoning. The Auckland Memorial Park and Cemetery (Submission 6) supports the plan change, noting the land is not required for cemetery purposes. The second submission from the Dennis Family Trust (Submission 89) supports the rezoning to residential but requests it be rezoned Residential – Mixed Housing Urban given the sites location and wider context.

160. Council officers have reviewed the request to amend the zoning of the site to Residential – Mixed Housing Urban zone and concluded that the Large Lot zone is an inefficient zoning for the site having particular regard to the NPS:UD. The Residential – Mixed Housing Urban zone is considered a more appropriate zone for this site given its ability to provide for greater residential intensification adjacent to services, arterial roads, public transport as well as employment opportunities and community facilities.
161. We agree with these conclusions and find that the site should be rezoned Residential – Mixed Housing Urban zone rather than Residential – Large Lot. Therefore, submission 89 is accepted and submission 6 accepted in part with the related further submission rejected.

Land currently zoned as Open Space proposed to be re-zoned for urban purposes.

162. As set out in paragraph 41, there are 24 sites included in PC 60 which seek to rezone land from an open space zone to use for urban purposes. The bulk of submissions received to PC 60 relate to these sites. The sites of contention are set out below.

11R Birmingham Road, Otara (Map 77)

163. PC 60 seeks to re-zone 11R Birmingham Road, Otara from Open Space – Informal Recreation to Business – Light Industry zone. The site is a vacant flat site and has not been developed for open space purposes. The surrounding sites are zoned Business – Light Industry.
164. As set out in the Council's s42A report (paragraph 6.1.9), 16 submissions were received opposing the proposed rezoning of 11R Birmingham Road, Otara along with three further submissions. These submissions raised concerns about the loss of this valuable area of open space which was used by the workers of the surrounding businesses in their breaks and by the members of the adjoining church. The submissions also noting the open space zoning provided protection from removal for the trees on the site.
165. The evidence presented by Mr Hey on behalf of Mr Johannink and others expanded on the opposition of the submitters to the rezoning and the importance and use of the open space by the local workers and community groups such as the local Pacifica church and the value of the open space to both the local industries and wider community. We also heard from Mr Autagavia on behalf of the Otara Papatoetoe Local Board who advised the Local Board supported retaining the site as an open space area and outlined that the Local Board was considering options for the development and enhancement of the reserve and considered that it was an important component of the open space network.
166. We also note the recommendation in the Council's 42A report to retain the Open Space – Informal Recreation zoning for the site. The report outlines that while there is extensive open space in the surrounding area, 11R Birmingham Road is

the only informal open space within the Business – Light Industry zone. That the rezoning to Business – Light Industry zone will likely result in the loss of the existing mature trees on the site and thereby contrary to the Auckland Council Urban Ngahere Strategy. Lastly, a large portion of the site lies within a flood plain and there is an overland flow path along the western portion of the site.

167. We also appreciate the effort that the submitters have taken to outline their concerns regarding the use of the reserve including the specialist advice provided on their behalf by Mr Hey.
168. Mr Hey also highlighted a number of issues with the Council's Open Space Provision Policy 2016 and the Open Space Network Strategy 2016. He considered these did not provide for reserves in Industrial zones. We also note the comments of Council's Senior Policy Advisor – Parks, Mr Barwell that he was unaware of the use made of this site by the surrounding businesses and community groups.
169. Having visited the site and surrounding area, and considered the advice of the Council's reporting planner, the Local Board representative, the submissions and evidence presented by Mr Hey, we consider that the site does provide an important open space amenity area for use by the workers in this part of the existing industrial land uses and the wider community. We also note the advice of the Local Board that they were interested in working with Mr Johannink to develop facilities on the site to support its recreational use. We find that the site should be retained as Open Space – Informal Recreation zone. In addition, we note the advice of the Council officers that these documents are overdue for review.
170. Therefore, the submissions of Wireworks New Zealand Ltd, Rahul Manocha (The Karma Estate Ltd), Anthony Katterns, Total Engineering East Tamaki Ltd, Tania Brown-Bayliss, Tetiana Rabshtyna, Hammed Torkaneh, Turin Panel & Paint Ltd, Peter Jones, Alexander Cameron-Brown, Ross David Ireland, Chelsea Fowler, Cook Islands Seventh Day Adventist Church, Johannink Property Ltd, T&T Childrenswear & CNC Design Ltd. are accepted with the related further submissions accepted and rejected accordingly.

2R Keeney Court, Papakura (Map 78)

171. PC 60 seeks to re-zone 2R Keeney Court, Papakura, a small flat pocket park, from Open Space – Informal Recreation to Residential – Mixed Housing Urban zone. Keeney Court is located in the established residential area of Papakura. Keeney Court and the adjacent residential streets are zoned Residential – Mixed Housing Urban.
172. As set out in the Council's s42A report (paragraph 6.1.10), 8 submissions were received opposing the proposed rezoning of 2R Keeney Court, Papakura and 4 further submissions. The submitters considered that the site should be retained as a park and that there was an ongoing need for local children living and visiting the area to have a safe place to play. The submitters advised that the land was

acquired through past reserves contributions as an open space, recreation area for the Papakura community. The submitters felt rezoning, and disposal of the site would dramatically change the nature of the street and local community. To access alternative areas of open space, children would be required to cross Clevedon Road, an arterial road to access. Also, the increased intensity of development occurring in the surrounding area would result in greater emissions and posed health effects on the local community, so green spaces like 2R Keeney Court were needed.

173. At the hearing, Lynette Blackbourn supported and expanded on the submitters concerns regarding the loss of an area that in her view was well used and outlined the difficulties accessing nearby reserves which required crossing busy roads. Brent Catchpole on behalf of the Papakura Local Board further articulated these concerns. Having visited the site we agree that the adjoining roads are busy arterials and there is no easy pedestrian route to Massey Park and no other area of open space that is easily accessible in the locality for pedestrians.
174. The Council's reporting planner recommended, in light of the submissions received, that the site retain its open space zoning. The s42A report noted that while the general area is well served with nearby sports grounds and recreation facilities with both Massey Park and McLennan Park, there is a lack of informal recreation spaces. The report also highlighted that while the area is characterised by predominantly single detached houses, the zoning in Keeney Court and the surrounding area provides for considerably more intensive development (particularly if lots are amalgamated). The reporting planner also considered that while the reserve currently did not contain mature trees, the site provided an opportunity for future planting and thereby contributing to the achievement of Auckland Council's Urban Ngahere Strategy and Auckland's Climate Plan 2020.
175. Our site visit to the area confirmed the matters outlined by Mrs Blackbourn and Mr Catchpole that there was a lack of informal open space in the locality and that pedestrian access to the nearby larger reserves was difficult given the existing adjoining arterial roading network. We also consider that this small area of reserve provides local amenity and is a safe flat area of open area for use by the residents and visitors to the adjoining and nearby residences. We find that the site should be retained as Open Space – Informal Recreation.
176. Therefore, the submissions of Robbie Cosseboom, Gabriel Cowell, Varinder Singh, Shirley Turner, Jianwen Li, Gayleen Anderson, Lynette Blackbourn, Helen Higgott and Judith Rowe are accepted with the related further submissions accepted and rejected accordingly.

