

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



This decision is made pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991.

This Council-initiated Proposed Plan Change 17: Introducing amendments in the Viewer of the Auckland Unitary Plan (Operative in part) to address identified technical mapping anomalies only and to retain the current policy direction of the plan is approved, other than as set out below.

<b>Plan modification number:</b>	Plan Change 17 ( <b>PC17</b> )
<b>Type of Plan Change</b>	Council initiated
<b>Hearing commenced:</b>	Thursday 9 May 2019, 9.30am
<b>Hearing panel:</b>	Rebecca Macky (Chairperson) Alan Watson Karyn Kurzeja
<b>Appearances:</b>	<p><u>For the Submitters:</u>            Kiwi Rail – evidence tabled            Transpower New Zealand Limited – evidence tabled            Johanna Emeney, appearing for herself            Auckland Airport</p> <ul style="list-style-type: none"> <li>- Greg Osborne, Consultant Planner</li> <li>- Emma Howie – Manager Statutory Planning</li> </ul> <p>Levante Ltd and Hingaia Holdings Ltd trading as Karaka Joint Venture</p> <ul style="list-style-type: none"> <li>- Stephen Havill, Consultant Planner</li> </ul> <p>Viaduct Harbour Holdings Limited appearing with Auckland Industrial Projects Limited</p> <ul style="list-style-type: none"> <li>- Anthony Blomfield, Consultant Planner</li> <li>- Angela Bull</li> <li>- Lawrence Flynn</li> </ul> <p><u>For Council:</u>            Cosette Saville, Lead Report Author PC17            Sisira Jayasinghe, Planner            Phill Reid, Manager, Planning Auckland-wide            Rebecca Sanders, Principal Planner            Matt Spiro, Principal Planner            Waldo Randal, Senior Associate from DLA Piper            Tanisha Hazelwood, Hearings Advisor</p>
<b>Hearing adjourned</b>	Thursday 9 May 2019 for site visits

<b>Commissioners' site visits</b>	Thursday 16 May 2019
<b>Hearing Closed:</b>	Thursday 16 May 2019

## **Amendments to the Auckland Unitary Plan provisions are attached as Appendix 1**

### **INTRODUCTION**

1. This decision is made on behalf of the Auckland Council (**the Council**) by Independent Hearing Commissioners Rebecca Macky (Chair), Alan Watson and Karyn Kurzeja appointed and acting under delegated authority under sections 34 and 34A of the Resource Management Act 1991 (**the RMA or the Act**).
2. The Hearing Commissioners have been delegated full responsibility by Auckland Council's Regulatory Committee to consider all submissions and evidence and to determine the council's decisions on submissions on Plan Change 17. The Hearing Commissioners will not be making a recommendation to the council, but will be making a decision directly.
3. Plan Change 17 is a Council-initiated plan change.
4. As the Council was able to identify all of the persons directly affected by PC17,<sup>1</sup> the plan change was subject to limited notification on 29 November 2018 and at the close of the submission period on 31 January 2019 a total of 19 submissions had been received.
5. A summary of submissions was notified on 28 February 2019 for further submissions and at the closing date of 14 March 2019, a total of 2 further submissions were made on the plan change.

### **BACKGROUND**

6. PC17 is one of a series of plan changes to address technical issues in the AUP. These plan changes follow on from *Plan Change 4 – Corrections to technical errors and anomalies in the Auckland Unitary Plan (Operative in part) version*.
7. PC17 introduces amendments to the Viewer of the AUP to address identified technical mapping anomalies only. The current policy direction of the Auckland Unitary Plan (**AUP**) is retained.

#### **Existing plan provisions**

8. The decisions version of the proposed Auckland Unitary Plan (**PAUP Decision Version**) was notified in August 2016, with the AUP becoming operative in part on 15 November 2016.

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<sup>1</sup> Paragraph 7.2 of the section 42A report

### **Proposed plan change provisions**

9. The key objective of the proposed plan change is to address technical mapping anomalies in the Viewer of the AUP to ensure that:
  - the provisions of the AUP cascade vertically and horizontally;
  - the plan functions in the way it was intended; and
  - there is a high level of integration across the different chapters of the AUP.<sup>2</sup>
10. The proposed plan changes do not alter the outcomes of any of the objectives and policies of the AUP, nor do they make any amendments to the Regional Policy Statement in the AUP.

### **Immediate legal effect from the date of notification, 29 November 2018**

11. Sections 86B to 86G of the RMA specify when a rule in a proposed plan has legal effect. Section 86B(1) states that “*a rule in a proposed plan has legal effect only once a decision on submissions relating to the rule is made and publicly notified*”. Exceptions are provided for in section 86B(3).
12. One amendment fits within the exceptions in section 86B(3)(d) relating to the protection of historic heritage, and that is the provision amending the extent of the Sites and Places of Significance to Mana Whenua Overlay (037 Wiri Stonefields North) at 151 Wiri Station Road, Manurewa, 11 Pukaki Drive, Manurewa, and 220 Wiri Station Road, Manukau Central.

### **HEARING PROCESS**

13. The hearing was held contemporaneously with the hearing on Plan Change 15.
14. Due to the limited number of submitters appearing at the hearing, the Commissioners did not require the pre-circulation of expert evidence. The Commissioners undertook site visits after the hearing, visiting sites relating to the submissions from Johanna Emeney and Viaduct Harbour Holdings Limited.
15. The hearing was closed after the Commissioners had satisfied themselves that they had all the information they required in order to make their decisions on PC15 and PC17.

### **Statutory context**

16. As Commissioners, we must satisfy ourselves that the plan change has been prepared by Council “in the manner set out in Schedule 1” to the Act, including that any submission is ‘on point’ in terms of the plan change. If a submitter seeks

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<sup>2</sup> Section 42A report, paragraph 4.11

changes to the proposed plan, then the submission should set out the specific amendments sought.

17. We must also be satisfied as to the council's jurisdiction to make changes to the plan arising from submissions.

#### **The scope of Plan Change 17**

18. The scope of PC17 is limited to addressing amendments in the Viewer of the AUP. These amendments relate to identified technical mapping anomalies only and are intended to retain the current policy direction of the plan.

19. The amendments proposed in PC17 are to:

- ensure the zoning of the site is consistent with surrounding sites;
- ensure the spatial application of zones and/or overlays has been applied correctly to the site, either wholly or partially;
- ensure that zone and precinct boundaries follow road or property boundaries;
- resolve identified inconsistencies in the mapping of controls and overlays; and
- resolve identified inconsistencies in the mapping of zones, overlays or precincts on certain sites within the Waitākere Ranges.<sup>3</sup>

#### **Jurisdiction to make amendments arising from submissions**

20. The right to lodge a submission in relation to a plan change using the 'standard process' (as here), is governed by the requirement to make that submission on the plan change.<sup>4</sup>

21. The Courts have developed a two-stage test to see whether a submission is on a plan change or not:<sup>5</sup>

- a. A submission must address the plan change itself, that is, it must address the alteration of the status quo brought about by that plan change; and

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<sup>3</sup> Section 42A report, paragraph 4.3

<sup>4</sup> Clause 6(1) of Schedule 1 of the RMA

<sup>5</sup> See *Clearwater Resort Ltd v Christchurch City Council* AP34/02, 14 March 2003, at [56] and *Palmerston North City Council v Motor Machinists Ltd* [2013] NZHC 1290

- b. Whether there is a real risk that persons directly or potential directly affected by the additional changes proposed in the submission have been denied an effective response.<sup>6</sup>
22. In relation to the first test (the “dominant test”) the Court in *Motor Machinists* suggested asking the question: does the submission raise matters that should have been addressed in the section 32 RMA evaluation and report? If the answer is “yes” then the submission is unlikely be within scope.
23. Another question to be asked in relation to the first test is whether the management regime for a particular resource is altered by the plan change. If not, then a submission seeking a new management regime for that resource is unlikely to be within scope.<sup>7</sup>
24. In relation to the second test, the Court in the same case suggested that a “*submissional side wind*” which overrode the reasonable interests of people and communities would not be “*robust sustainable management*”<sup>8</sup> and that given other options, a precautionary approach to the jurisdictional issue would be appropriate.
25. In considering whether a decision-making body has the jurisdiction to make a decision on matters raised in submissions, the Court has held that
- ... the paramount test is whether any amendment made to the plan change as notified goes beyond what is reasonably and fairly raised in submissions on the plan change .. this will usually be a question of degree to be judged by the terms of the proposed change and the content of the submissions.*<sup>9</sup>
26. In summary, we must consider the following jurisdictional issues:
- Whether each submission is on PC17; and
  - Whether any changes to the Unitary Plan are fairly or reasonably within the general scope of PC17 as notified, an original submission, or somewhere in between, bearing in mind whether affected persons may have been denied the right to be heard.

## RELEVANT STATUTORY PROVISIONS CONSIDERED

27. The RMA sets out an extensive set of requirements which must be addressed when considering a plan change. These requirements are set out in the section 42A report and the section 32 assessment and we do not need to repeat these again in detail, noting that section 32 clarifies that analysis of efficiency and

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<sup>6</sup> Summarising the text of the section 42A report at paragraph 8.7

<sup>7</sup> The two questions posed in relation to the first test are summarized in the section 42A report at paragraph 8.8

<sup>8</sup> The Motor Machinists’ case, summarised at paragraph 8.9 of the section 42A report

<sup>9</sup> See Countdown Properties (Northland) Limited v Dunedin City Council [1994] NZRMA 145 (HC) and ensuing cases. Summarised at paragraph 8.17 of the section 42A report.

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.

28. 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. With regard to Section 32AA, we note that the evidence presented by submitters and Council effectively represents this assessment.

## **PLANNING CONTEXT - STATUTORY AND POLICY FRAMEWORK**

29. The RMA requires that unitary authorities consider a number of statutory and policy matters when developing proposed plan changes:

### **Resource Management Act 1991 (RMA)**

30. The Section 32 Evaluation Report set out the relevant provisions of the RMA that were considered relevant to PC17 and this material is not repeated here. Section 32AA of the RMA, which requires a further evaluation for any changes that are proposed to the notified Plan Change 17 since the Section 32 Evaluation Report was completed, has been complied with in the section 42A report and the evidence presented at the hearing.

### **National and regional planning context**

31. The Section 32 report outlines the relevant national and regional planning documents that are relevant to Plan Change 17 and these are not repeated here. The Commissioners agree that Plan Change 17 is consistent with the relevant statutory requirements.
32. Having considered the evidence and relevant background documents, we are satisfied that PC17 has been developed in accordance with the relevant statutory and policy matters, and will clearly assist the Council in its effective administration of the Unitary Plan.

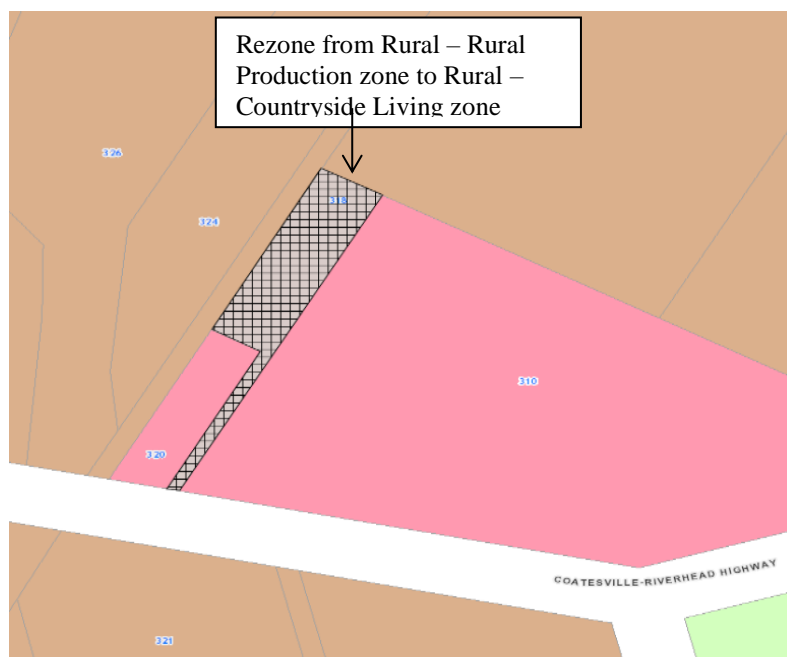
## **SUMMARY OF EVIDENCE**

33. The Council planning officer's report was circulated prior to the hearing and taken as read. No expert evidence was pre-circulated. The hearing opened with the Council presenting a short power-point presentation describing the plan change.
34. As each submitter presented his or her evidence at the hearing, Council officers were asked for their response, and the submitter was then given the opportunity for any further comment.
35. The evidence tabled by submitters at the hearing is summarised below:

- a. **Transpower New Zealand Limited** by letter noted the recommendation that Transpower's submission points on PC17 be accepted, and formally withdrew its wish to be heard, instead, requesting that their letter be tabled at the hearing, in support of their position.
- b. **The New Zealand Defence Force** by letter noted that it made a neutral submission on PC17 and that it had no further comment to make on the reporting officer's recommendation to accept the submission, on the basis that the proposed changes did not result in a significant change to the zoning of the relevant properties.

36. The evidence presented by submitters at the hearing is summarised below:

37. **Johanna Emeney** – PC17 seeks to rezone Ms Emeney's property at 318 Coatesville-Riverhead Highway, Coatesville from the Rural – Rural Production zone to the Rural – Countryside Living zone; whereas Ms Emeney submits that a rezoning to the Business - Neighbourhood Centre Zone would be more appropriate.



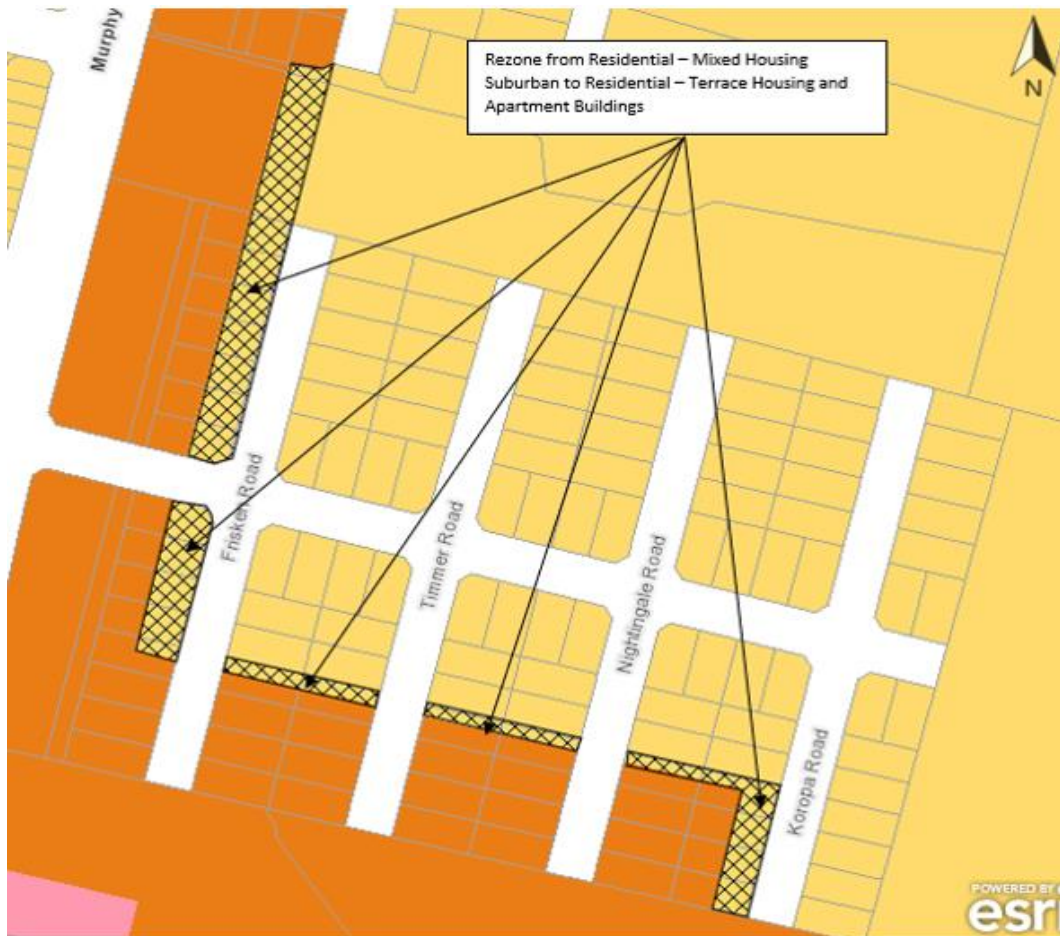
- 38. The Commissioners agree that the property is not suitable for its current zoning, as it contains an established residential dwelling and is not of appropriate size or location for rural production activities. The Council's position is that the most appropriate zoning is for countryside living, consistent with the adjoining properties of similar land use and site size on the northern and western sides of the site.
- 39. Apparently, the current zoning was the result of an oversight and was missed in a general change of zoning for those western properties from the Rural Production zone to the Rural – Countryside Living zone. We are advised that in the previous District Plan, the site was zoned General Rural, consistent with the properties to

the west. Thus, Council's position is that the current zoning is an anomaly, due to an oversight.