13 Davern Lane, New Lynn (Map 85)

177. PC 60 seeks to re-zone 13 Davern Lane, New Lynn from Open Space – Informal Recreation Zone to Residential – Mixed Housing Urban zone . The reserve is located at the end of the Davern Lane cul-de-sac. It is a flat, grassed site, with

a bench seat and planted with mature trees. The surrounding sites are zoned Residential – Mixed Housing Urban and are occupied by 1 and 2 storey houses.

178. As set out in the Council's s42A report (paragraph 6.1.15), 21 submissions were received opposing the proposed rezoning of 13 Davern Lane, New Lynn. The key reasons for the opposing the rezoning included the role the park played within this street and surrounding area which provided a safe meeting place, the contribution the area made to the wellbeing of the surrounding residents. They were also concerned at the loss of the mature trees on the site, including the large Pohutukawa tree, and the impact this would have on the local birdlife and wider ecosystem. The loss of these healthy mature trees is inconsistent with Auckland Council's Declaration of a Climate Emergency, Auckland Council's Urban Ngahere Strategy and The Auckland Plan outcome for Environment and Cultural Heritage.
179. The submitters outlined how the reserve had been a requirement of the original subdivision and for many of the submitters a reason why they had chosen to live in this area. In their view the removal and rezoning of the reserve was contrary to the relevant provisions of the NPS-UD dealing with well-functioning environments, the Regional Policy Statement B2.7, the AUP(OP) H7.5 Open Space, the Council's Open Space Provision Policy, the Auckland Plan 2050, the Whau Open Space Network Plan 2017 and New Lynn Reserves Management Plan 2004
180. We appreciated the presentation from the Davern Residents Incorporated (Tania Makani) and the residents of the adjoining sites that expanded on their written submissions outlining their connections to the reserve and the important value of the reserve to the community including the well-used nature of the reserve, the amenity of the established trees and use of the reserve for a range of recreation activities by both the local residents, children of the neighbourhood and nearby schools and pre-schools. We also found the evidence of David Wren, the planning witness engaged by the Davern Residents Incorporated, very helpful in providing an assessment of the value of the reserve to the amenity of the neighbourhood.
181. We note the recommendation of the Council's s42A report to retain the Open Space – Informal recreation zoning for the site. The report noting that while the surrounding sites are predominantly single detached houses that the land in the vicinity of the reserve is zoned Residential – Mixed Housing Urban which provides for considerably more intensive development (particularly if lots are amalgamated) and the area currently has deficiency of open space. He also agreed with the resident's assessment that rezoning the site to Residential – Mixed Housing Urban and its subsequent development would likely to result in the loss of existing trees and was contrary to the Council's Urban Ngahere Strategy and Auckland's Climate Plan 2020 and the NPS:UD.
182. Our site visit to the reserve and neighbourhood highlighted the developed nature of the reserve with established mature trees and the amenity that this area of open space provides to the surrounding neighbourhood. We noted, as discussed

by the submitters, that Hutchinson Avenue is a busy road, the level of residential intensification occurring and the lack of local reserve areas within easy walking distance of this area. We agree with the assessment of the Council's reporting planner and his recommendation that Davern Lane should retain its Open Space – Informal Recreation Zone.

183. Therefore the submissions of the Davern Residents Incorporated, Sunghwan Choi, Andrew and Dahlia Forlong, Tania Makani, John Michael Cartwright, Redentor Bueno, Carlota Bueno, Sailesh K Singh, Lisa Varghese Kachappilly, Bhavisha Patel, Hardikkumar Parmar, Seok Bong and Chan Ju Lee, David Ronald Jones, Joan Mulligan, Warren and Anne-Marie Spice, A J Bradshaw, Nevin Chirackal, Ken Thomas, Lissa Knight (Mana Raakau), Silvia Spieksma, Janet Charman (Mana Raakau), Dave King, and Penny Rodway are accepted and the further submission of Tom Ang be rejected.

45 Georgina Street, Freemans Bay (Map 81)

184. PC 60 seeks to re-zone 45 Georgina Street, Freemans Bay and 36 Cooper Street, Grey Lynn from Open Space – Informal Recreation to Residential – Single House zone. 45 Georgina Street, Freemans Bay is a small pocket park of 109 m² on the corner of Georgina Street and Ryle Street, Freemans Bay. It is located within an established residential enclave of Freemans Bay, elevated above the road with views to the central city.
185. As set out in the Council's s42 report (paragraph 6.1.12), nineteen submissions were received opposing the rezoning of 45 Georgina Street along with three further submissions. The submissions and the presentation from the Parnell Community Committee and Freeman's Bay Residents Association focused on the importance of pocket parks particularly as the city becomes more intensified. These open spaces are a finite resource that should be valued and protected and an essential amenity to the community, particularly in the denser inner-city suburbs and as the city intensifies. In their view, rezoning and disposal of these areas was short sighted and contrary to Waitemata Local Board Open Space Network Plan 2019-2029.
186. The Council's reporting planner did not support the rezoning of 45 Georgina Street and confirmed there was a lack of open space in the zone, particularly to the south of the site. He considered provision of open space was important in the inner-city suburbs where the density was relatively high compared to the post war suburban development. He also agreed that while the site currently did not contain any trees, this didn't preclude future opportunities to increase canopy cover in accordance with the Auckland Council's Urban Ngahere Strategy and Auckland's Climate Plan 2020.
187. Having visited the site and surrounding area in Freemans Bay, considered the submissions, the evidence presented at the hearing and the recommendation of the Council's reporting planner we find that the site at 45 Georgina Street, Freemans Bay should retain its Open Space – Informal Recreation zone.

188. Therefore the submissions of Simon Kember, Richard Rolfe, Basil Denee, David Alison, Claire Dockery, Josephine McNaught, Lindsay Foster, Linda Christian, Peter Harrison, D Dillman, Mark van Kaathoven, Parnell Community Committee (Luke Niue), Bruce Nelson, Jenny Granville, Clovis Peryer, Ross Thorby, Rhonda Nelson, Trevor Lund, Lynne Butler (on behalf of Anamady Limited) and Mike Blackburn and the further submissions in support from Dave King and Penny Rodway and Peter Carruthers, Parnell Community Committee (Luke Niue), Heritage New Zealand Pouhere Taonga (Susan Andrews) be accepted with the related further submissions being accepted and rejected accordingly.

36 Cooper Street, Grey Lynn (Map 82)

189. PC 60 seeks to re-zone 36 Cooper Street, Grey Lynn from Open Space – Informal Recreation to Residential – Single House zone. The site is a pocket park of 324m² located on the corner of Cooper and Seddon Streets, Grey Lynn. Cooper Street including this site is subject to a Historic Heritage Overlay Extent of Place.
190. As set out in the Council's s42 report (paragraph 6.1.13), three submissions opposing the rezoning of 36 Cooper Street were received along with three further submissions. Matters raised in the submissions were similar to those raised in relation to Georgina Street including the impact a new dwelling would have on the heritage values in the area. The submissions noting the lack of any investigation or analysis of the potential historic heritage values - historic, archaeological, social, etc. of the reserve within the Cooper Street Historic Heritage Area (Schedule 14.2 ID. 2518).
191. We agree with the reporting planner that the submitter's concerns about rezoning the site would result in an unsympathetic development occurring on the site are somewhat unfounded as any development of the site would be subject to the AUP(OP) provisions of Chapter D17 Historic Heritage Overlay. Under these provisions any new buildings or structures on the site was classed as a restricted discretionary activity. The Historic Heritage Overlay provision, including the objectives, policies, standards and assessment criteria would appropriately manage any new development on the site. That said, for the same reason as outlined for 45 Georgina Street, Freemans Bay, the reporting planner does not support the rezoning of 36 Cooper Street.
192. Having considered the submissions, evidence presented and the recommendation of the Council's reporting planner we agree that the retention of pocket parks in the area is important and find that the site should retain its Open Space – Informal Recreation zone. Therefore, the submissions of Peter Carruthers, the Parnell Community Committee (Luke Niue), and Heritage New Zealand Pouhere Taonga (Susan Andrews) be accepted with the related further submissions being accepted and rejected accordingly.