40. Be that as it may, we must now consider the proposed zoning options before us and have regard to the submitter's evidence presented to us, which included the following points:
- The front site, 320 Coatesville-Riverhead Highway is used for commercial purposes (a Barfoot & Thompson office). This includes half of the driveway to 318, which is common to both properties. A rezoning to Countryside Living would isolate this front property and create a further anomaly;
  - The site is not suitable for a Countryside Living zoning as it is only 1420m<sup>2</sup>, compared with a minimum site in that zone of 2ha.
  - The site is suitable for a Neighbourhood Centre zone as the minimum site area in that zone is 200m<sup>2</sup> and the adjoining properties to the east and south are zoned Business - Neighbourhood Centre;
  - Rezoning the site to the Neighbourhood Centre zone would resolve reverse sensitivity issues.
41. However, the Commissioners were not satisfied that reverse sensitivity issues would necessary be resolved; rather, they would simply be transferred to the adjoining Countryside Living property at 324, which has a dwelling on it close to the dwelling at 318. If the site was to be rezoned Business – Neighbourhood Centre, the zone provisions typically enable buildings of up to three storeys in height. We also note these provisions enable offices up to 500m<sup>2</sup> GFA per site and retail up to 450m<sup>2</sup> GFA per tenancy as permitted activities in this zone.
42. We established through questioning that no commercial activity had ever been established on the portion of the property, despite the legacy zoning in 1980 for commercial use under the former Rodney District Plan. We do note however that the driveway entrance to the site is also used by Barfoot & Thompson, a commercial activity, to access their building and parking areas.
43. We find agreement with the Council that the land should be rezoned Countryside Living. While this rezoning does not reflect a 'tidy' natural boundary, it will correct a very obvious current zoning error in the Unitary Plan. We conclude that the Countryside Living zone is the most appropriate zoning for this land.
44. We record, as stated above, that we had the opportunity to carry out a site visit to this property and others in the immediate vicinity.
45. **Auckland International Airport Limited** - PC17 proposes to amend the zoning and sub-precincts that apply to 21 subdivided split-zone lots at Frisken Road, Flat Bush within the Flat Bush Precinct by rezoning the entirety of the affected lots from Residential – Mixed Housing Suburban to Residential – Terrace Housing and



Apartment Buildings and to extend the boundary of Flat Bush sub-precinct D to apply to the lots.



46. In his evidence, Mr Osborne explained that the affected lots are located within the Moderate Aircraft Noise Area (**MANA**), and will therefore be exposed to the adverse effects of aircraft noise. The development potential of the affected sites would be increased due to the Terrace Housing and Apartment Buildings zoning, which would in turn increase the potential for reverse sensitivity effects on the Airport's operations, by subjecting larger numbers of people to aircraft noise<sup>10</sup>
47. Therefore, the submitter sought to change the zoning of the properties with the split zone anomaly to Residential – Mixed Housing Suburban and to extend the boundary of sub-precinct A consequentially. Mr Osborne considered that this approach was more consistent with the objectives and policies of the Aircraft Noise Overlay and the Flat Bush Precinct, which seeks to protect the Airport from reverse sensitivity effects and to avoid, remedy or mitigate adverse effects of aircraft noise on residential activities.
48. Council's reporting planner agreed with Auckland Airport's submission to rezone the properties with the split-zone anomaly to Residential – Mixed Housing Suburban

<sup>10</sup> Refer paragraph 4.4 of Mr Osborne's statement.

zone and to extend the boundary of sub-precinct A consequentially as these amendments are more appropriate than what was originally proposed in PC17.



- \_\_\_\_\_ Insert New Sub-precinct boundary
- Delete existing sub-precinct boundary

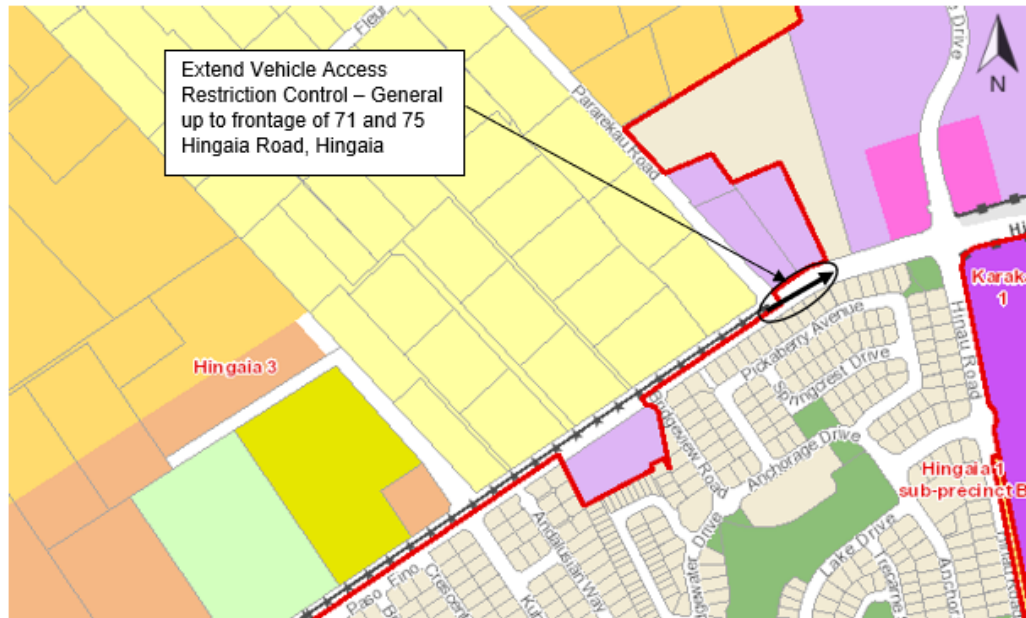
49. Furthermore, the requested zoning and boundary extension better meet the objectives and policies of D24 Aircraft Noise Overlay,<sup>11</sup> with Flat Bush Sub-precinct A being described as a “general sub-precinct” within I412 Flat Bush Precinct:

*This Sub-precinct is generally located on the low-lying lands within 1.5 km of the Flat Bush Town Centre and Barry Curtis Park. It promotes higher residential densities than have been achieved in the past, and is characterised by a diverse range of housing types.*

50. The Commissioners agree with the Reporting Planner and find that the amendments sought by Auckland Airport to rezone the properties with a split-zone anomaly to Residential – Mixed Housing Suburban zone in their entirety and to extend Flat-Bush sub-precinct A consequentially to the affected properties is the most appropriate outcome.

<sup>11</sup>Refer Objective D24.2(2) and Policy D24.3(5)

51. This proposed amendment will correct the split-zoning error while avoiding reverse sensitivity effects on the Airport's operations as well as reducing the number of people exposed to the adverse effects of aircraft noise.
52. **Levante Ltd and Hingaia Holdings Ltd trading as Karaka Joint Venture – PC17** seeks to correct the mapping of the Building Frontage Control – Key Retail Frontage and to extend the Vehicle Access Restriction Control – General at the submitter's properties at 71 and 75 Hingaia Road, Hingaia.
53. The submitter agrees with the removal of the Building Frontage Control – Key Retail Frontage as this control should be applied only to properties zoned Business – Town Centre and Business – Metropolitan Centre, whereas the subject properties are included in the Business – Mixed Use zone and do not generate or experience the same level of pedestrian activity.
54. Thus it is proposed to remove the Building Frontage Control – Key Retail Frontage from the subject properties. The Commissioners agree with this.
55. It is also proposed to extend the Vehicle Access Restriction Control – General to apply to 71 and 75 Hingaia Road, on the basis that this would enable compatibility with the Hingaia 3 Special Housing Area (**SHA**) precinct provisions (as the control applies to 91-239 Hingaia Road) so this proposal is to enable consistency with other Hingaia 3 SHA Precinct properties.



56. The Reporting Planner suggests that the control would have minimal implications for the subject properties as development has already occurred and access to Hingaia Road constructed. Vehicle access restrictions already apply under section E27 Transport of the AUP, since Hingaia Road is identified as an arterial road in the GIS Viewer.

57. Stephen Havill, Consultant Planner for the submitter confirmed that both properties are developed and all the on-site activities are operating, with the adjoining Summerset Retirement Village sharing access on to Hingaia Road. Mr Havill also confirmed that while there was an internal connection between the sites at 71 and 75, the Pararekau Road access would be insufficient to cope with all of the traffic generated. It was essential to maintain the two access points.<sup>12</sup>
58. Mr Havill also endorsed the reporting planner's comment that the AUP has other controls over access onto arterial roads.<sup>13</sup>
59. The Commissioners agree with the submitter for the following reasons:
- a. The sites are fully developed and operating, with two access points, one onto Hingaia Road and the other onto Pararekau Road.
  - b. The Vehicle Access Restriction Control would have no implications for the existing crossings and it is not intended to provide any more crossings, which led the Commissioners to question why it is supported by the Council officers.
  - c. Other provisions in the AUP control access onto arterial roads under E27.6.4 Access, with broad matters of discretion and assessment criteria that apply to a range of circumstances that are relevant to this site; including a new vehicle crossing, a new activity being established on a site, a change of use, or a new building or additions that require a resource consent.
  - d. The principle of consistency with Hingaia 3 Special Housing Area precinct provisions is outweighed by the above considerations.
60. **Viaduct Harbour Holdings Limited (VHHL)** appearing with **Auckland Industrial Projects Limited (AIPL)** was represented by Anthony Blomfield, Consultant Planner; Angela Bull and Lawrence Flynn.
61. Commissioner Macky recused herself from deliberations regarding submissions from VHHL due to a personal conflict of interest.
62. PC17 seeks to correct the mapping of sub-precinct boundaries of the I211 Viaduct Harbour Precinct as the sub-precinct boundaries at 32 Market Place, Auckland Central do not align with or reflect the split land use of the site. The property at 32 Market Place is currently located in sub-precinct C of I211 in the City Centre zone. Sub-precinct C has been applied to the residential area within the precinct in recognition of the high-quality residential environment within this development. However, as the reporting planner points out, the main building at 32 Market Place is currently used for commercial purposes, and this activity makes the building more suitable for inclusion within Viaduct Harbour sub-precinct A.

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<sup>12</sup> Refer paragraph 3 of Mr Havill's evidence

<sup>13</sup> Refer E27.6.4 (E27 Transport)





63. As a result, PC17 recommends correcting this issue by realigning the I211 Viaduct Harbour sub-precinct boundaries to include the part of the site which is used for commercial activities within sub-precinct A to reflect the split land use of the site.
64. Mr Blomfield provided an outline of the uses within the site, advising that the subject site forms part of The Parc development complex, which comprises 11 properties, two of which are occupied by commercial buildings (the subject site and the property at 136 Customs Street West)<sup>14</sup>, and the remaining nine properties, which are occupied by residential apartment buildings.<sup>15</sup> Mr Blomfield also advised that a proportion of each of the 11 properties is occupied by amenity landscaping, which is accessible to each of the other properties as a central communal shared space.<sup>16</sup> Commissioners Watson and Kurzeja confirmed these land uses in a site visit to the property.
65. We note that the submitters are supportive of the proposed amendment but seek a further amendment: that the entirety of the property at 32 Market Place is included in Sub-precinct A. This is on the basis that the approach being adopted by Council, to include only part of the site in the sub-precinct, is inconsistent with the stated objective of PC17, being to
- “ensure that zone and precinct boundaries follow road or property boundaries.”<sup>17</sup>*
66. The submitters also advised that the rear portion of the site/building is also utilised for a parking and storage area, ancillary to the commercial office activities within that part of the building at the front of the site. In addition, that part of the site which is

<sup>14</sup> The property at 136 Customs Street West is already included in sub-precinct A (commercial)

<sup>15</sup> And which are all included in sub-precinct C (residential)

<sup>16</sup> Refer paragraph 2.2 of Mr Blomfield’s statement

<sup>17</sup> Refer paragraph 18.6 of section 42A report.

occupied by landscaping and a pool is used by the tenants of the building on the subject site, as well as the residents of the wider Parc complex.

67. On that basis, the submitters consider it is not only more appropriate to adjust the sub-precinct A boundary to reflect the boundary of the 32 Market Place site, on which the primary activity is offices, but also to include the whole of The Parc in that sub-precinct.
68. The Commissioners agree with the reporting planner that the commercial building at 32 Market Place is incorrectly located within sub-precinct C, which provides for residential use, and this error should be corrected to locate the commercial building within sub-precinct A. We note that this exact situation occurs on the same property, in the south-west corner of the site at 136 Customs Street West, Auckland Central in relation to Mastercard House. This commercial building is located within sub-precinct A.
69. We then turned our minds to whether the remaining portion of the property, containing the private gym and sauna facility and the landscaped areas comprising the swimming pool and spa pool should also be included within sub-precinct A, as sought by the submitters.
70. We also considered that the request by the submitters to extend sub-precinct A to include the entire site at 32 Market Place, as opposed to just the commercial buildings, does require consideration with respect to scope. We note that this was not a matter that the reporting planner turned her mind to. Based upon legal advice provided in the Section 42 report<sup>18</sup> we find that the submission is not “on” the plan change, as, despite the fact that Mr Blomfield has addressed the alteration of the *status quo* brought about by that change, this submission has not considered that there is a real risk that persons who are potentially directly affected by the additional changes proposed in the submission will have been denied an effective response to this additional change.
71. This is paramount to the submitter’s request as we note from the Section 42A report<sup>19</sup> that the rear portion of the site containing the private gym and sauna facility is jointly owned by all 11 properties within the Parc development and is available for use by all nine of the residential body corporates and the two commercial building tenants within the Parc complex. In addition, the private pool and the building at the rear portion of the site are ancillary to the residential apartments.
72. We agree with the reporting officer that these uses provide a service to the residential apartments and should remain within sub-precinct C, which enables residential uses. This better supports the objectives and policies of I211 of the Viaduct Harbour Precinct namely:

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<sup>18</sup> Refer to sections 8.6 – 8.9 of section 42A report

<sup>19</sup> Refer paragraphs 18.9 and 18.10 of the section 42A report.

- Objective I211.2.(7) – maintaining the residential character and amenity for permanent residents;
- Policy I211.3(11) – avoiding activities that adversely affect the residential character and related amenity; and
- Policy I211.3(12) – provide for permanent residents in sub-precinct C.

73. We further agree with the reporting planner that in this case the mis-alignment of the sub-precinct boundary with the property boundary is the most appropriate outcome, given the clear division of the existing land uses. We therefore reject the submissions of VHHL and AIPL.

### **SUMMARY OF OTHER SUBMISSIONS RECEIVED**

74. In this section of the decision we briefly review submissions opposing aspects of PC17 where submitters did not appear or present evidence at the hearing. In other words, we have simply accepted the planner’s recommendation in the Section 42A report for those submissions in support of the plan change:

- **Yan Chen and Hongyan Lu** – with reference to 390B Richardson Road, Mt Roskill, the submitter supported the plan change, seeking to change the property’s zoning to Residential – Mixed Housing Urban zone. The planner recommended that the submission be accepted and the Commissioners confirm that recommendation.
- **Logan and Suzanne Billing** supported PC17 in relation to 107 Maraetai School Road, to keep Maraetai land size to 700sq.m and above. The planner recommended that the submission be accepted and the Commissioners confirm that recommendation.
- **Geoffrey’s Trust and JH Smale Trust** supported the plan change regarding the 1539 Smales 2 Precinct, sub-precincts A and B and the proposed rezonings. The planner recommended that the submission be accepted and the Commissioners confirm that recommendation.
- **Padlie-Hall Family Trust et al** accepted the plan change plan and specially the application of the Subdivision Variation Control Overlay to 1 Maraetai Coast Road, Clevedon, to increase the minimum lot size to 700sq.m. The planner recommended that the submission be accepted and the Commissioners confirm that recommendation. However, that part of the submission seeking any further increase in the minimum lot size for any development was recommended to be rejected, and the Commissioners confirm that recommendation as well.
- **Onehunga Future Investment Limited** supported the plan change as it affected 63-65 Victoria Street, Onehunga as the proposed Residential –

Terrace Housing and Apartment Buildings zoning was appropriate. The planner recommended that the submission be accepted and the Commissioners confirm that recommendation.