23 Waipuna Road, Mt Wellington (Map 75)

193. PC 60 seeks to re-zone 23 Waipuna Road, Mt Wellington from Open Space – Informal Recreation to Residential – Terrace Housing and Apartment Buildings zone. The site is located close to the corner of Waipuna Road and Musket Place. It is a flat, grassed reserve area with seating and well-maintained gardens. The surrounding area is zoned Residential – Terrace Housing and Apartment Buildings zone and is currently characterised by a mixture of single and two storeyed dwellings, with pockets of older infill development and some more recent examples of residential intensification.
194. A submission in opposition was received from the adjoining property owners (Ky Sit, Lh Sit and F Jiang) along with two further submissions, one in support the other in opposition. The submitter was concerned that by rezoning the site to Residential – Terrace Housing and Apartment Buildings zone and disposing of the reserve area the community were “losing a fantastic open space for leisure”. They were also concerned about the implications of the site being developed for Residential – Terrace Housing and Apartment Buildings zone on the adjoining residential properties including structural damage during construction and the height of buildings that could be achieved under the Residential – Terrace Housing and Apartment Buildings zone.
195. The Council’s reporting planner was supportive of rezoning the site to Residential – Terrace Housing and Apartment Buildings zone noting that there were other open spaces in the vicinity including the esplanade reserve around the edge of the Panmure Basin, along with an “island” of open space at the centre of the intersection of Mt Wellington Highway, Waipuna Road and Penrose Road and the Hamlin Park sports fields off Mt Wellington Highway. In relation to the other concerns raised in the submission related to impacts of the future development of the adjacent sites, the reporting planner considered they would be managed by the provisions in the Residential – Terrace Housing and Apartment Buildings zone.
196. Having visited the site and surrounding area; we noted that unlike many of the other reserve areas proposed to be rezoned this was a well-established pocket park, flat, north facing with established planting, paving and seating. We also noted that this was a neighbourhood which has been zoned for high intensity residential development and we could see the beginnings of this transformation occurring both in Waipuna Road and the surrounding streets. We note the comments of the reporting officer regarding the other areas of open space in the vicinity but consider that pedestrian access to these spaces, including the esplanade reserve on the edge of the Panmure Basin, required crossing the major arterial routes of Waipuna Road, Penrose Road and the Mount Wellington Highway. From our observation there were no easily accessible areas of open space in the surrounding area.
197. Overall, it is our view that this relatively small area of Open Space zoned land which has been developed and maintained as a pocket park to serve the local area should retain its Open Space – Informal Recreation zone. Therefore, the

submission of Ky Sit, Lh Sit and F Jiang is accepted with the related further submissions being accepted and rejected accordingly.

12R Rockfield Road, Ellerslie (Map 76)

198. PC 60 seeks to re-zone 12R Rockfield Road, Ellerslie from Open Space – Informal Recreation zone to Residential – Mixed Housing Suburban zone. The 809m² site is a well-established reserve with mature trees, planting, fencing and seating. The surrounding residential area is zoned Residential – Mixed Housing Suburban. Three submissions opposing the rezoning (Ed Hayes, Julie Brien, and Bronwen Wills) were received along with three further submissions (two in support, one in opposition).
199. The submissions received opposed the rezoning of the site which was seen as an important accessible open space area for those living in the surrounding area. The submissions highlighted that while One Tree Hill reserve was seemingly close that it was not accessible for many of the residents living in this area. There was also concern regarding the loss of the mature native trees on the site which was frequented by native bird life. The submission by Ms Wills also raised concerns about the historic importance of this reserve which was donated to the Crown in 1925 by Annie and Jessie Brown for a community park and which may also have historic importance for local iwi.
200. The Council's reporting planner also did not support the rezoning of 12R Rockfield Road, Ellerslie. The s42A report noting that surrounding residential areas were zoned Residential – Mixed Housing Suburban with pockets of Residential – Mixed Housing Urban which provided for more intensive residential development and considered that access to open space would become increasingly important. In relation to the potential heritage values of the reserve area, the s42A report advised that the Council's heritage team had been investigating these matters but to date the results were inconclusive, however the investigations were continuing. Lastly the report noted that the reserve contained a number of mature trees which were protected under the Open space zoning. Rezoning the reserve area to Residential – Mixed Housing Suburban would likely result in the loss of all the trees and was therefore contrary to the Auckland Council Urban Ngahere Strategy.
201. We have carefully considered the submissions, the established nature of the reserve and the heritage values and the recommendation of the Council's s42A report and find that the site should retain its Open Space – Informal Recreation zone. The submissions of Ed Hayes, Julie Brien, and Bronwen Wills are accepted with the related further submissions being accepted and rejected accordingly

Brandon Road Walkway, Glen Eden (Map 79)

202. PC 60 seeks to re-zone the Brandon Road Walkway from Open Space – Informal Recreation to Residential – Terrace Housing and Apartment Buildings zone. The area to be rezoned is formed as a pedestrian accessway off Brandon Way to the

rear of the buildings on Westward Ho Road. The surrounding sites are zoned Residential – Terrace Housing and Apartment Buildings zone and Business – Light Industry zone. The properties with frontage along Brandon Road are established residential properties and to the west and south-west is a mix of light industrial and business premises.

203. Three submissions (Peter Daube, Johanna Smith and Jade Barker) opposing the proposed rezoning were received along with two further submissions (one in support and the other in opposition). The submissions raised concerns about impact on the community arising from the loss of this walkway and crucial linkage which was used by school students and those accessing supermarket and services at Kelston Shopping Centre.
204. The Council's reporting planner did not support rezoning the walkway (Lot 4 DP 49387) which provides a pedestrian access to an accessway that runs from the recreation reserve to Westech Place. The s42A report highlighting that the loss of the pedestrian connection was contrary to the adopted The Auckland Plan, Open Space Provision Policy 2016, Auckland's Climate Plan 2020 and the Waitakere Ranges Greenways Plan 2019 all which encourage better connections for walking and cycling and rezoning this adversely affects that connectivity. In particular, the Waitakere Ranges Greenways Plan 2019 identifies the Brandon Road reserve/accessway as a proposed greenway route.
205. In the alternative the reporting planner noted that the portion of the reserve southeast (or past the intersection) of the accessway could be rezoned and sold to the adjacent landowner, as this can occur without compromising pedestrian access or alternatively the rezoning could occur provided an easement was created to allow pedestrian access.
206. Having considered the submissions and the advice of the Council's reporting planner on the options of retaining the open space zone, a partial rezoning of the south-eastern portion of the reserve or the creation of an easement. In conclusion we consider that the walkway is an established accessway and linkage to the Kelston Shopping Centre that should be retained. We see little advantage in the sale of the land with an easement to allow pedestrian access but agree that portion of the reserve southeast (or past the intersection) of the accessway should be rezoned to Business – Light Industry to enable its sale to the adjoining landowner. Therefore, the submissions of Peter Daube, Johanna Smith and Jade Barker are accepted in part with the related further submissions being accepted and rejected accordingly.