75. In relation to the remaining submissions opposed to aspects of the plan change, where submitters did not appear or present evidence at the hearing, we have considered the grounds stated and have made our decisions as follows:
76. **Jianwei Zhu** – in relation to 5 Te Makuru Lane, Clevedon, the submitter sought a reserve between that property and 110 Maraetai School Road, Clevedon. The planner recommended that the submission be rejected and the Commissioners confirm that recommendation, given the explanation given in the section 42A report.
77. **Helen Jane Cussell and Geoffrey Andrew Cussell** sought remedies from Council on issues arising from an agreement about the Whitford Park Road corridor. The planner recommended that the submission be rejected on the grounds that the relief sought was out of scope and the Commissioners confirm that recommendation.
78. **Zhang Family Investment Limited** – in relation to Scott Point, Hobsonville, the submitter sought to rezone identified properties along the coast to Residential – Mixed Housing Suburban in their entirety. The planner recommended that the submission be rejected and the Commissioners confirm that recommendation on the grounds that the most appropriate zoning is Residential – Single House.
79. **Jean and Rachel van Polanen Petel** sought to remove the property at 134 Shaw Road, Oratia (Lot 8 DP 330946) from ‘the blue striped pattern’ (which is an appeal alert) and that it remain outside the SEA (Significant Ecological Area) overlay. The planner recommended that the submission be rejected on the grounds that the relief sought was out of scope (as neither the SEA overlay nor the Natural Stream Management overlay are affected by PC17) and the Commissioners confirm that recommendation.
80. **Ray Meldrum** opposed the change in 1529 Orewa 1 Precinct, sub-precinct B as it relates to Rewa Rewa Lane, Orewa as it “cannot be technically justified”. The planner recommended that the submission be rejected and the Commissioners confirm that recommendation on the grounds that the properties in Rewa Rewa Lane will not be subject to any direct change as a result of PC17.
81. **Virgil Roberts** objected to the plan change regarding 58 Tasman View Road, Bethells Beach. The planner recommended that the submission be rejected and the Commissioners confirm that recommendation on the grounds that the proposed zoning of Rural – Waitakere Ranges is consistent with adjacent properties.
82. **Heritage NZ** supported the amended scheduling of the extent of the Site and Places of Significance to Mana Whenua no.37 Wiri North Stonefields at 151 Wiri Station Road, Manurewa, but expressed concern at the lack of any cultural values assessment to support the amendment or confirmation of the amendment by the



relevant iwi. The planner recommended that this specific submission be rejected and the Commissioners confirm that recommendation on the grounds that a cultural values assessment is not required for this amendment, and that feedback from relevant mana whenua was sought.

## **PRINCIPAL ISSUES IN CONTENTION**

83. Having considered the submissions and further submissions received, the hearing report, the evidence presented at the hearing and the Council officers' response to questions, the following principal issues in contention have been identified:
- A number of submitters agree that the current zoning pattern relating to a particular property is incorrect and needs to be changed, however, they seek an alternative zone to what Council has recommended.
  - Objections to the addition of new controls proposed for particular properties.
  - Objections to proposed changes in precinct or sub-precinct boundaries to align with property boundaries.
  - Objection to rezoning lots affected by a split zone anomaly under the Aircraft Noise Overlay to Residential – Terrace Housing and Apartment Building, with a recommendation to rezone instead to Residential – Mixed Housing Suburban zone and to adjust sub-precinct boundaries accordingly.
  - Some submissions considered to be out of scope.
84. A number of submitters support the proposed changes in PC17.

## **FINDINGS ON THE PRINCIPAL ISSUES IN CONTENTION**

85. Our findings on the principal issues in contention are found in the decision above where we consider the submissions and the evidence.

## **DECISION**

86. That pursuant to Schedule 1, Clause 10 of the Resource Management Act 1991, Proposed Plan Change 17 to the Auckland Unitary Plan (Operative in Part) be approved, subject to the modifications as set out in this decision.
87. 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, response to commissioners' memo and closing statement, except as identified above in relation to matters in contention.
88. The reasons for the decision are that Plan Change 17:
- 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 Auckland Unitary Plan.



**Rebecca Macky**

**Chairperson**

**Date: 20 June 2019**

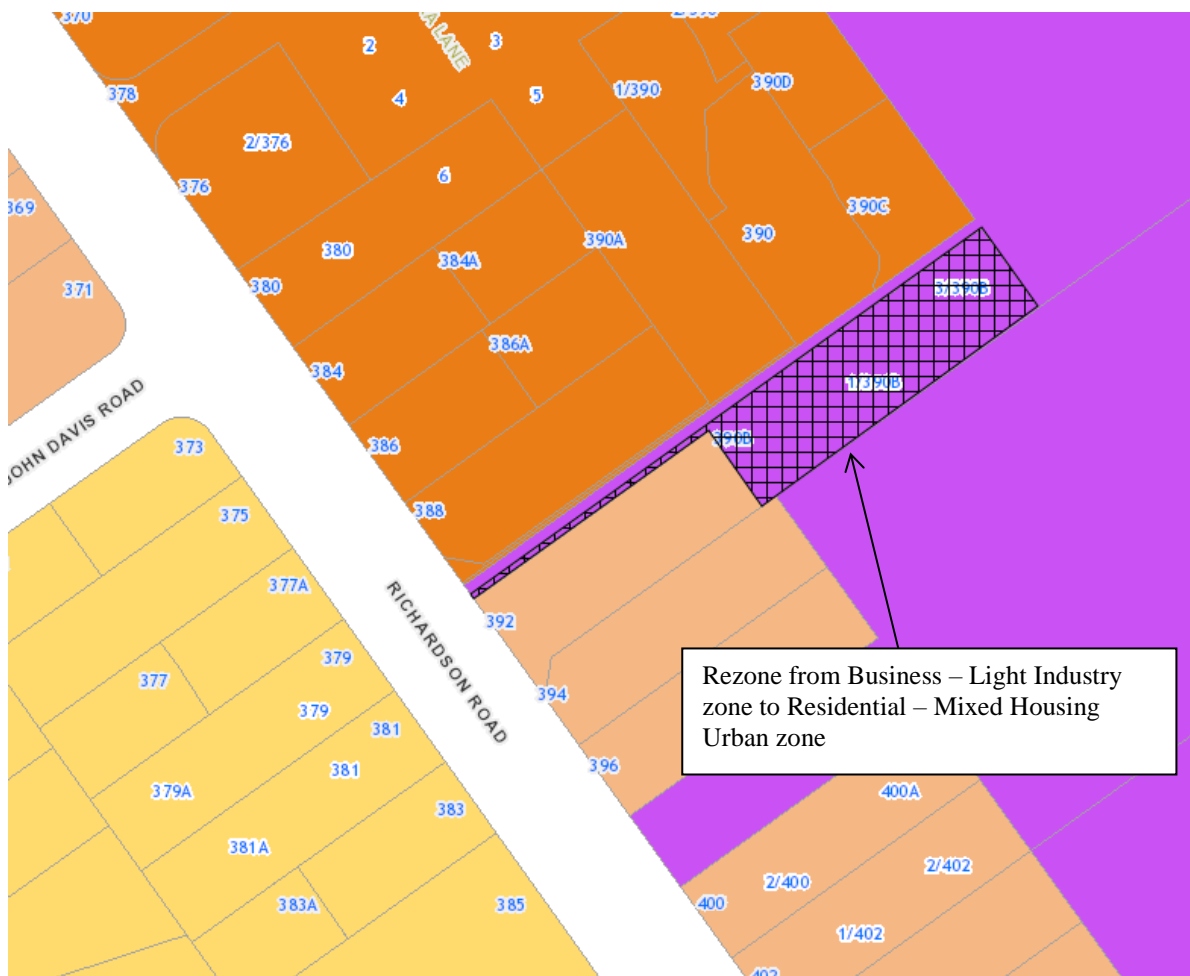
## APPENDIX 1 – PLAN CHANGE 17 SHOWING AMENDMENTS



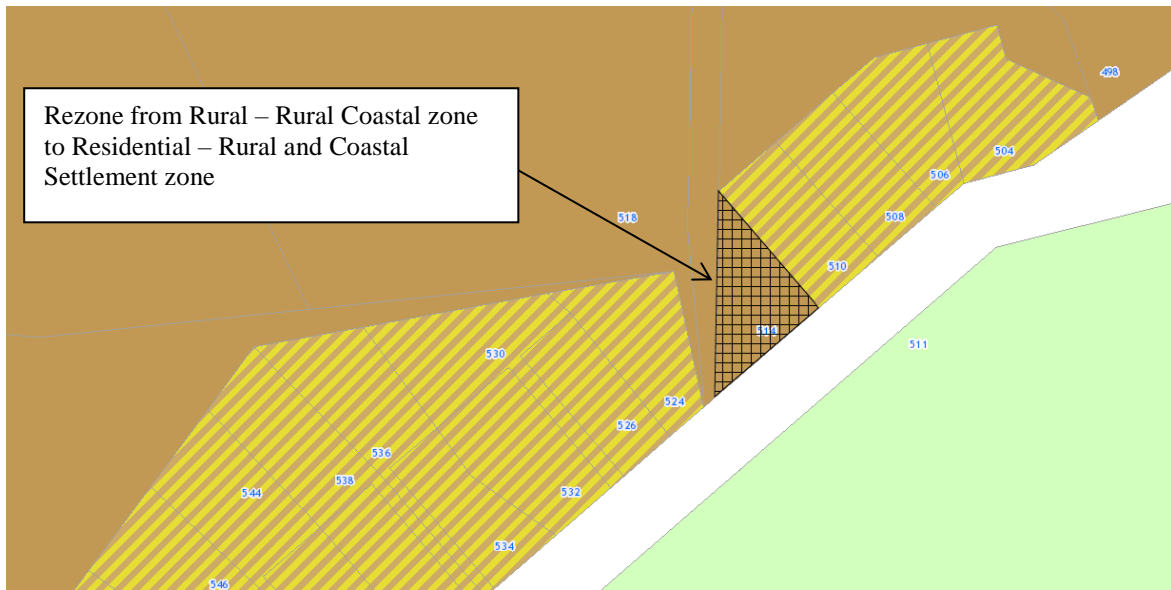
### Attachment 6: Plan Change 17 – Improving consistency of provisions in the Viewer of the Auckland Unitary Plan (Operative in part)

## Unitary Plan Zones

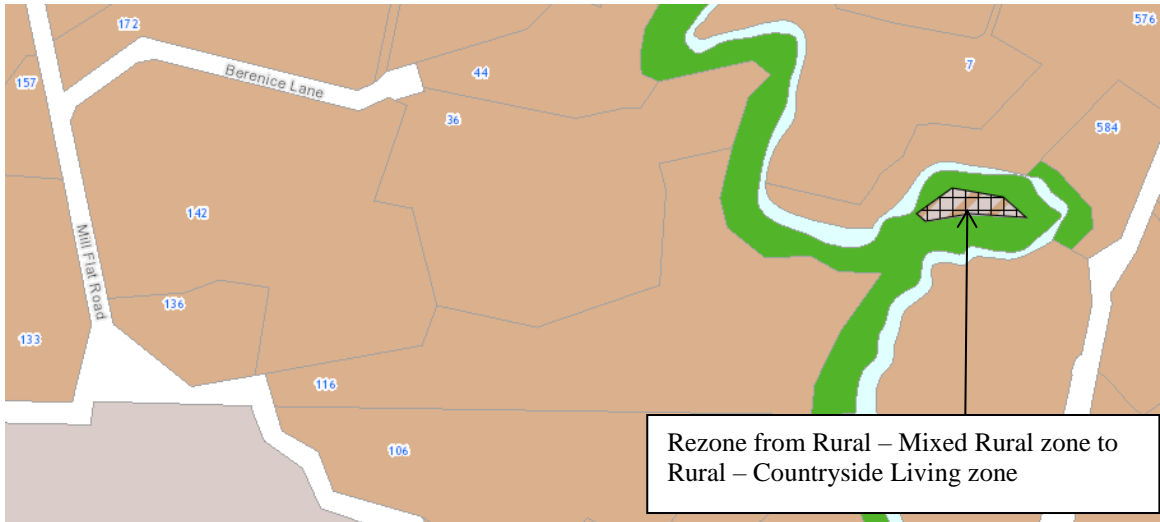
Map change:	1
Subject property:	390B Richardson Road, Mount Roskill
Legal Description:	1/3 SH Lot 3 DP 46135, Flat 5 DP 146558 1/3 SH Lot 3 DP 46135, Flat 4 DP 146558 1/3 SH Lot 3 DP 46135, Flat 3 DP 134801 Lot 3 DP 46135
Current zone:	Business – Light Industry zone
Proposed change:	Rezone 390B Richardson Road, Mount Roskill from Business – Light Industry zone to Residential – Mixed Housing Urban zone
Proposed zone:	Residential – Mixed Housing Urban zone



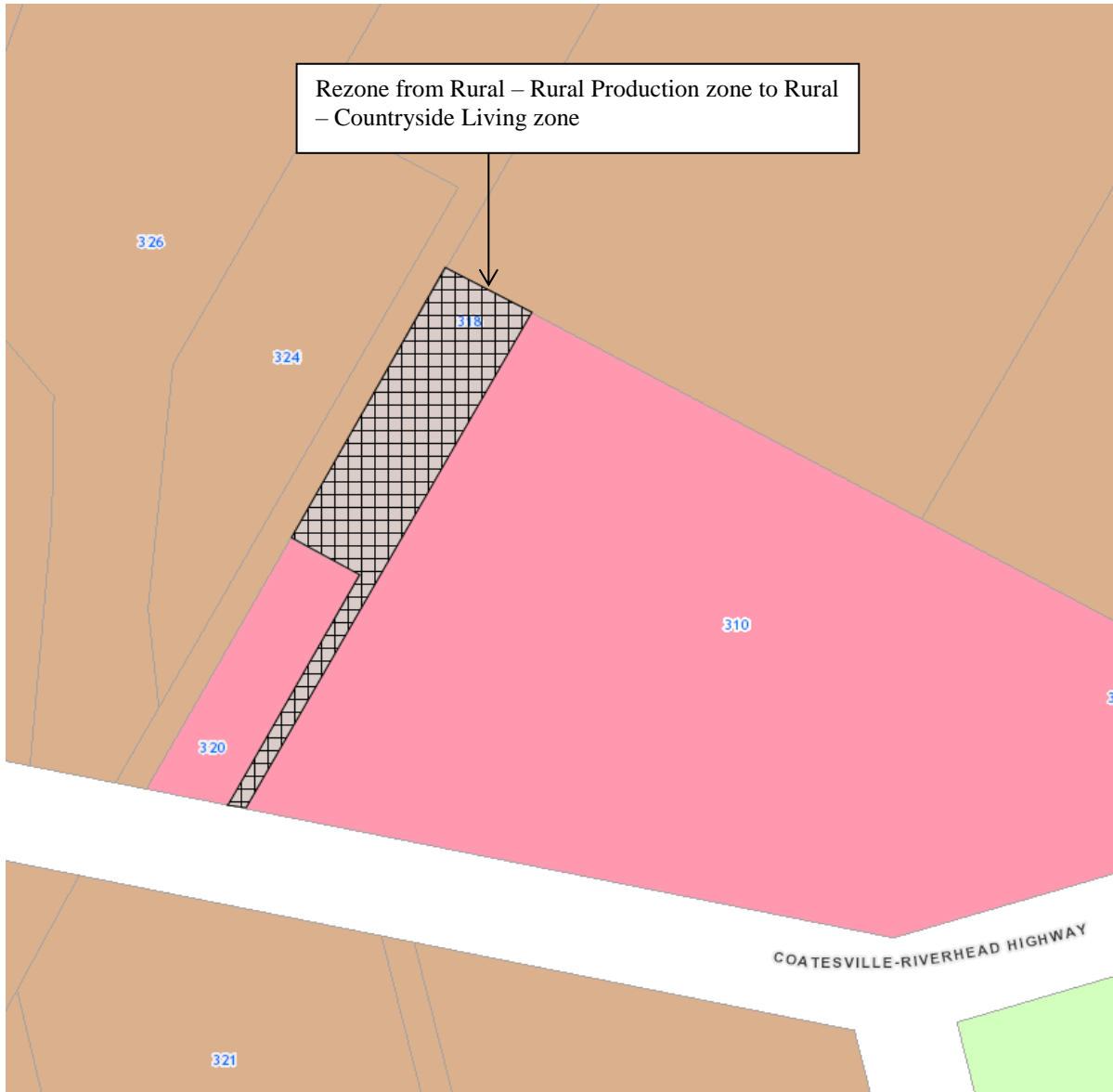
Map change:	2
Subject property:	514 Leigh Road, Whangateau
Legal Description:	Lot 1 DP 40695
Current zone:	Rural – Rural Coastal zone
<i>Proposed change:</i>	<i>Rezone 514 Leigh Road, Whangateau from Rural – Rural Coastal zone to Residential – Rural and Coastal Settlement zone</i>
Proposed zone:	Residential – Rural and Coastal Settlement zone