105 Stott Avenue, Birkenhead (Map 93)

207. PC 60 seeks to re-zone the reserve at 105 Stott Avenue, Birkenhead¹² from Open Space – Conservation Zone to Residential – Single House zone. Although the

¹²Council Agenda, page 115, paragraph 400

property has a GIS address of R105 Stott Avenue, it is located at the rear (east) of 57C Lancaster Road, Beach Haven. The property is a rear site with an area of 526m² and is part of a continuous Significant Ecological Area (SEA) that extends from the estuary north of Beach Haven Road through to just north of Rangatira Road.

208. Submissions were received from Martyn and Sally Sissons and Bronwen Harper (Pest Free Kaipātiki Restoration Society Incorporated) along with two further submissions (one in support and the other in opposition). Key issues raised in these submissions were the effects on the privacy and safety of adjoining properties arising from the loss of bush, concerns about flooding and the impact any development might have on existing mature native trees on surrounding properties.
209. The Council's reporting planner did not support rezoning the site to Residential Single House zone. He considered that any development of the property arising from the rezoning to Residential – Single House zone would likely result in the removal of most of the existing vegetation, which is located in the SEA noting up to 300m² of vegetation removal would be a permitted activity. He shared the concerns of the adjoining neighbours that this would also require removal of the vegetation at the rear of 57C Lancaster Road which is also part of the same SEA. He also considered that the proposed rezoning was contrary to the Council's Urban Ngahere Strategy that is seeking to increase the average canopy cover to 30 per cent across the Auckland urban area and Auckland's Climate Plan 2020 that emphasises the need to capture more carbon and to plant more trees. By retaining this property as publicly owned open space he considered this would provide an opportunity to retain and increase canopy cover.
210. Having considered the submissions, the advice of the Council's reporting planner, we find that this property which forms part of the contiguous area of SEA that extends from the coast to north of Rangatira Road should retain its Open Space – Conservation zone. Therefore, the submissions of Marty and Sally Sissons and Bronwen Harper are accepted with the related further submissions being accepted and rejected accordingly.

26 Princes Street, Ōtāhuhu (Map 96)

211. PC 60 seeks to re-zone 26 Princes Street, Ōtāhuhu from Open Space – Informal Recreation to Business – Mixed Use zone. The site is located on the corner of Princes Street and Atkins Avenue. The surrounding sites, on the north side of Princes Street are established residential properties with the properties on the southern side of Princes Street are developed with commercial buildings. The site is well planted containing 11 mature palm trees and a large mature Moreton Bay fig tree.
212. As set out in the Council's s42A report (paragraph 6.1.20), four submissions were received opposing the rezoning of 26 Princes Street, Ōtāhuhu along with three further submissions. Key issues raised in the submissions was not only the loss of the current reserve but also how rezoning the site would result in the removal

of the mature trees which provided a much-needed green space in the area. The removal of these trees was also seen as being inconsistent with the Mangere-Otahuhu Local Board's goal of increasing the tree canopy in Otahuhu, with the trees part of Otahuhu's physical and cultural identity, providing scenery and clean air. There was also concern about the traffic impacts if the site was developed for business purposes. The submitters pointed to the need for small green spaces in the area to support the residential intensification occurring highlighting the recent Kāinga Ora development in Atkinson Avenue.

213. The Council's reporting planner did not support rezoning the site to Business – Mixed Use zone. He considered that there was a lack of open space in the immediate vicinity of the site and that with the surrounding areas being zoned Business – Mixed Use and Residential – Terrace Housing and Apartment Buildings zones provided for a considerable amount of further development. He was less concerned about the potential traffic impacts associated with any new development should the site be rezoned Business – Mixed Use rather his recommendation related to the potential loss of the existing trees on the site and the impact that would have in terms of the reduction in the tree canopy cover and the loss of amenity values for the immediate neighbourhood, passing pedestrians and traffic.
214. Having visited the site, considered the submissions and the advice of the Council's reporting planner we find that the site should retain its Open Space – Informal Recreation zone. Therefore, the submissions of Justine Schilder, Jennifer Hirawani, Bryce Rayner, Michelle Simpson and Peter Simpson are accepted with the related further submissions being accepted and rejected accordingly.

1-5 Lippiatt Road, Ōtahuhu (Map 73)

215. PC 60 seeks to re-zone the reserve at 1-5 Lippiatt Road, Ōtahuhu from Open Space – Informal Recreation to Residential – Terrace Housing and Apartment Buildings zone. The reserve is well established with mature trees around the perimeter of the reserve and areas of open space. The reserve is located within an established residential area.
216. As set out in the Council's s42A report (paragraph 6.1.6), six submissions were received opposing the rezoning of 1-5 Lippiatt Road, Ōtāhuhu along with six further submissions. Key issues raised in the submissions was the proposed rezoning would have a significant negative impact on the enjoyment of the neighbourhood. There was also concern about the loss of the reserve and the trees which submitters considered would be needed to support residential intensification. Some of the submitters, including Heritage New Zealand Pouhere Taonga considered the rezoning to be contrary to the AUP(OP) heritage and development policies noting the rezoning would adversely affect the Pegler Brothers Housing Historic Heritage Area (Schedule 14.2 ID. 2564). It was also noted that the reserve is subject to flooding and therefore was not considered a good site to sell for funds.

217. The Council's reporting planner was supportive of proposed rezoning of the site to Residential – Terrace Housing and Apartment Buildings zone noting that the zone contains standards which mitigate the effects of development on the adjacent properties in the Single House zone. He also considered that there is a significant amount of open space within walking distance of 1-5 Lippiatt Road including Sturges Park (sports fields), Fairburn Reserve (Otahuhu pool and leisure centre and grounds) and Otahuhu College grounds (playing fields). He considered these are higher quality open spaces that are available to existing and future residents of 1-5 Lippiatt Road.
218. In relation to the historic heritage issues raised, the reporting planner rightly identified that these areas are subject to the provisions of D17 Historic Heritage Overlay which also manages new buildings or structures on non-contributory sites as a restricted discretion activity. Likewise with respect to the submitter's concerns around the area being prone to flooding, the s42A report notes that any new development in flood prone areas is subject to the provisions in E36 – Natural Hazards and Flooding.
219. Having visited the site, considered the submissions and the advice of the Council's reporting planner we find that the site at 1-5 Lippiatt Road, Ōtahuhu should be rezoned to Residential – Terrace Housing and Apartment Buildings zone for the reasons outlined in the s42A report. Therefore, the submissions of Justin Schilder, Reggie Kohu, Claire Emma Valkenborg, Stephen Robert Faulkner, Alison Mary Faulkner, Heritage New Zealand Pouhere Taonga c/- Susan Andrews, and Elisabeth Jobbins are rejected with the related further submissions being accepted and rejected accordingly.

67 East Street, Pukekohe (Map 86)

220. PC 60 seeks to re-zone the site at 67 East Street, Pukekohe from Open Space – Informal Recreation to Residential – Single House Zone. The site is located in the established residential area of Pukekohe and surrounded by predominately single residential dwellings. One submission was received from Wendy McPartland along with two further submissions (one in support and the other in opposition). Ms Partland considered that the property is a long-standing reserve, and it should remain so and not be built on. She was also concerned that development on the site may cause traffic problems in Kowhai Place.
221. The Council's reporting planner was supportive of proposed rezoning of the site from Open Space – Informal Recreation zone to Residential – Single House Zone as there is currently adequate alternative open space areas in the vicinity. The s42A report also noting that the area east of Ngahere Road is in the Future Urban zone and it is likely that additional open space areas will be provided when this area is subdivided and developed. He considered that the Residential – Single House Zone is the appropriate zone for the site as this is consistent with the zone applied to the adjoining sites. Lastly the rezoning 67 East Street, Pukekohe to Residential – Single House zone and its subsequent development is likely to result in only a small increase in traffic and parking on the surrounding road network.

222. For the reasons outlined above we find the site at 67 East Street, Pukekohe should be rezoned from Open Space – Informal Recreation to Residential – Single House zone. The submission of Wendy McPartland is rejected with the related further submissions being accepted and rejected accordingly.

Princes Street West, Pukekohe (Map 87)

223. PC 60 seeks to re-zone a portion of the Princes Street Reserve from Open Space – Informal Recreation to Residential – Mixed Housing Suburban zone. The site has frontage to Princes Street West and is located on the south-western side of the Pukekohe township. The site adjoins properties zoned Residential – Mixed Housing Suburban to the west and east.
224. One submission in opposition was received from Tane Sola (and others) along with two further submissions (one in support and the other in opposition). Mr Sola outlined that the reserve was a gift from the Fausett family for public use in perpetuity, was well used and had history.
225. As outlined in the Council's s42A report the portion of the Princes Street reserve that is the subject of PC 60 is currently isolated from the remainder of the reserve. It has the appearance of a vacant section between existing houses. The existing Princes Street reserve has good street frontage. The assessment provided in the report demonstrates that there are adequate open space areas in the vicinity and that the land to the north (i.e Kauri Road) is zoned Future Urban and it is likely that additional open space will be provided in this area when the land is subdivided and developed. He considered that the Residential – Mixed Housing Suburban zone is the appropriate for the site as this is consistent with the zone applied to the adjoining residential sites. Lastly, that rezoning of the site to Residential – Mixed Housing and its subsequent development is likely to result in only a small increase in traffic and parking on the surrounding road network.
226. For the reasons outline above we find the site at Princes Street West, Pukekohe should be rezoned from Open Space – Informal Recreation to Residential – Mixed Housing Suburban zone. The submission of Tane Sola is rejected with the related further submissions being accepted and rejected accordingly.

5R Ferguson Street, Mangere East (Map 94)

227. PC 60 seeks to re-zone the site at 5R Ferguson Street, Mangere from Open Space – Informal Recreation to Residential – Mixed Housing Suburban zone. The site is currently formed as informal access to the residential properties adjoining the reserve. The adjoining sites are well developed with single residential houses. One submission has been received from Malia Faimanifo Sopoga along with two further submissions (one in support and the other in opposition). The submitter was concerned at the proposal to rezone the site to Residential – Mixed Housing Suburban and the change that may occur in the street's visual amenity if the site is developed in accordance with the zone provisions. The submission requested that the rezoning be declined and that if the site was to be rezoned that it should be Residential – Single House zone.

228. The Council's reporting planner was supportive of proposed rezoning of the site noting there was adequate open space in the vicinity within walking distance of the site. He supported the proposed rezoning to Residential – Mixed Housing Suburban which accords with the zoning of the adjoining residential sites and the form of development in the area.
229. We agree with the reporting planner's assessment and find that the site should be rezoned Residential – Mixed Housing Suburban zone. The submission of Malia Faimanifo Sopoga is rejected with the related further submissions being accepted and rejected accordingly.

Trojan Crescent, New Lynn (Map 84)

230. PC 60 proposes to rezone Trojan Crescent (Lot 6 DP 119411), New Lynn from Open Space – Informal Recreation to Residential – Mixed Housing Urban zone. The site is a small pocket park on the corner of the two branches at the end of Trojan Crescent. Two further submissions in opposition were received from Penny Rodway and Tom Ang. At the hearing Mr Liggett confirmed that Kāinga Ora no longer wished to progress the submission related to the parcel of land at Trojan Crescent, New Lynn.
231. The Council's reporting planner recommended that the submission be rejected. He considered that the area is lacking in informal open spaces and the Trojan Crescent reserve contains mature exotic trees. He also noted that the lack of open space could be addressed by Kāinga Ora in the future when the area contains more intense development.
232. For the reasons outlined above we agree that Trojan Crescent (Lot 6 DP 119411), New Lynn should retain Open Space – Informal Recreation zoning. The submission by Kāinga Ora is rejected and the further related submissions accepted.

4 & 8 Peak Road, Kaukapakapa (Map 103)

233. PC 60 proposes to rezone the sites at 4 & 8 Peak Road, Kaukapakapa from Residential – Rural Settlement zone to Special Purpose – Cemetery zone. The site at 4 Peak Road is owned by the Wesleyan Church Trustees and contains a church and part of the associated cemetery. The adjoining 8 Peak Road is owned by Auckland Council and contains the remainder of the cemetery. The two lots have a combined area of 3580 sqm. The cemetery is currently open and operates under existing use rights. The sites are incorrectly zoned residential in the AUP(OP).
234. As set out in the Council's s42A report (paragraph 6.1.24), one submission in support was received from the Wesleyan Church Trustees along with a further submission in opposition (Tom Ang).
235. The Council's reporting planner was supportive of the proposed rezoning of the sites. He noted that operational cemeteries typically have a Special Purpose: Cemetery zoning under the AUP(OP). The Wesleyan Church Trustees have

requested the zone change so that the cemetery can continue to operate as a permitted activity.

236. For the reasons outlined above we find that the sites at 4 & 8 Peak Road, Kaukapakapa should be rezoned from Residential – Rural Settlement zone to Special Purpose – Cemetery zone. The submission by Wesleyan Church Trustees is accepted and the related further submission rejected accordingly.

Balance of the sites

237. The balance of the sites listed in the table at paragraph 41 either received submissions in support or were not the subject of specific submissions. These sites are:

- *37 Olive Road*
- *67A Glengarry Road*
- *Paerata Road*
- *39R Pohutakawa Road*
- *17W Hawke Crescent*
- *8 Magnolia Drive*
- *31R Killington*

238. We confirm the proposed rezoning of these areas for urban purposes in accordance with the notified PC 60.

Kāinga Ora and Auckland Council's redevelopment land

239. PC 60 also seeks to re-zone 8 land parcels (or groups of land parcels) to facilitate Kāinga Ora and Auckland Council's redevelopment in the neighbourhoods of Mangere, Ōwairaka, and Northcote and/or to improve the quality of or access to open space in these areas. Kāinga Ora lodged a submission in general support to PC 60 and specially to the sites that it owned or has an interest in.

27 & 33R Watchfield Close, Mangere (Maps 99 & 101)

240. PC 60 proposes to re-zone the sites at 27 and 33R Watchfield Close, Mangere from Residential – Mixed Housing Urban zone to Open Space – Informal Recreation zone. The rezoning is intended to facilitate Kāinga Ora redevelopment of this area and improve access to open space. Two further submissions (Penny Rodway and Tom Ang) were received.
241. The Council's reporting planner was supportive of the proposed rezoning noting that it will facilitate Kāinga Ora development and improve pedestrian access from Watchfield Close to Moyle Park. He also noted that the proposed rezoning recognises the land swap process between Kāinga Ora and Auckland Council.