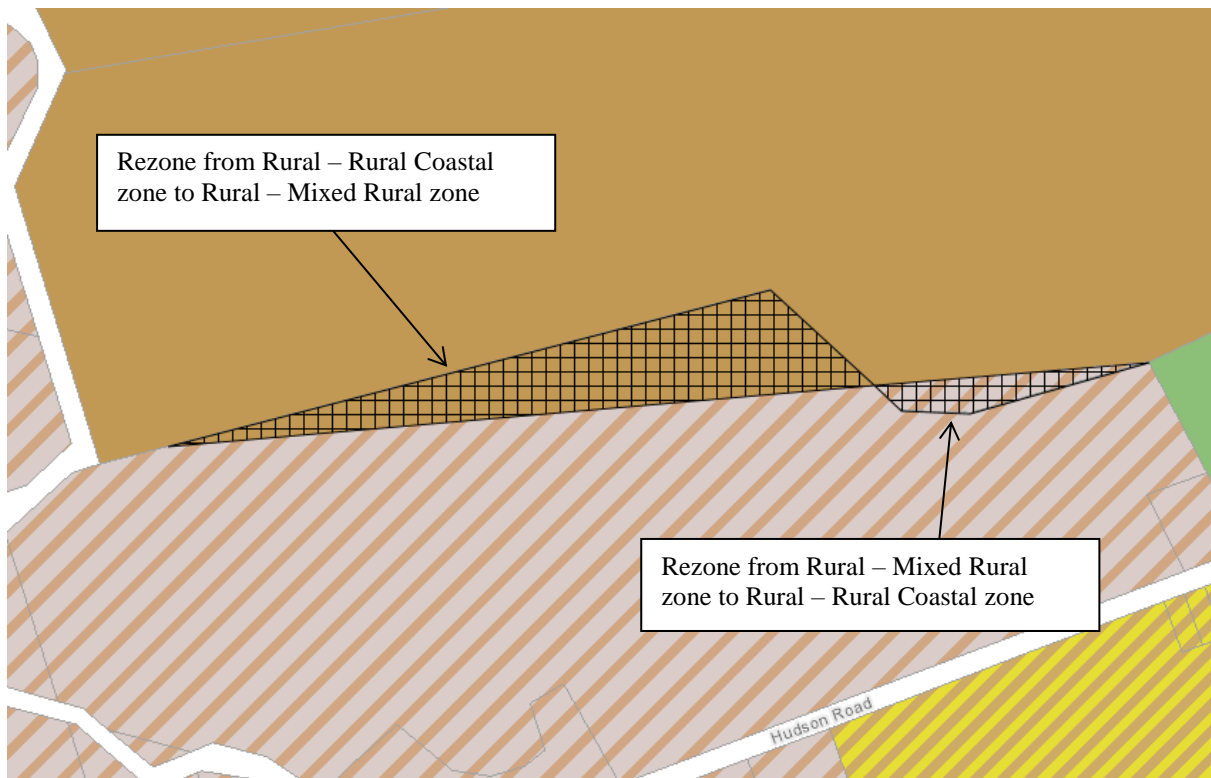
Map change:	3
Subject property:	116 Mill Flat Road, Riverhead
Legal Description:	Lot 6 DP 173336, Lot 7 DP 173336
Current zone:	Rural – Mixed Rural zone
<i>Proposed change:</i>	<i>Rezone 116 Mill Flat Road, Riverhead from Rural – Mixed Rural zone to Rural – Countryside Living zone</i>
Proposed zone:	Rural – Countryside Living zone



Map change:	4
Subject property:	318 Coatesville-Riverhead Highway, Coatesville
Legal Description:	Lot 2 DP 100291
Current zone:	Rural – Rural Production zone
Proposed change:	<i>Rezone 318 Coatesville-Riverhead Highway, Coatesville from Rural – Rural Production zone to Rural – Countryside Living zone</i>
Proposed zone:	Rural – Countryside Living zone

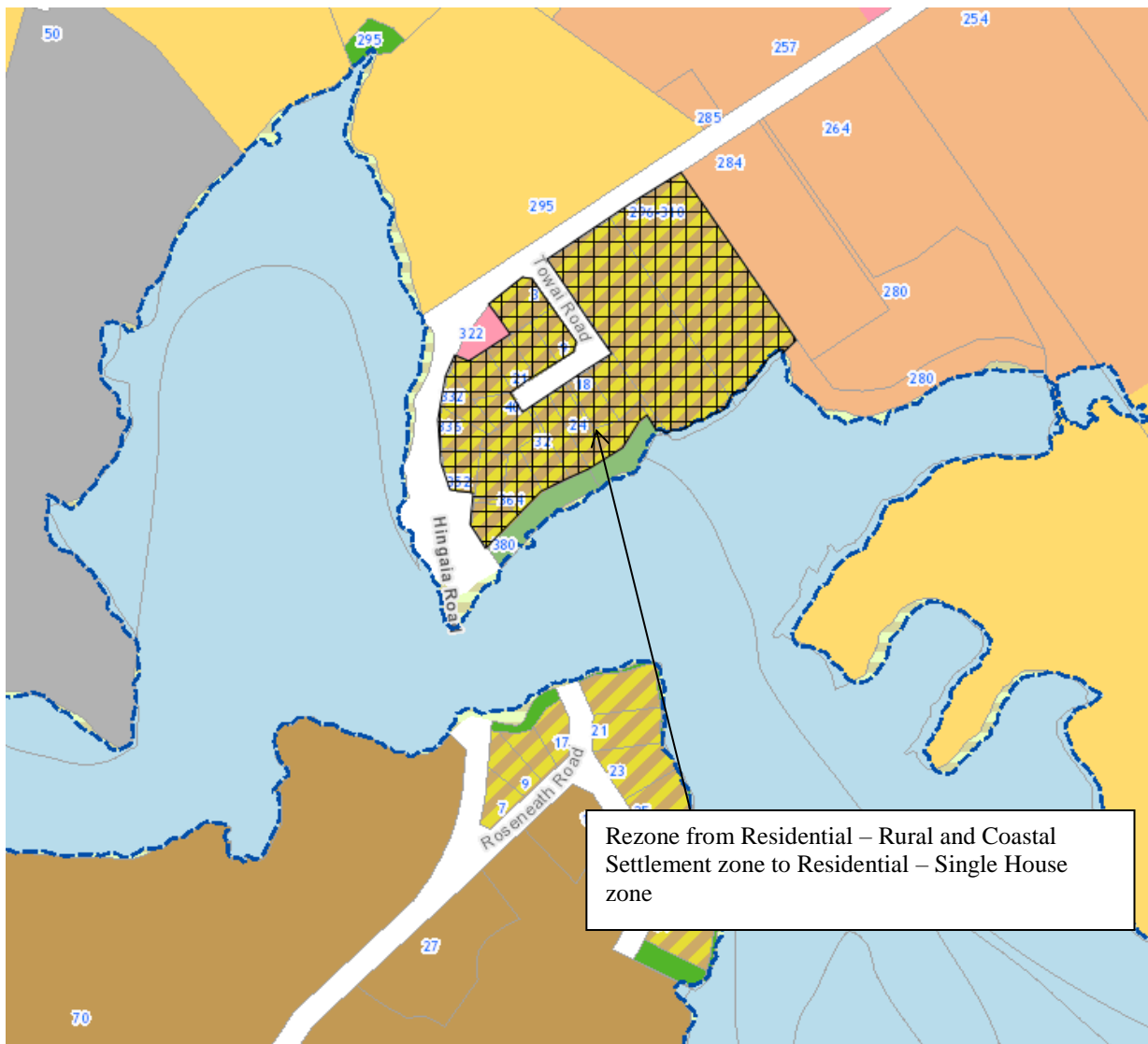


Map change:	5
Subject property:	Big Bay Road, Waiuku
Legal Description:	Lot 11 DP 336027, Lot 3 DP 25574, Lot 2 DP 427776
Current zone(s):	Rural – Rural Coastal zone and Rural – Mixed Rural zone
Proposed change:	<i>Rezone the north-western split zone section of Big Bay Road from Rural – Rural Coastal zone to Rural – Mixed Rural zone and rezone the south-eastern split zone section of Big Bay Road from Rural – Mixed Rural zone to Rural – Rural Coastal zone</i>
Proposed zone:	Rural – Rural Coastal zone and Rural – Mixed Rural zone





Map change:	6
Subject property:	Hingaia North See Table below.
Legal Description:	See Table below.
Current zone(s):	Residential – Rural and Coastal Settlement zone
Proposed change:	Rezone Hingaia North (properties identified in the black hatching below) from Residential – Rural and Coastal Settlement zone to Residential – Single House zone
Proposed zone:	Residential – Single House zone

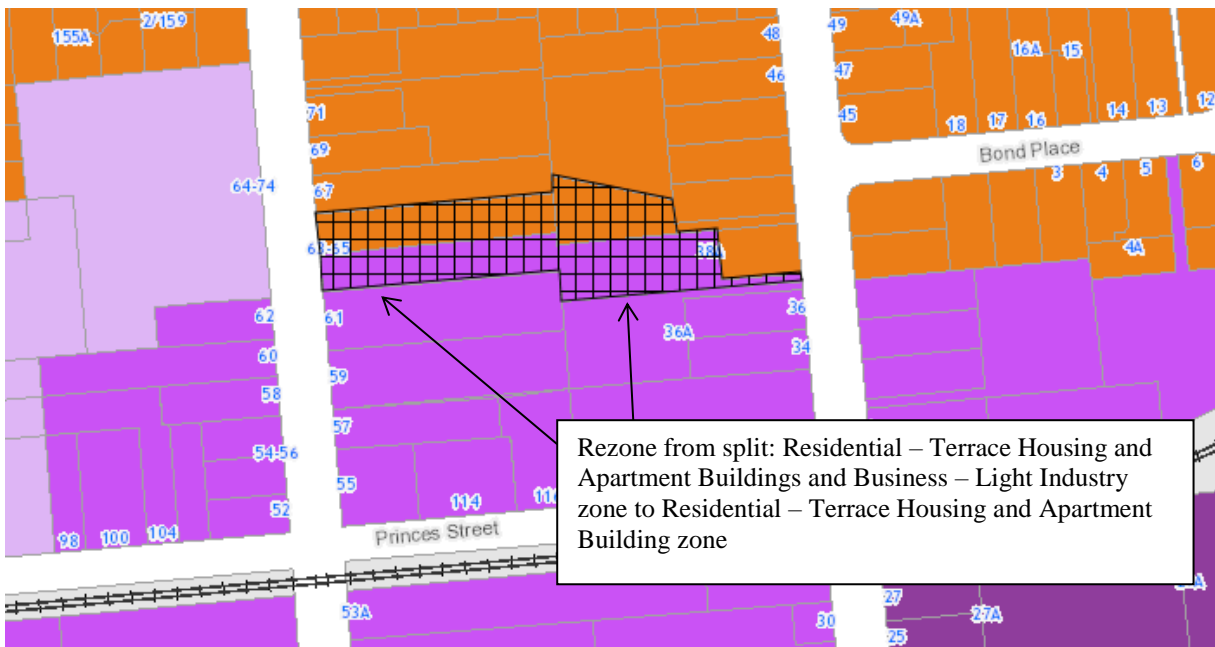


**Affected sites:**

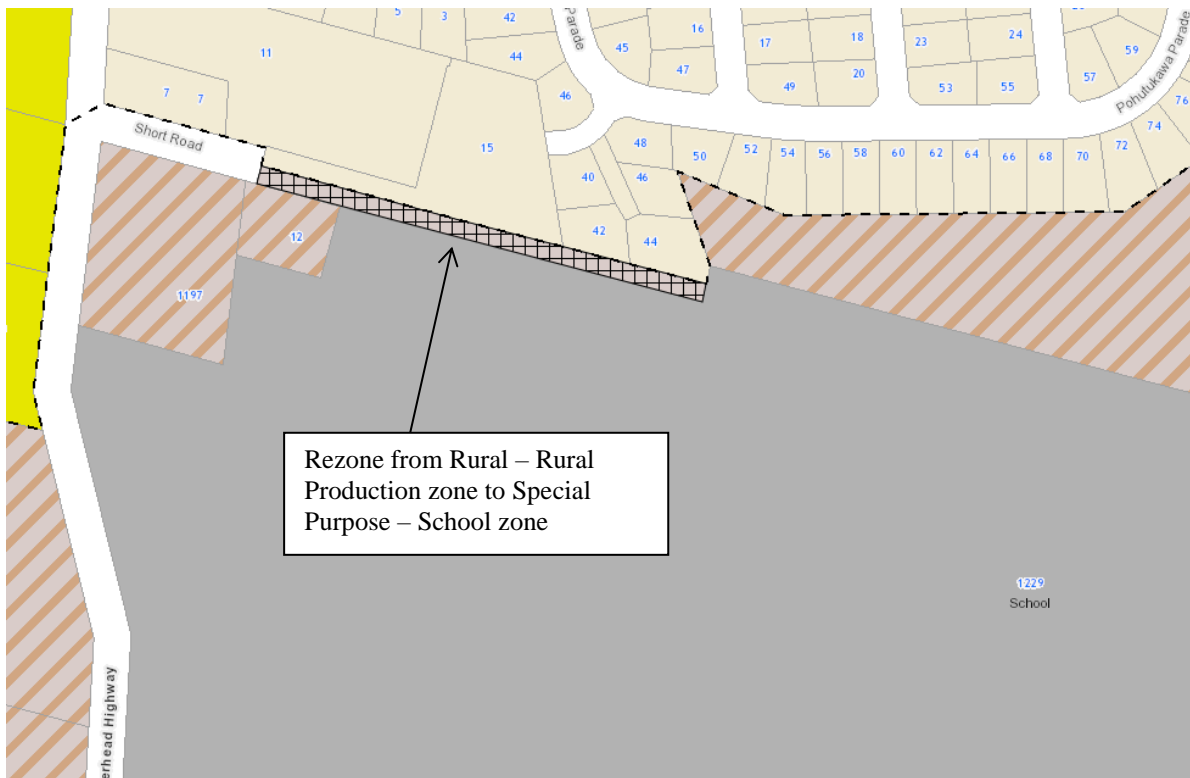
Subject properties	Legal Descriptions
296-310 Hingaia Road Hingaia	Lot 1 DP 8046, Lot 2 DP 8046

332 Hingaia Road Hingaia	Lot 4 DP 52149
336 Hingaia Road Hingaia	Lot 4 DP 44257
352 Hingaia Road Hingaia	Lot 5 DP 44257
358 Hingaia Road Hingaia	Lot 4 DP 45203
364 Hingaia Road Hingaia	Lot 5 DP 45203
370 Hingaia Road Hingaia	Lot 6 DP 45203
3 Towai Road, Hingaia	Lot 1 DP 44257
9 Towai Road, Hingaia	Lot 1 DP 43045
15 Towai Road, Hingaia	Lot 1 DP 57835
21 Towai Road, Hingaia	Lot 2 DP 57835
25 Towai Road, Hingaia	Lot 1 DP 77579
40 Towai Road, Hingaia	Lot 2 DP 77579
36 Towai Road, Hingaia	Lot 3 DP 45203
32 Towai Road, Hingaia	Lot 2 DP 45203
28 Towai Road, Hingaia	Lot 1 DP 45203
24 Towai Road, Hingaia	Lot 3 DP 60754
22 Towai Road, Hingaia	Lot 2 DP 60754
18 Towai Road, Hingaia	Lot 1 DP 60754
14 Towai Road, Hingaia	Lot 1 DP 40679

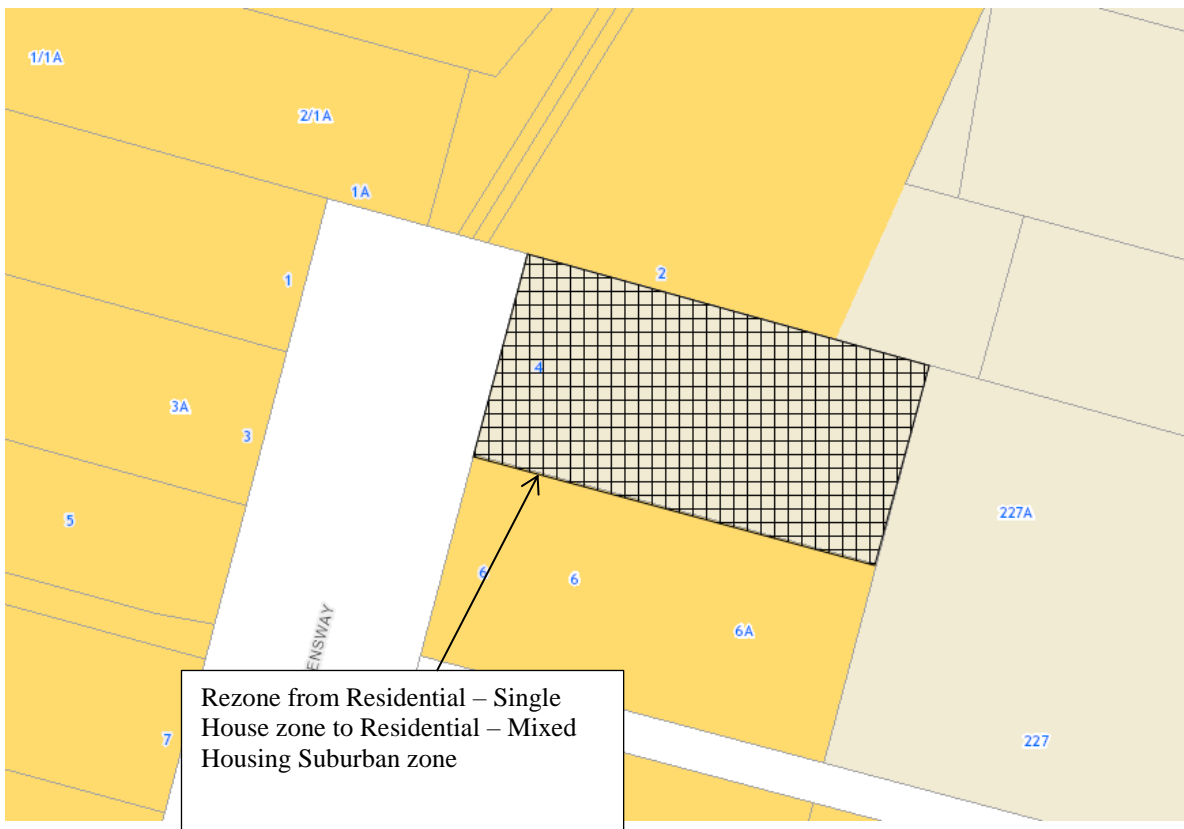
Map change:	7
Subject property:	63-65 Victoria Street, Onehunga 38A Alfred Street, Onehunga
Legal Description:	PT ALLOT 5 SEC 16 Village ONEHUNGA, PT ALLOT 5 SEC 16 Village ONEHUNGA
Current zone(s):	Residential – Terrace Housing and Apartment Building zone and Business – Light Industry zone
Proposed change:	<i>Rezone 63-65 Victoria Street and 38A Alfred Street Onehunga from a split of both Residential – Terrace Housing and Apartment Building zone and Business – Light Industry zone to Residential – Terrace Housing and Apartment Building zone</i>
Proposed zone:	Residential – Terrace Housing and Apartment Building zone