242. We find that the sites at 27 and 33R Watchfield Close, Mangere should be rezoned from Residential – Mixed Housing Urban zone to Open Space – Informal Recreation. The submission by Kāinga Ora is accepted with the related further submissions rejected.

117 Richardson Road, Owairaka (Map 98) & 14-16 Cassino Terrace, Owairaka (Map 102)

243. PC 60 proposes to rezone 117 Richardson Road, Owairaka from Open Space – Informal Recreation zone to Residential – Terrace Housing and Apartment Buildings zone and 14-16 Cassino Terrace, Owairaka from Residential – Mixed Housing Urban to Open Space – Informal Recreational zone. The proposal involves improving pedestrian access from Cassino Terrace to Murry Halberg Park. While the Kāinga Ora submission generally supported the proposed rezoning it also sought that the portion of the site between the existing and new walkway at 14-16 Cassino Terrace be rezoned from Residential – Mixed Housing Urban Zone to Residential – Terrace Housing and Apartment Buildings zone. Two further submissions were received from Penny Rodway and Tom Ang opposing the rezoning of the sites.
244. The Council's reporting planner was supportive of the proposed rezoning, including the request to rezone the portion of the site between the existing and new walkway at 14-16 Cassino Terrace to Residential – Terrace Housing and Apartment Buildings zone noting that the rezoning will facilitate Kāinga Ora development and improve pedestrian access from Cassino Terrace to Murry Halberg Park. He also noted that the proposed rezoning recognises the land swap process between Kāinga Ora and Auckland Council.
245. We find that the site at 117 Richardson Road should be rezoned from Open Space – Informal Recreation zone to Residential – Terrace Housing and Apartment Buildings and the new accessway at 14 -16 Cassino Terrace, Owairaka should be rezoned from Residential – Mixed Housing Urban to Open Space – Informal Recreational zone with the balance of the site between the existing and new walkway rezoned from Residential – Mixed Housing Urban Zone to Residential – Terrace Housing and Apartment Buildings zone. The submission by Kāinga Ora is accepted with the related further submissions rejected.

R1 Greenslade Crescent & 140 Lake Road, Northcote (Map 97)

246. PC 60 proposes to rationalise the zone boundary between the Greenslade Reserve zoned Open Space – Sport and Active Recreation zone and the adjoining Residential – Terrace Housing and Apartment Buildings zone to recognise the land swap process between Kāinga Ora and Auckland Council as part of the redevelopment of this part of Northcote. Two further submissions were received (Penny Rodway and Tom Ang) opposing the Kāinga Ora submission in support of the proposed rezoning of the sites.
247. The Council's reporting planner was supportive of the proposed rezoning noting that it will provide for consistent redevelopment at an appropriate scale and will

make subsequent development on the Residential – Terrace Housing and Apartment Buildings zoned land more efficient. He also noted that the proposed rezoning will not result in a loss of reserve land and recognises the land swap process between Kāinga Ora and Auckland Council and the boundary adjustment subdivision.

248. We find in favour of the rationalisation of the Open Space – Sport and Active Recreation zone and Residential – Terrace Housing and Apartment Buildings zone boundary between R1 Greenslade Crescent and 140 Lake Road, Northcote, with the addition of the height variation control of 19.5m on the land to be rezoned Residential – Terrace Housing and Apartment Buildings zone. The submission by Kāinga Ora is accepted and the related further submissions are rejected.

50 & 62 Mayflower Close, Mangere East (Maps 100 & 105)

249. PC 60 proposes to rezone the site at 50 Mayflower Close, Mangere East from Open Space – Informal Recreational to Residential – Mixed Housing Suburban zone. The site is currently a “rear lot park” with minimal road frontage and the rear of adjacent residential properties backing onto it.
250. As set out in the Council’s s42A report (paragraph 6.1.26), three submissions were received one in support (Kāinga Ora) and two opposing (Mere Cooper and Norman Beazley Whanau Trust) along with four further submissions. The submitters in opposition were concerned that development under the proposed Residential – Mixed Housing Suburban zoning would create shading, privacy, and traffic effects. There was also concern over the lack of communication and how effects on adjacent properties would be managed.
251. It is also proposed to rezone the site at 62 Mayflower Close, Mangere East from Residential – Mixed Housing Suburban to Open Space – Informal Recreation zone and road. The proposal will involve the construction of a new public park. As set out in the Council’s s42A report (paragraph 6.1.26), four submissions were received one in support (Kāinga Ora) and three opposing (William William, Amaru-Rai William and Norman Beazley Whanau Trust), along with four further submissions. The main issue raised by submitters was concern over an increase in traffic on the surrounding road network.
252. The Council’s reporting planner was supportive of the proposed rezoning of the two sites. He noted that there will be a loss of amenity for immediate neighbours, but any adverse effects are managed by the Residential – Mixed Housing Suburban zone standards. He also considered that the rezoning is likely to result in only a small increase in traffic numbers and parking demand and considered traffic calming devices can be investigated if there is any issue with vehicle speeds.
253. For the reasons outlined above we find that the site at 50 Mayflower Close, Mangere East should be rezoned from Open Space – Informal Recreational to Residential – Mixed Housing Suburban zone and the site at 62 Mayflower Close, Mangere East should be rezoned from Residential – Mixed Housing Suburban

to Open Space – Informal Recreation zone and road. The submission by Kāinga Ora is accepted, while the submissions by Mere Cooper, Norman Beazley Whanau Trust, William William and Amaru-Rai William are rejected. The related further submissions are accepted and rejected accordingly.

Plan Change 60 as a whole

254. Lastly there were a number of submissions received from a range of groups and individuals including Friends of the Earth (Submission 94), the Titirangi Resident's and Ratepayers Association (Further submission 03) and Mr Mark Lockhart (Submission 95) that opposed PC 60 in its entirety.
255. There were common themes in these submissions and presentations to the Hearing Panel with these organisations opposing the Council's proposals to declare identified pieces of reserve land as surplus, seeking to have them rezoned from open space to either residential or business zonings. These submissions raised concerns about the Council's rationalisation and disposal process, noting that these open space areas were becoming more important with the level of residential intensification occurring in Auckland. They were also concerned about the loss of trees and vegetation that would result from the areas being rezoned from open space and the implications this would have on local birds and wildlife. They considered the proposed rezoning to be contrary to the Council's Urban Ngahere Strategy and Climate Plan 2020. They sought the Hearing Panel withdraw the plan change.
256. While the Hearing Panel understands the concerns of these submitters, we are not able to withdraw the Plan Change either in whole or part, rather we are limited to making decisions on the submissions received. We note the concerns raised by these submitters, including the need to review the Council's Open Space Acquisition Policy (2013) and Open Space Provision Policy (2016) and the advice from the Council officers that the policy was somewhat dated, and doesn't adequately deal with the disposal of reserve land or the provisions for reserves outside of residentially zoned areas. They also advised that the Policy should be reviewed in light of the recent national policy changes including the NPS:UD and the requirement for the Council to enable further residential intensification. We agree that a review of the Council's open space policy should be a priority.
257. Therefore, these submissions and further submissions are accepted in part to the extent that the land either retains its Open Space zoning or rezoned to Open Space. We have also recommended, based on the evidence presented at the hearing by the Council officers and the submitters that the Council undertake a review and update of its Open Space Provision Policy (2016).