Map change:	8
Subject property:	1229 Coatesville-Riverhead Highway, Riverhead
Current zone(s):	Rural – Rural Production zone
Proposed change:	<i>Rezone a narrow section to the north of 1229 Coatesville-Riverhead Highway, Riverhead from Rural – Rural Production zone a to Special Purpose – School zone</i>
Proposed zone:	Special Purpose – School zone

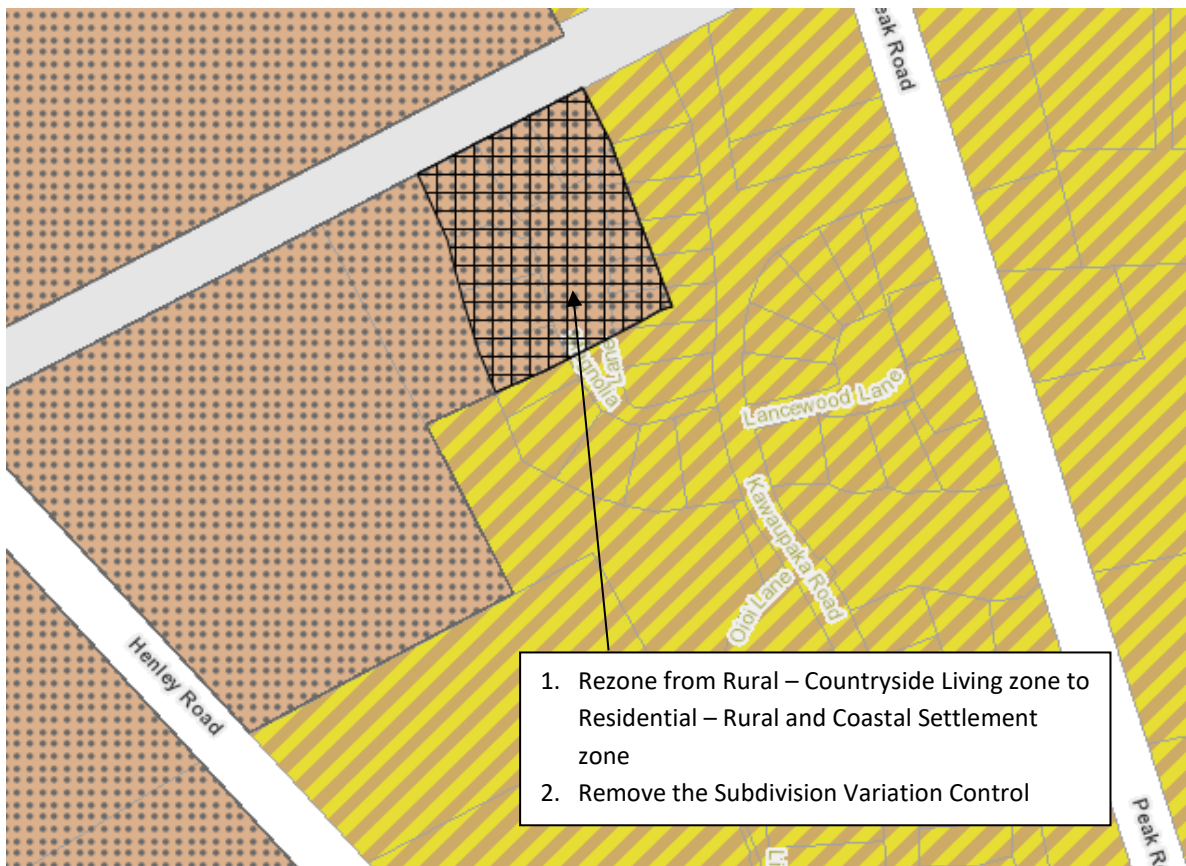


Map change:	9
Subject property:	4 Queensway, Three Kings
Legal Description:	Lot 24 DP 17070
Current zone:	Residential – Single House zone
<i>Proposed change:</i>	<i>Rezone 4 Queensway, Three Kings from Residential – Single House zone to Residential – Mixed Housing Suburban zone</i>
Proposed zone:	Residential – Mixed Housing Suburban zone



## Unitary Plan Management Layers – Controls and zones

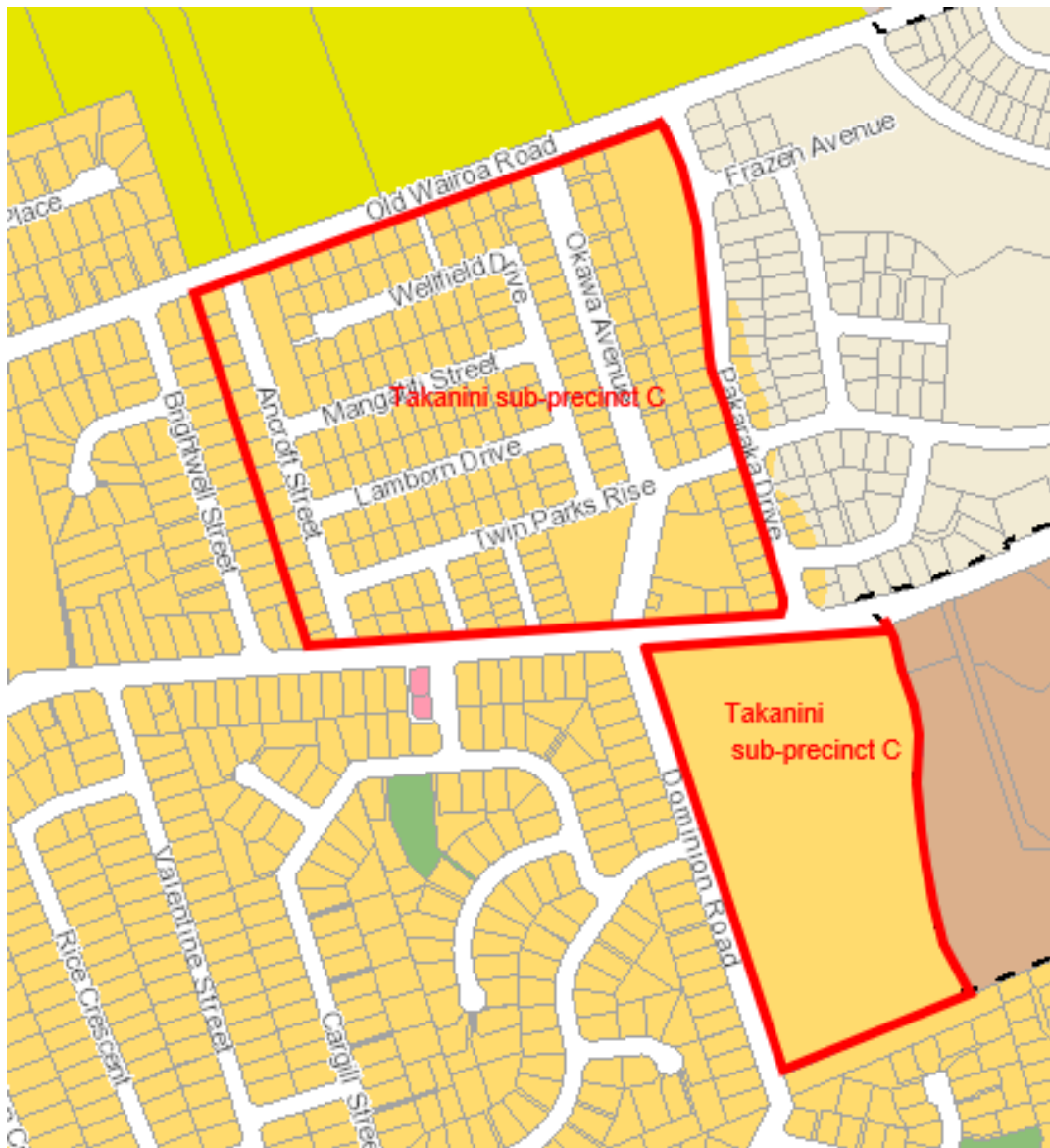
Map change:	10
Subject property:	4 Oioi Lane, Kaukapakapa 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 Magnolia Lane, Kaukapakapa
Legal Description:	Lot 56 DP 449408 Lot 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, and 30 DP 449408
Current zone:	Rural – Countryside Living zone
Proposed change:	<i>Extend the Residential – Rural and Coastal Settlement zone to the properties that have a split zone or have been already subdivided within the area identified in black hatching below. Remove the Subdivision Variation Control which currently applies to the properties at 4, 6, 8, 10, 12, 14, 16, 17, 15, 13, 11 and 9 Magnolia Lane, as identified below.</i>
Proposed zone:	Residential – Rural and Coastal Settlement zone



## Unitary Plan Management Layers – Precincts and zoning

Map change:	11
Subject property:	See Table below.
Legal Description:	See Table below.
Current zone/s:	Residential – Single House zone and Residential – Mixed Housing Suburban zone split zone
<i>Proposed change:</i>	<i>Rezone 15 properties currently subject to a split zoning to Residential – Single House zone in their entirety. Realign the eastern boundary of Takanini sub-precinct C and western boundary of Takanini sub-precinct D with the road boundary of Pakaraka Drive.</i>
Proposed zone:	Residential – Single House zone





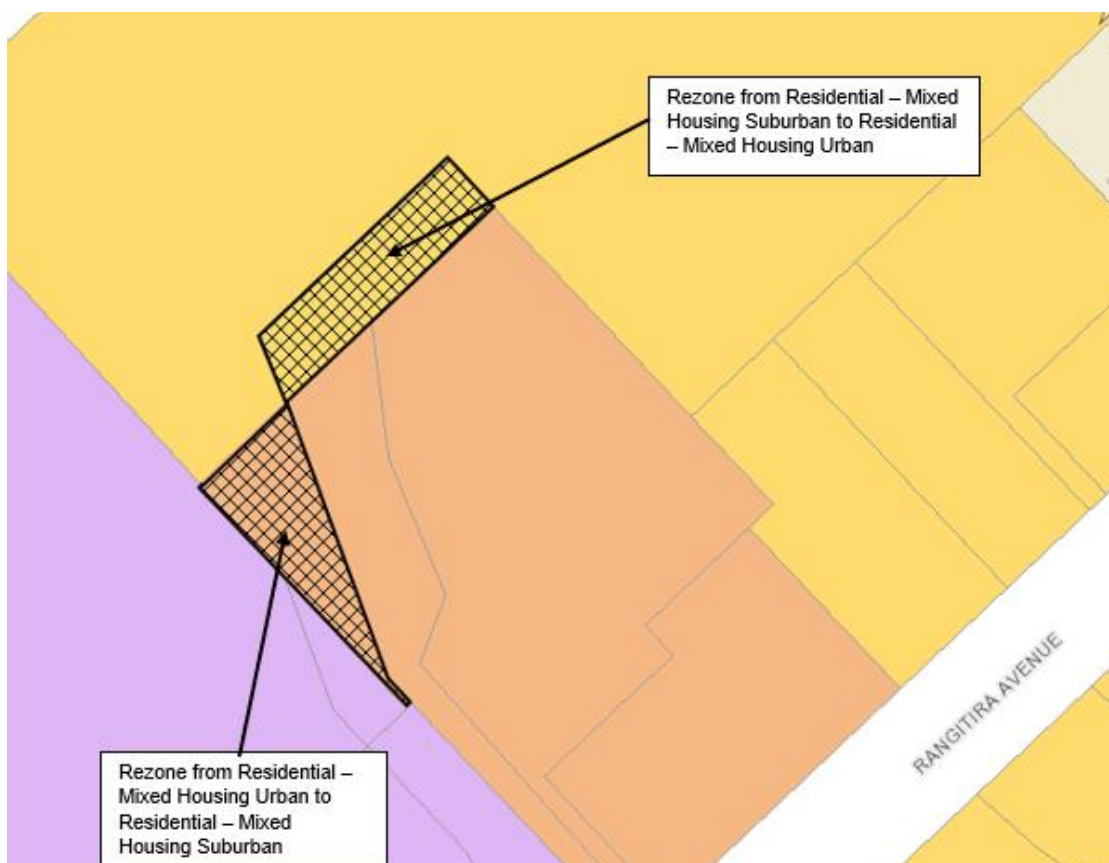
**Affected sites:**

Subject properties	Legal Descriptions
1 Pakaraka Drive, Ardmore	Lot 22 DP 504247
3 Pakaraka Drive, Ardmore	Lot 23 DP 504247
5 Pakaraka Drive, Ardmore	Lot 24 DP 504247
7 Pakaraka Drive, Ardmore	Lot 25 DP 504247
9 Pakaraka Drive, Ardmore	Lot 26 DP 504247
11 Pakaraka Drive, Ardmore	Lot 27 DP 504247
13 Pakaraka Drive, Ardmore	Lot 77 DP 516819
23 Pakaraka Drive Ardmore	Lot 33 DP 504247
15 Pakaraka Drive Ardmore	Lot 29 DP 504247
36 Twin Parks Rise Ardmore	Lot 28 DP 504247



21 Pakaraka Drive Ardmore	Lot 32 DP 504247
31 Pakaraka Drive Ardmore	Lot 37 DP 504247
29 Pakaraka Drive Ardmore	Lot 36 DP 504247
17 Pakaraka Drive Ardmore	Lot 30 DP 504247
27 Pakaraka Drive Ardmore	Lot 35 DP 504247
19 Pakaraka Drive Ardmore	Lot 31 DP 504247
25 Pakaraka Drive Ardmore	Lot 34 DP 504247
33 Pakaraka Drive Ardmore	Lot 700 DP 504247

Map change:	12
Subject property:	2D Northcote Road, Takapuna and 8 and 10 Rangitira Avenue, Takapuna
Legal Description:	Lot 1 DP 505164 Lot 3 DP 513260 Lot 4 DP 513260 Lot 2 DP 505164
Current zone/s:	Residential – Mixed Housing Suburban zone and Residential – Mixed Housing Urban zone split zone
Current precinct/s:	Smales 2 sub-precinct A and Smales 2 sub-precinct B
Proposed change:	<i>Rezone the southern part of the property at 2D Northcote Road which is currently zoned Residential – Mixed Housing Urban to Residential – Mixed Housing Suburban; and Rezone northern parts of the properties at 8 and 10 Rangitira Avenue which are currently zoned Residential – Mixed Housing Suburban to Residential – Mixed Housing Urban. Realign the southern boundary of the Smales 2 sub-precinct B with the boundaries of properties 2D Northcote Road, 8 Rangitira Avenue, and 10 Rangitira Avenue, Takapuna.</i>
Proposed zone:	Residential – Mixed Housing Suburban zone and Residential – Mixed Housing Urban zone

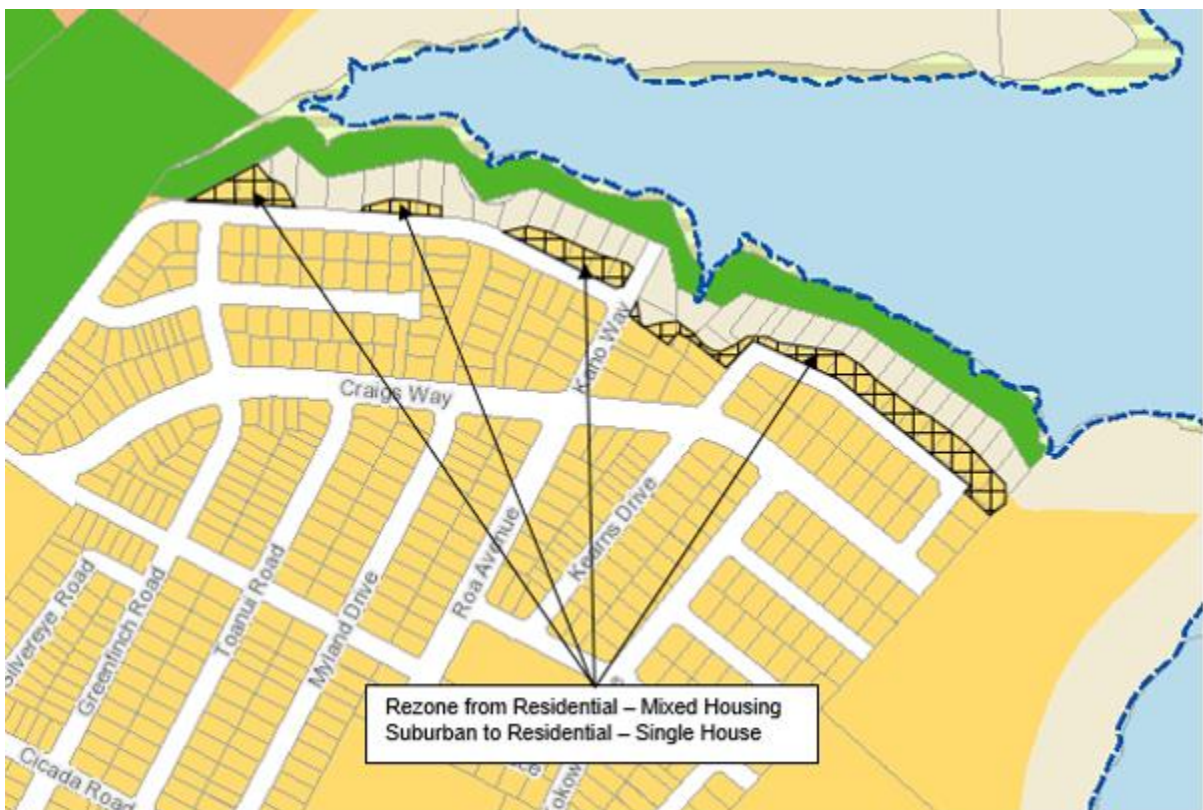




----- Delete existing sub-precinct B Boundary

\_\_\_\_\_ Insert new sub-precinct B Boundary

Map change:	13
Subject property:	See Table below.
Legal Description:	See Table below.
Current zone/s:	Residential – Single House zone and Residential – Mixed Housing Suburban zone split zone
<i>Proposed change:</i>	<i>Rezone the properties that are directly along the coast (identified in the above map) to Residential – Single House in their entirety.</i>
Proposed zone:	Residential – Single House zone

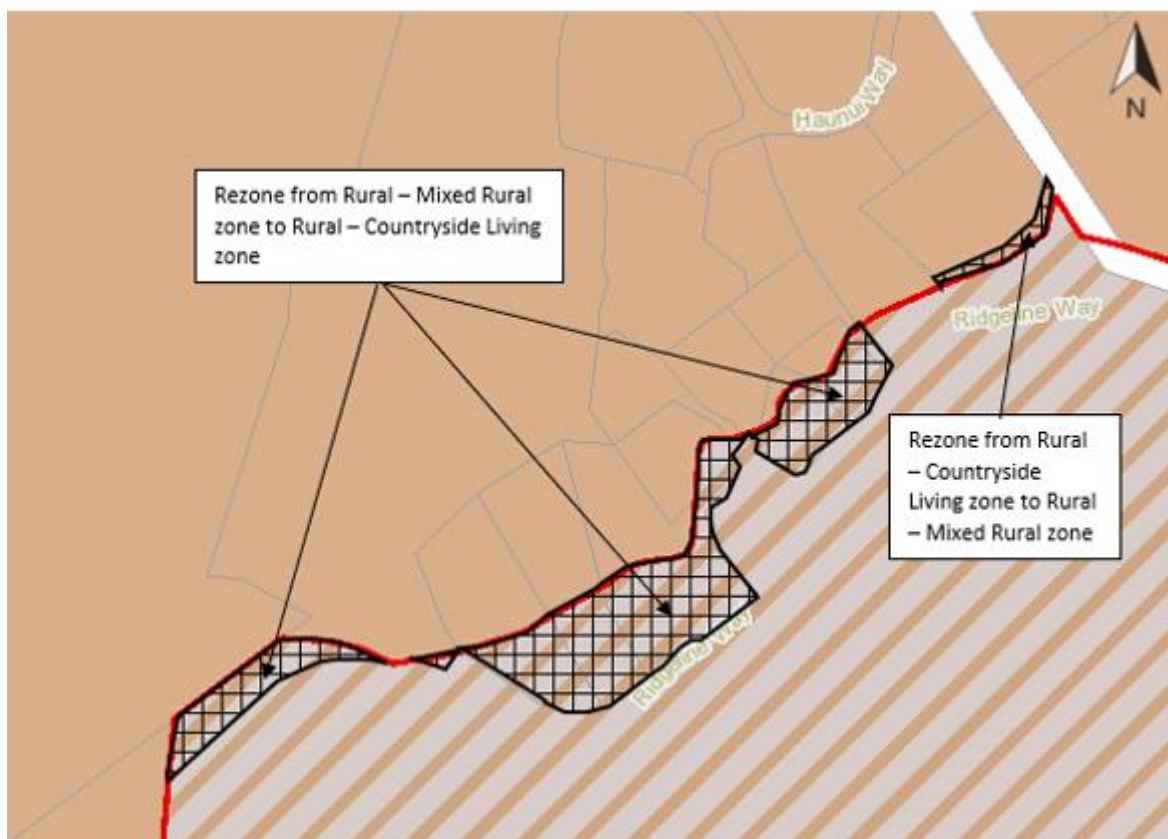


**Affected sites:**

Subject properties	Legal Descriptions
24 Tai Crescent Hobsonville	LOT 187 DP 508367
30 Tai Crescent Hobsonville	LOT 184 DP 508367
36 Tai Crescent Hobsonville	LOT 181 DP 508367
42 Tai Crescent Hobsonville	LOT 178 DP 508367
23 Scott Road Hobsonville	LOT 1 DP 63801
22 Tai Crescent Hobsonville	LOT 188 DP 508367
26 Tai Crescent Hobsonville	LOT 186 DP 508367
32 Tai Crescent Hobsonville	LOT 183 DP 508367
40 Tai Crescent Hobsonville	LOT 179 DP 508367

16 Tai Crescent Hobsonville	LOT 191 DP 508367
38 Tai Crescent Hobsonville	LOT 180 DP 508367
28 Tai Crescent Hobsonville	LOT 185 DP 508367
10 Tai Crescent Hobsonville	LOT 193 DP 508367
34 Tai Crescent Hobsonville	LOT 182 DP 508367
Roa Avenue Hobsonville	LOT 305 DP 505573
8 Tai Crescent Hobsonville	LOT 194 DP 508367
18 Tai Crescent Hobsonville	LOT 190 DP 508367
15 Kano Way Hobsonville	LOT 251 DP 505573
17 Kano Way Hobsonville	LOT 511 DP 509502
23 Kano Way Hobsonville	LOT 508 DP 509502
21 Kano Way Hobsonville	LOT 509 DP 509502
19 Kano Way Hobsonville	LOT 510 DP 509502
13 Kano Way Hobsonville	LOT 250 DP 505573
31 Kano Way Hobsonville	LOT 505 DP 509502
29 Kano Way Hobsonville	LOT 506 DP 509502
33 Kano Way Hobsonville	LOT 504 DP 509502
39 Kano Way Hobsonville	LOT 501 DP 509502
41 Kano Way Hobsonville 0618	LOT 500 DP 509502

Map change:	14
Subject property:	See Table below.
Legal Description:	See Table below.
Current zone/s:	Rural – Mixed Rural zone and Rural – Countryside Living zone with split zones
Proposed change:	<p><i>Rezone properties from Rural – Mixed Rural zone to Rural – Countryside Living and vice versa to remove split zones on properties.</i></p> <p><i>Realign the southern boundary of Whitford sub-precinct A, as well as the zone boundaries of Rural – Countryside Living zone and Rural – Mixed Rural zone so that the six properties created by subdivision are zoned Rural – Countryside Living.</i></p>
Proposed zone:	Rural – Mixed Rural zone and Rural – Countryside Living zone without split zones







----- Delete existing sub-precinct A Boundary

\_\_\_\_\_ Insert new sub-precinct A Boundary

**Affected sites:**

Subject properties	Legal Descriptions
500 Brookby Road Brookby	1/2 SH LOT 3 DP 146072, 1/3 SH LOT 5 DP 195884, LOT 3 DP 492683, 1/7 SH LOT 20 DP 480857
385 Whitford Park Road Whitford	LOT 1 DP 147984
21 Ridgeline Way, Whitford	Lot 16 DP 480857
17 Ridgeline Way Whitford	Lot 14 DP 480857
19 Ridgeline Way Whitford	Lot 15 DP 480857
15 Ridgeline Way, Whitford	Lot 13 DP 480857
13 Ridgeline Way, Whitford	Lot 12 DP 487212
11 Ridgeline Way, Whitford	Lot 11 DP 480857
9 Ridgeline Way, Whitford	Lot 10 DP 480857
7 Ridgeline Way, Whitford	Lot 9 DP 480857
5 Ridgeline Way, Whitford	Lot 8 DP 480857

Map change:	15
Subject property:	See Table below.
Legal Description:	See Table below.
Current zone/s:	Residential – Mixed Housing Suburban zone
Proposed change:	<i>Extend the Residential - Mixed Housing Suburban zone to properties with a split zone and adjust the boundary between Flat Bush sub-precincts A, D and F to align with the revised zone boundaries as shown in the below maps.</i>
Proposed zone:	Residential – Terrace Housing and Apartment Buildings zone







**Affected sites:**

Subject properties	Legal Descriptions
21 Frisken Road, Flat Bush	Lot 88 DP 480979
22 Frisken Road, Flat Bush	Lot 80 DP 480979
24 Frisken Road, Flat Bush	Lot 81 DP 480979
26 Frisken Road, Flat Bush	Lot 82 DP 480979
28 Frisken Road, Flat Bush	Lot 83 DP 480979
30 Frisken Road, Flat Bush	Lot 84 DP 480979
32 Frisken Road, Flat Bush	Lot 11 DP 480979
34 Frisken Road, Flat Bush	Lot 12 DP 480979
36 Frisken Road, Flat Bush	Lot 13 DP 480979
38 Frisken Road, Flat Bush	Lot 14 DP 480979

40 Frisken Road, Flat Bush	Lot 15 DP 480979
42 Frisken Road, Flat Bush	Lot 16 DP 480979
44 Frisken Road, Flat Bush	Lot 17 DP 480979
56 Timmer Road, Flat Bush	Lot 104 DP 480979
57 Timmer Road, Flat Bush	Lot 97 DP 480979
21 Nightingale Road, Flat Bush	Lot 120 DP 502563
22 Nightingale Road, Flat Bush	Lot 113 DP 502563
16 Koropa Road, Flat Bush	Lot 132 DP 502563
18 Koropa Road, Flat Bush	Lot 131 DP 502563
20 Koropa Road, Flat Bush	Lot 130 DP 502563
22 Koropa Road, Flat Bush	Lot 129 DP 502563
225 Murphys Road, Flat Bush	Section 6 SO 472096

Map change:	16
Subject property:	122 – 168 Eaves Bush, Parade Orewa 146 – 192 Landmark Terrace, Orewa 88 Rewa Rewa Lane, Orewa 58 Landmark Terrace, Orewa
Legal Description:	Lot 3 DP 482621 Lot 2 DP 482621 Unit 44 DP 475470, AU 103 DP 475470 Unit 1 DP 475683
Proposed change:	<i>Realign Orewa sub-precinct boundaries with the property boundaries as shown below.</i>



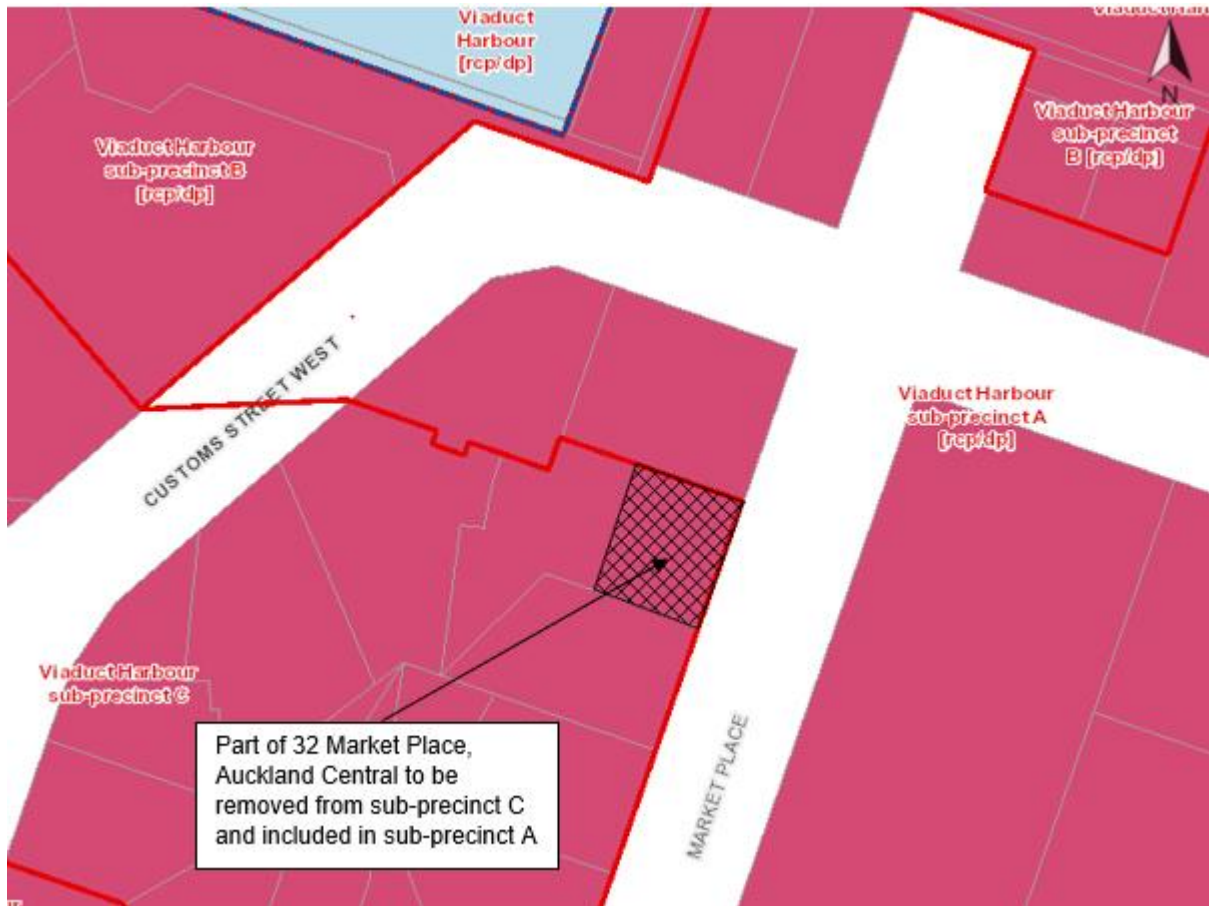
- Insert New Sub-precinct boundary
- - - - Delete existing sub-precinct boundary