STATUTORY PROVISIONS

258. The RMA sets out a range of matters that must be addressed when considering a plan change, as identified in the section 32 report accompanying the notified plan change. We note that the plan change is focused on rezoning land that has either been recently vested or acquired for recreation and open space purpose,

correcting open space zoning errors, or land that was formerly vested as recreation or road reserve and which Council has resolved to dispose of.

259. We also note that section 32 clarifies that analysis of efficiency and effectiveness is to be at a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

260. Having considered the evidence and relevant background documents, we are satisfied, overall, that PC 60 has been developed in accordance with the relevant statutory and policy matters. The plan change in part will assist the Council in its effective administration of the Unitary Plan.

261. We find that:

a) the zoning proposed of the various sites that have recently been vested or acquired by the Council for open space purposes (as set out in Attachment A) and the correction of open space zoning errors and anomalies (as set out in Attachment B) is consistent with the intended use and development of these areas and/or their environmental values and that the various parcels of land should be re-zoned in accordance with PC 60 except for 2157 East Coast Road, Stillwater (Lot 1 DP 437303) that should be rezoned Residential – Mixed Housing Urban rather than Residential – Large Lot Zone.



b) the zoning of the various land currently zoned as Open Space and proposed to be re-zoned for urban purposes along with the land identified to facilitate Kāinga Ora and Auckland Council's redevelopments in Mangere, Ōwairaka, and Northcote should be re-zoned in accordance with PC 60 except for the following sites, where the proposed plan change is recommended to be rejected:

- 123 Waipuna Road, Mt Wellington (Map 75)
- 12R Rockfield Road, Ellerslie (Map 76)
- 11R Birmingham Road, Otara (Map 77)
- 2R Keeney Court, Papakura (Map 78)
- Brandon Road Walkway, Glen Eden (Map 79)
- 45 Georgina Street, Freemans Bay (Map 81)
- 36 Cooper Street, Grey Lynn (Map 82)
- Trojan Crescent, New Lynn (Map 84)
- 13 Davern Lane, New Lynn (Map 85)
- 26 Princes Street, Otahuhu (Map 96)
- R105 Stott Avenue, Birkdale (Map 93)

c) PC 60 will assist the Council in achieving the purpose of the Act; is consistent with the Auckland Regional Policy Statement, and the Auckland Plan.

DECISION

- 1 That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, that Proposed Plan Change 60 to the Auckland Unitary Plan (Operative in Part) be approved, subject to the modifications as set out in this decision.
- 2 Submissions on the plan change are accepted and rejected in accordance with this decision. In general, these decisions follow the recommendations set out in the Council's section 42A report, except as identified in this report.
- 3 The reasons for the decisions are that Plan Change 60:
 - a. will assist the Council in achieving the purpose of the RMA;
 - b. is consistent with the Auckland Regional Policy Statement;
 - c. is consistent with the provisions of Part 2 of the RMA;
 - d. is supported by necessary evaluation in accordance with section 32; and
 - e. will help with the effective implementation of the plan.
- 4 That the Auckland Unitary Plan (Operative in Part) be amended in accordance with this decision.
- 5 That the Hearing Panel recommends the Council undertake a review and update of the Council's Open Space Acquisition Policy (2013) and Open Space Provision Policy (2016).

	
Janine A. Bell (Chair) Independent Hearing Commissioner	Nicki Williams Independent Hearing Commissioner

Date: 01 August 2022

Attachment A

Land Recently Vested or Acquired for Open Space Purposes

Map Number	Address	Legal Description	Operative Zone	New Zone under PC 60 Decision
1	29B GLENDALE ROAD GLEN EDEN	Section 2 SO 437488	Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
2	23R MILLEN AVENUE PAKURANGA 2010	Lot 3 DP 494791	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
3	YOUNGS ROAD PAPA KURA AUCKLAND 2110	Lot 4 DP 500366	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
4	142 TRIANGLE ROAD MASSEY 0614	Lot 201 DP 501777	Business - Mixed Use Zone	Open Space - Informal Recreation Zone
5	MCLARIN ROAD GLENBROOK 2681	Lot 2016 DP 542300	Residential - Single House Zone	Open Space - Informal Recreation Zone
6	TIDAL VIEW ROAD DRURY 2578	Lot 507 DP 528695	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
7	13B ROLAND ROAD GREENHITHE 0632	Lot 3 DP 527443	Residential - Single House Zone	Open Space - Conservation Zone
8	2 TIMATANGA RISE GLEN INNES 1072	Lot 300 DP 513109	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
9	MAYBELLE PLACE KELSTON 0602	Lot 3 DP 499762	Residential - Single House Zone	Open Space - Conservation Zone
10	85B AEROVIEW DRIVE BEACH HAVEN 0626	Lot 3 DP 522176	Residential - Single House Zone	Open Space - Conservation Zone
11	R 60 RAWENE ROAD BIRKENHEAD 0626	Lot 5 DP 25092	Residential - Single House Zone	Open Space - Conservation Zone
12	37F MILL FLAT ROAD RIVERHEAD 0793	Lot 3 DP 536534	Rural - Countryside Living Zone	Open Space - Conservation Zone
13	35 TUAIWI STREET MANUKAU CENTRAL 2104	Lot 4 DP 534234	Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
14	ROSEDALE ROAD ALBANY 0632	Lot 9 DP 540638	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
15	102 EASTDALE ROAD AVONDALE 1026	Lot 3 DP 540598	Residential - Mixed Housing Suburban Zone	Open Space - Conservation Zone
16	LOT 7 DP 92925 AOTEA STREET ORAKEI 1071	Lot 7 DP 92925	Special Purpose - Māori Purpose Zone	Open Space - Informal Recreation Zone

17	129D BETHELLS ROAD WAITAKERE 0781	Lot 3 DP 514003	Rural - Rural Coastal Zone	Open Space - Conservation Zone
18	48 KOPURU ROAD WHENUAPAI 0618	Lot 810 DP 532168	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
19	COLLIE ROAD PUKEKOHE AUCKLAND 2120	Part Lot 17 DP 35242	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
20	67 CLOVELLY ROAD BUCKLANDS BEACH AUCKLAND 2012	Lot 51 DP 17870	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
21	MOYA DRIVE MATAKANA 0985	Lot 17 DP 539945	Rural - Countryside Living Zone	Open Space - Informal Recreation Zone
22	MCELDOWNIE ROAD DRURY 2579	Lot 2002 DP 536857	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
23	80B PACIFIC HEIGHTS ROAD OREWA 0931	Lot 708 DP 538394	Residential - Single House Zone	Open Space - Conservation Zone
24	10A LA ROSA STREET GREEN BAY 0604	Lot 15 DP 534970	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
25	250A OKURA RIVER ROAD LONG BAY 0792	5 Lot 13 DP 533453	Residential - Large Lot Zone	Open Space - Conservation Zone
26	17A ESCOTT ROAD DAIRY FLAT 0794	Lot 3 DP 530729	Rural - Countryside Living Zone	Open Space - Conservation Zone
27	73 MATAKOHE ROAD WESTGATE 0814	Lot 342 DP 531372	Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
28	250 OKURA RIVER ROAD LONG BAY 0792	Lot 12 DP 533453	Residential - Large Lot Zone	Open Space - Conservation Zone
29	18 WEZA LANE KUMEU 0810	Section 1 SO 531217	Residential - Single House Zone	Open Space - Informal Recreation Zone
30	136 BIRKDALE ROAD BIRKDALE 0626	Part Lot 55 DP 1675	Residential - Mixed Housing Suburban Zone	Open Space - Community Zone
31	PARKER ROAD ORATIA 0604	Lot 5 DP 534288	Rural - Waitakere Foothills Zone	Open Space - Conservation Zone
32	64F OLD COACH WAY DRURY 2579	Lot 10 DP 520747	Rural - Countryside Living Zone	Open Space - Conservation Zone
33	LENNON ACCESS ROAD STILLWATER 0993	Lot 2 DP 501613	Rural - Countryside Living Zone	Open Space - Conservation Zone