— Insert New Sub-precinct boundary

- - - Delete existing sub-precinct boundary

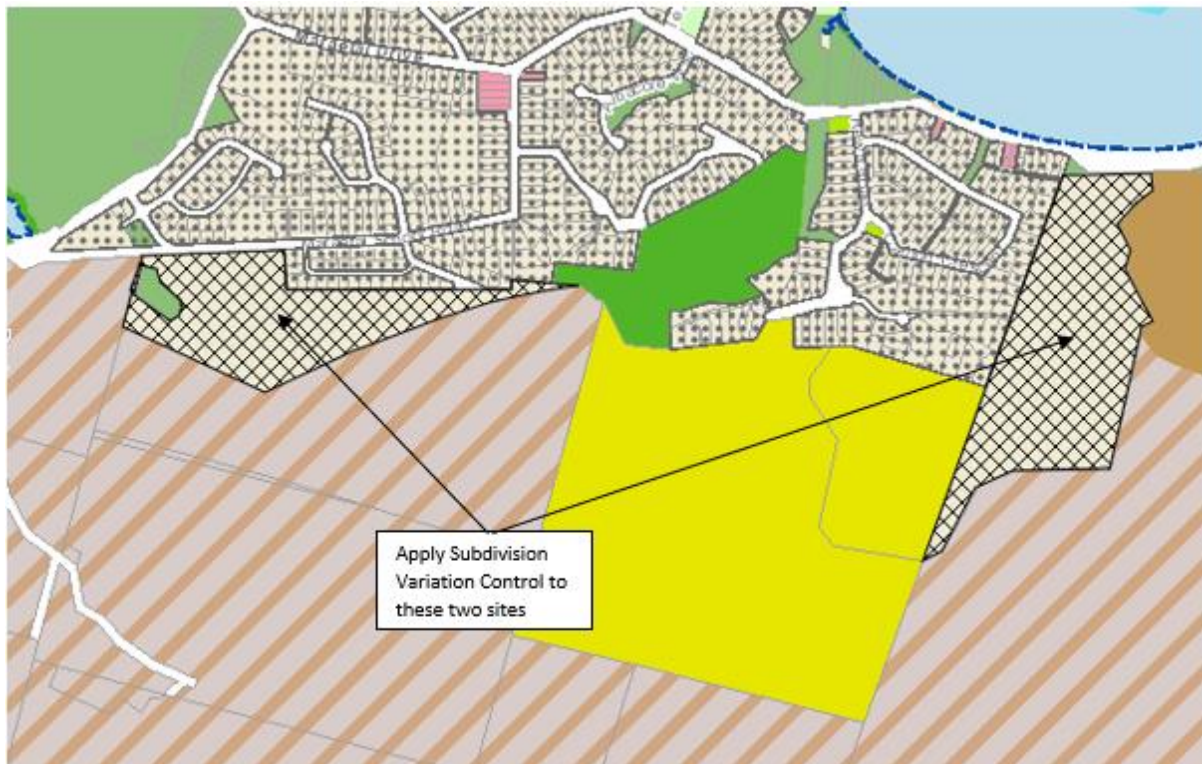
Map change:	17
Subject property:	32 Market Place, Auckland Central
Legal Description:	Lot 4 DP 317103
Proposed change:	<i>Realign the Viaduct Harbour sub-precinct C boundary, so that the part of 32 Market Place which is used for commercial activities (shown in black hatching) is in sub-precinct A, leaving the remaining part of the site within sub-precinct C.</i>





## Unitary Plan Management Layers – Controls and Overlays

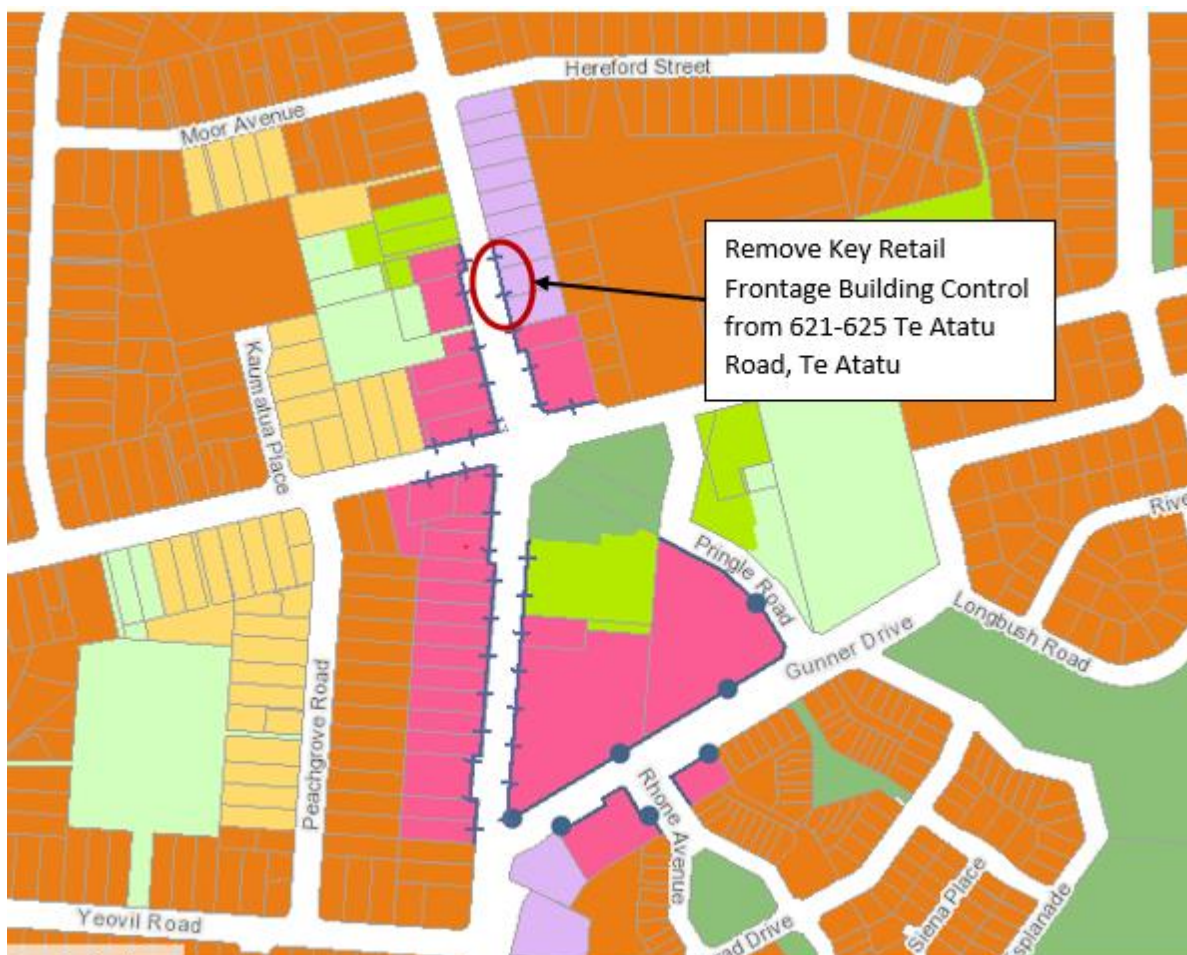
Map change:	18
Subject property:	110 Maraetai School Road, Maraetai (part of) 1 Maraetai Coast Road, Clevedon
Legal Description:	Lot 104 DP 472362 LOT 1 DP 517764
<i>Proposed change:</i>	<i>Extend the Subdivision Variation Control to cover 110 Maraetai School Road, Maraetai and 1 Maraetai Coast Road, Clevedon.</i>



Map change:	19
Subject property:	8 St Marks Road, Remuera 10 St Marks Road, Remuera
Legal Description:	Lot 1 DP 23263 Lot 2 DP 23263 Lot 1 DP 51650
Proposed change:	<i>Remove the Vehicle Access Restriction from Mac Murray Road frontages of both properties (8 and 10 St Marks Road).</i>

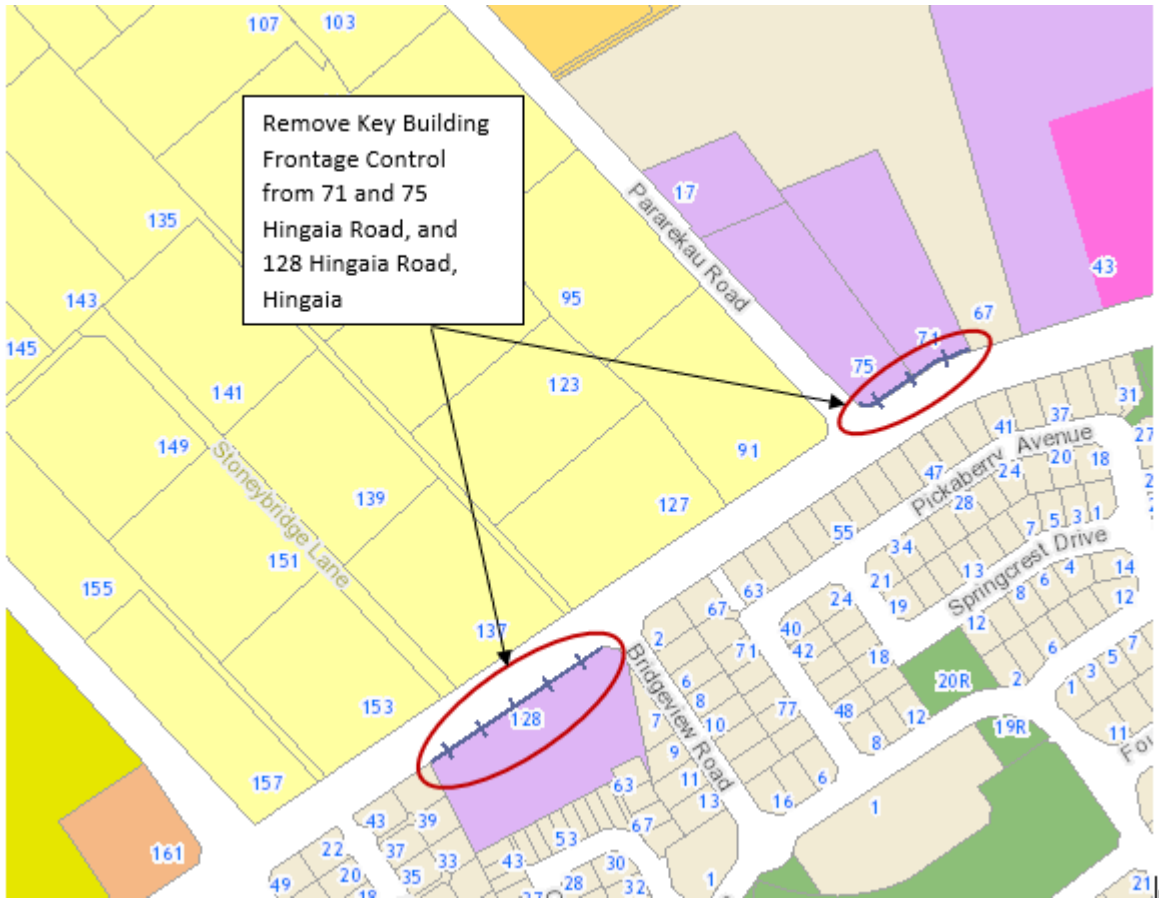


Map change	20
Subject property:	621 Te Atatu Road, Te Atatu Peninsula 623 Te Atatu Road, Te Atatu Peninsula 8 Harbour View Road, Te Atatu Peninsula
Legal Description:	PT LOT 3 DP 22578 PT LOT 2 DP 22578 PT LOT 4 DP 22578, PT LOT 3 DP 22578, PT LOT 2 DP 22578, PT LOT 1 DP 22578, SEC 1 SO 383880, LOT 72 DP 50502, PT LOT 2 DP 38397, PT LOT 1 DP 38397, PT LOT 70 DEEDS WHAU 14
Proposed change:	<i>Remove the Building Frontage Control – Key Retail Frontage from the frontage of 621 and 623 Te Atatu Road and 8 Harbour View Road, Te Atatu Peninsula.</i>

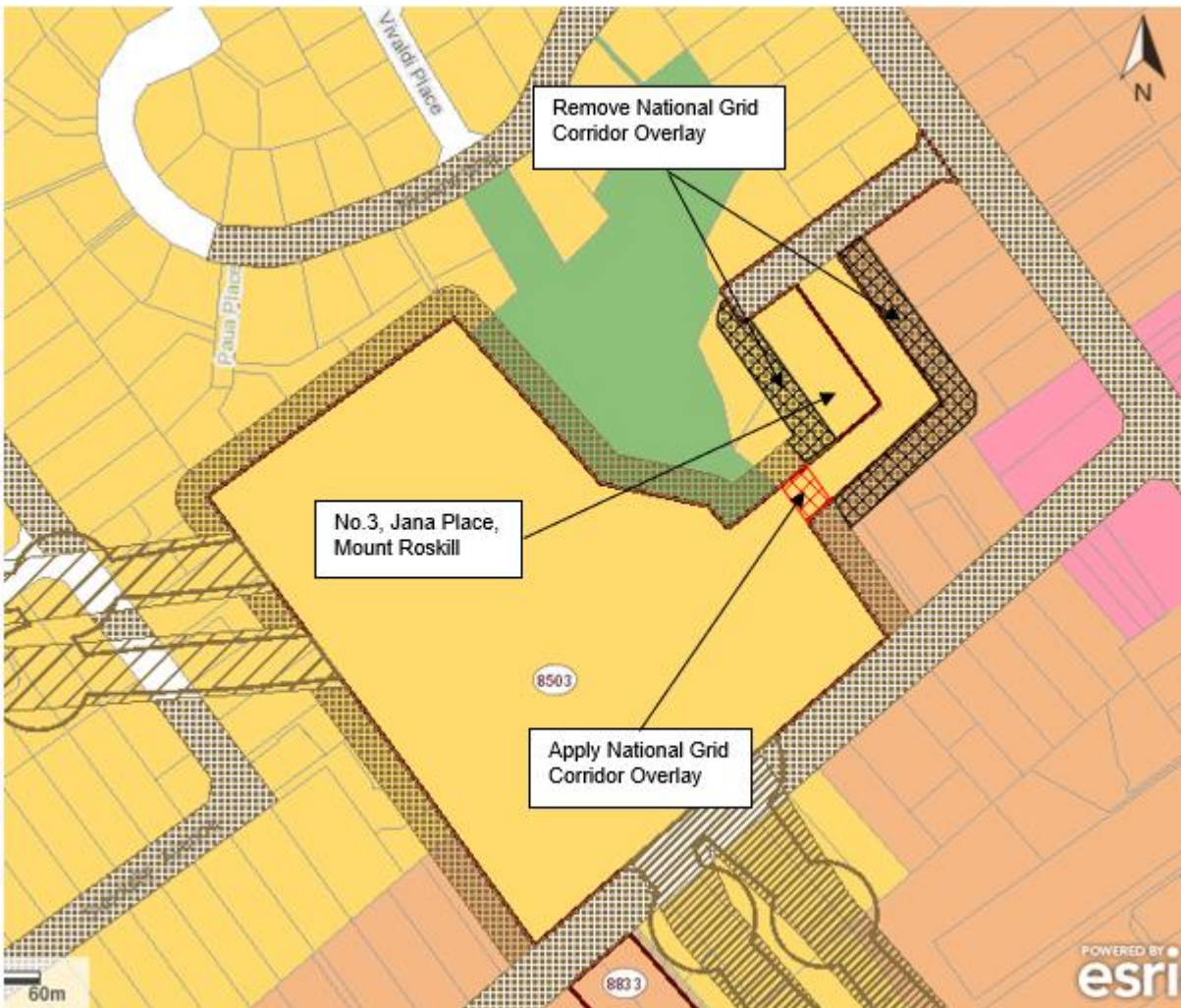




Map change:	21
Subject property:	71, 75 and 128 Hingaia Road, Hingaia
Legal Description:	PT ALLOT 4 DP 11824 PT ALLOT 2 DP 424718 Lot 66 DP 479708
Proposed change:	<i>Remove the Building Frontage Control - Key Retail Frontage Building Control from the frontage of 128, 71 and 75 Hingaia Road, Hingaia.</i>



Map change:	22
Subject property:	3 Jana Place, Mount Roskill 11 White Swan Road, Mount Roskill 7 Jana Place, Mount Roskill 6 Jana Place Mount Roskill Auckland 1041
Legal Description:	LOT 2 DP 513208, 1/6 SH Lot 2 DP 141985 LOT 1 DP 513208, 1/3 SH Lot 2 DP 141985 Lot 64 DP 155755, 1/6 SH Lot 2 DP 141985 1/2 SH Lot 63 DP 155755, Flat 2 DP 164414, 1/12 SH Lot 2 DP 141985
Proposed change:	<i>Remove the National Grid Substation Corridor Overlay from areas shown in purple in the map below</i> <i>Apply the National Grid Substation Corridor Overlay to the area marked in red in the map below, joining remaining corridor strips to close the loop.</i>



**NOTE: This change will have immediate legal effect**

Map change:	23
Subject property:	151 Wiri Station Road Manurewa 11 Puaki Drive Manurewa 220 Wiri Station Road Manukau Central
Legal Description:	LOT 1 DP 516602 LOT 500 DP 516602 SEC B SO 68724
Proposed change:	<i>Amend the extent of the Sites and Places of Significance to Mana Whenua Overlay (037, Wiri North Stonefields) to more accurately reflect the extent of the feature</i>