34	MAKARAU ROAD MAKARAU 0873	Lot 11 DP 539350	Rural - Rural Production Zone	Open Space - Informal Recreation Zone
35	31F FRASER AVENUE NORTHCOTE 0627	Section 2 SO 529034	Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
36	129 AHUTOETOE ROAD PINE VALLEY 0992	Lot 7005 DP 539136	Residential - Single House Zone	Open Space - Informal Recreation Zone
37	142 TRIANGLE ROAD MASSEY 0614	Lot 200 DP 501777	Residential - Single House Zone	Open Space - Informal Recreation Zone
38	61 KEWA ROAD ALBANY HEIGHTS 0632	Lot 103 DP 544251	Residential - Single House Zone	Open Space - Informal Recreation Zone
39	SUNNYSIDE ROAD COATESVILLE 0793	Lot 4 DP 544397	Rural - Countryside Living Zone	Open Space - Conservation Zone
40	ROSEDALE ROAD ALBANY 0632	Lot 2 DP 511506	Residential - Mixed Housing Urban Zone	Open Space - Conservation Zone
41	1 CARTHEY ROAD PINE VALLEY 0992	Lot 6003 DP 531172	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
42	15 JAMIE LANE WARKWORTH 0910	Lot 400 DP 530566	Future Urban Zone	Open Space - Informal Recreation Zone
43	MCELDOWNIE ROAD DRURY 2579	Lot 2001 DP 536857	Residential - Mixed Housing Suburban Zone	Open Space - Informal Recreation Zone
44	415 CLIFTON ROAD WHITFORD 2571	Lot 300 DP 529963	Rural - Countryside Living Zone	Open Space - Conservation Zone
45	1590 WERANUI ROAD WAINUI 0994	Lot 3 DP 519027	Rural - Rural Production Zone	Open Space - Conservation Zone
46	38A LE COZ ROAD WHITFORD 2571	Lot 152 DP 528699	Residential - Single House Zone	Open Space - Conservation Zone
47	19 VOGWILL ROAD HUAPAI 0810	Lot 22 DP 535293	Future Urban Zone	Open Space - Informal Recreation Zone
48	LOT 19 DP 129768 HUGO JOHNSTON DRIVE PENROSE 1061	Lot 19 DP 129768	Business - Heavy Industry Zone	Open Space - Informal Recreation Zone
49	WHITFORD- MARAETAI ROAD WHITFORD 2571	Lot 102 DP 534143	Rural - Countryside Living Zone	Open Space - Conservation Zone

Attachment B - Open Space Zoning Errors and Anomalies

Map No.	Address	Legal Description	Operative Zone	New Zone under PC 60 Decision
50	Weranui Road Upper Waiwera Auckland 9999	Section 7 SO 69957	Road	Open Space - Conservation Zone
51	Glenvar Ridge Road Long Bay Auckland 0630	Lot 913 DP 510319	Open Space - Informal Recreation Zone, Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
52	Glenvar Ridge Road Long Bay Auckland 0630	Lot 4005 DP 510319	Open Space - Informal Recreation Zone, Residential - Mixed Housing Urban Zone	Open Space - Informal Recreation Zone
53	91 Te Oneroa Way Long Bay Auckland 0630	Lot 4010 DP 516772	Open Space - Informal Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Open Space - Informal Recreation Zone
54	109 Te Oneroa Way Long Bay Auckland 0630	Lot 1053 DP 516772	Open Space - Informal Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Residential – Terraced Housing and Apartment Building Zone
55	2 Longshore Drive Long Bay Auckland 0630	Lot 1052 DP 516772	Residential - Terrace Housing and Apartment Building Zone, Residential - Mixed Housing Urban Zone	Residential - Mixed Housing Urban Zone

56	10 Longshore Drive Long Bay Auckland 0630	Lot 4006 DP 519167	Residential - Terrace Housing and Apartment Building Zone, Residential - Mixed Housing Urban Zone, Residential - Single House Zone	Open Space - Informal Recreation Zone
57	56 Brookview Drive FLAT BUSH Auckland 2016	Lot 2 DP 512235	Open Space - Sport and Active Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Open Space - Sport and Active Recreation Zone
58	66 Flat Bush School Road FLAT BUSH Auckland 2016	Lot 300 DP 532614	Open Space - Sport and Active Recreation Zone, Residential - Terrace Housing and Apartment Building Zone	Open Space - Sport and Active Recreation Zone
59	R 20 Remu Place Greenhithe Auckland 0632	Lot 7 DP 183849	Residential - Single House Zone	Open Space - Conservation Zone
60	20 Northside Drive Whenuapai Auckland 0814	Section 23 SO 443664	Business - Light Industry Zone, Open Space - Informal Recreation Zone	Open Space - Informal Recreation Zone
61	20 Northside Drive Whenuapai Auckland 0814	Section 22 SO 443664	Business - Light Industry Zone, Open Space - Informal Recreation Zone	Open Space - Informal Recreation Zone
62	21 Fred Taylor Drive Massey Auckland 0814	Lot 2 DP 486009	Business - Mixed Use Zone, Residential - Terrace Housing and Apartment Building Zone	Business - Mixed Use Zone
63	5 Tawhia Drive Massey Auckland 0614	Section 1 SO 546759	Residential - Terrace Housing and Apartment Building Zone, Open Space - Informal Recreation Zone	Open Space - Informal Recreation Zone

64	11D Weza Lane Kumeu Auckland 0810	Lot 8 DP 101303	Business - Mixed Use Zone, Future Urban Zone	Business - Mixed Use Zone
65	101 Papatupu Way Kumeu Auckland 0810	Lot 27 DP 527852	Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Residential - Mixed Housing Urban Zone
66	1 Tuputupu Drive Kumeu Auckland 0810	Lot 400 DP 527852	Business - Town Centre Zone, Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Open Space - Conservation Zone
67	38 Honowai Street Kumeu Auckland 0810	Lot 26 DP 527852	Business - Town Centre Zone, Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Business - Town Centre Zone, Residential - Mixed Housing Urban Zone
68	96 Papatupu Way Kumeu Auckland 0810	Lot 9 DP 527852	Open Space - Conservation Zone, Residential - Mixed Housing Urban Zone	Residential - Mixed Housing Urban Zone
69	20 Wiri Station Road Manukau Central Auckland 2104	Lot 1 DP 474772	Residential - Terrace Housing and Apartment Building Zone, Road	Open Space - Informal Recreation Zone
70	42 Coxhead Creek Road Tramcar Bay Auckland 0985	Allot 187 PSH OF Omaha	Open Space - Conservation Zone	Rural - Rural Coastal zone, Whangateau to Waiwera coastal area
71	2157 East Coast Road, Stillwater 0993	Lot 1 DP 437303	Special Purpose - Cemetery Zone	Residential – Mixed Housing Urban