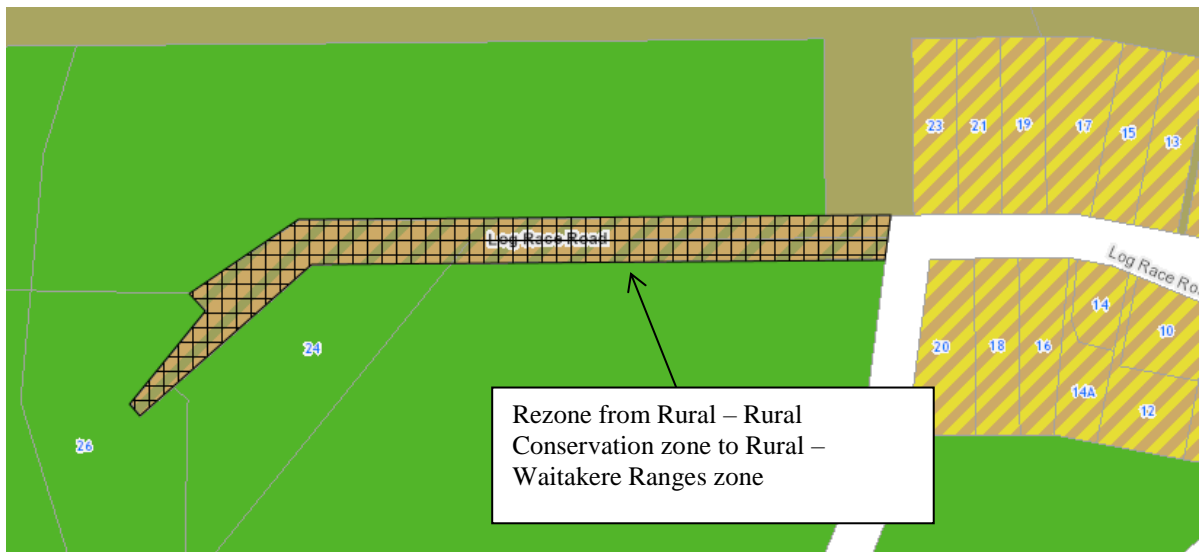


## Unitary Plan Management Layers – Waitakere Ranges zones

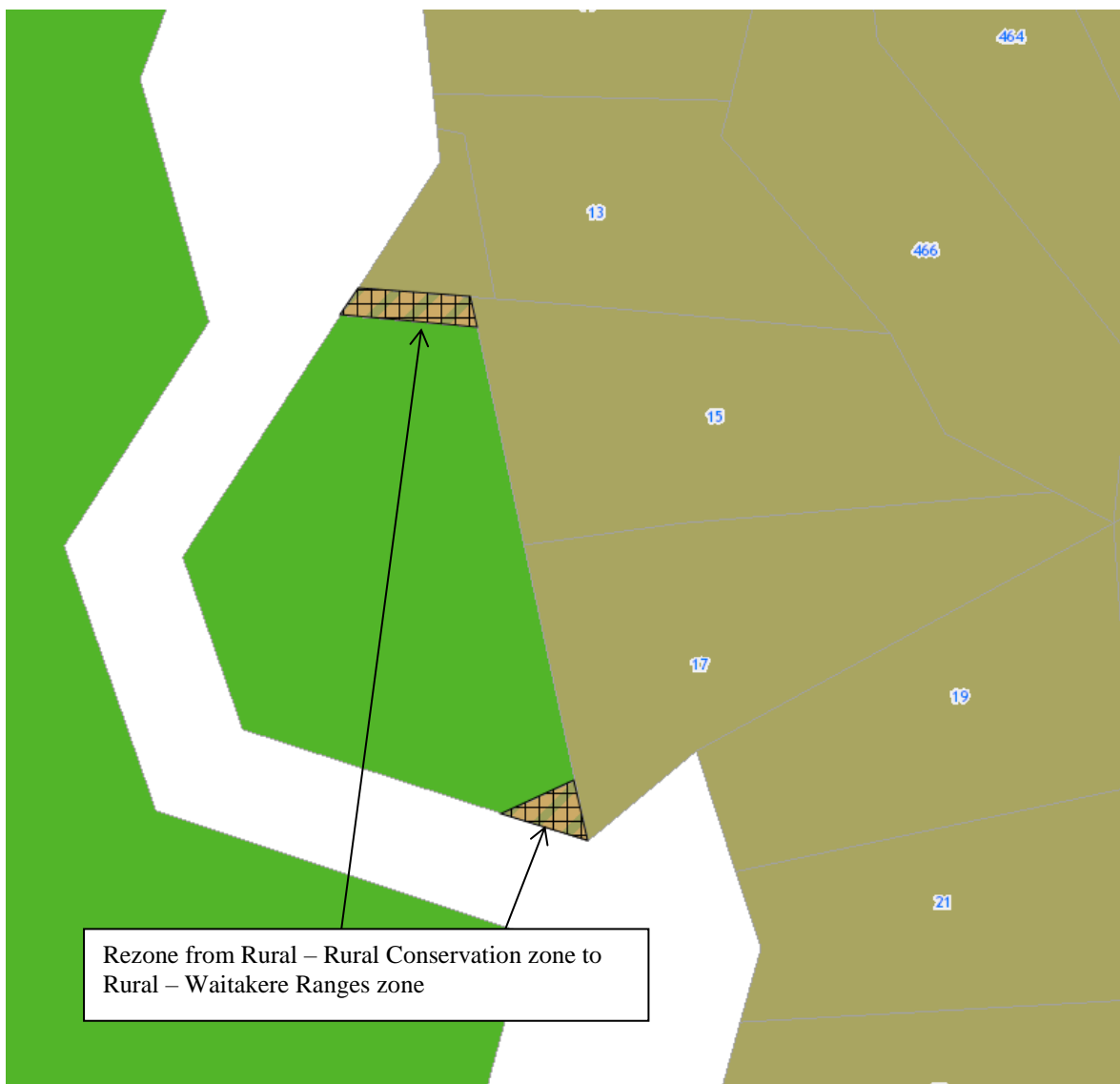
Map change:	24
Subject property:	13 Karekare Road, Karekare
Legal Description:	Lot 1 DP 64691
Current zone:	Rural – Rural Conservation zone
<i>Proposed change:</i>	<i>Rezone 13 Karekare Road, Karekare from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone</i>
Proposed zone:	Rural – Waitakere Ranges zone



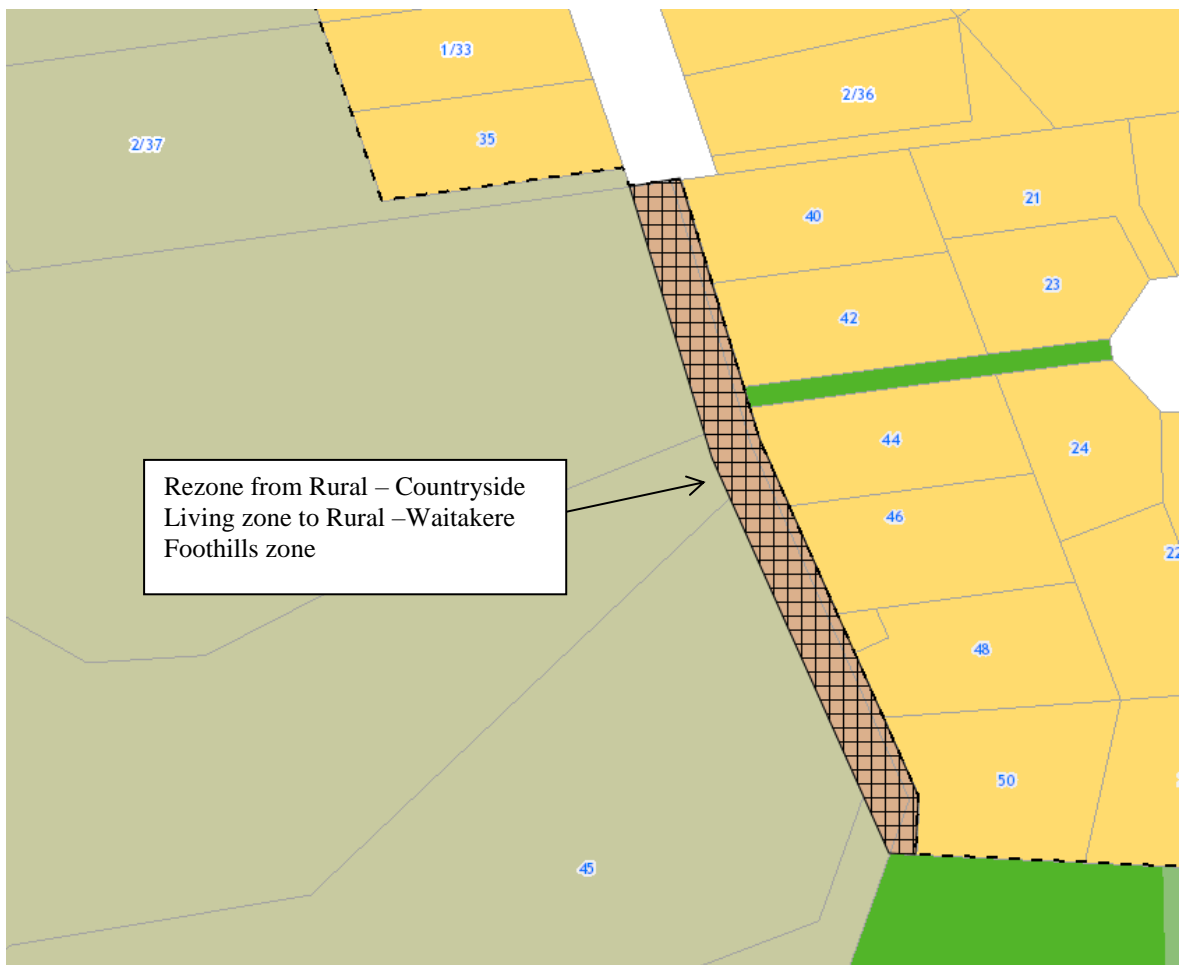
Map change:	25
Subject property:	Log Race Road, Piha
Legal Description:	Lot 1 DP 200568, Lot 2 DP 200568
Current zone:	Rural – Rural Conservation zone
<i>Proposed change:</i>	<i>Rezone Log Race Road, Piha from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone</i>
Proposed zone:	Rural – Waitakere Ranges zone



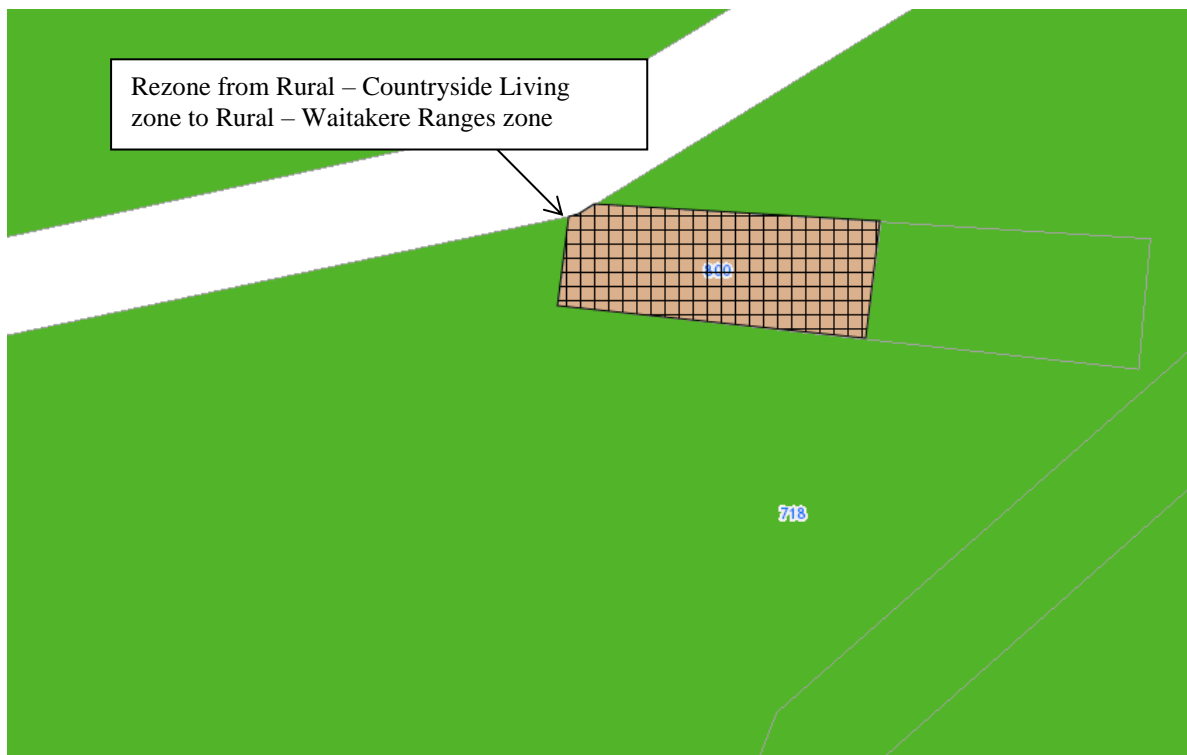
Map change:	26
Subject property:	15 Quinns Road, Waiatarua 17 Quinns Road, Waiatarua
Legal Description:	Lot 2 DP 55476, PT Lot 11 DP 51334 Lot 3 DP 55476, Lot 10 DP 51334
Current zone:	Rural – Rural Conservation zone
Proposed change:	<i>Rezone 15 Quinns Road and 17 Quinns Road, Waiatarua from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone</i>
Proposed zone:	Rural – Waitakere Ranges zone



Map change:	27
Subject property:	Autumn Avenue, Glen Eden
Legal Description:	Lot 6 DP 109668, Lot 45 DP 210267
Current zone:	Rural – Countryside Living zone
Proposed change:	<i>Rezone Autumn Avenue, Glen Eden from Rural – Countryside Living zone to Rural – Waitakere Foothills zone</i>
Proposed zone:	Rural – Waitakere Foothills zone

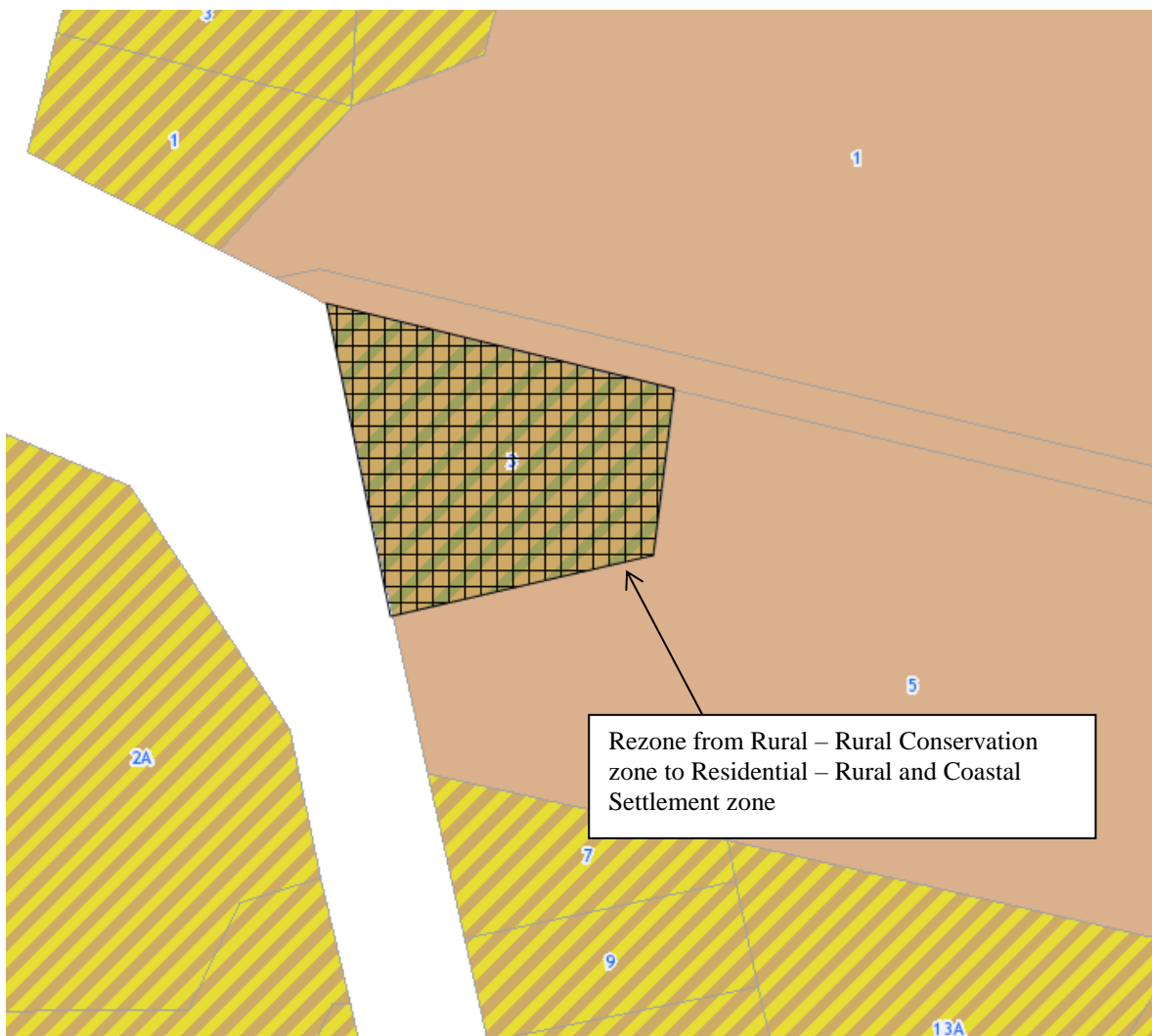


Map change:	28
Subject property:	800 Huia Road, Huia
Legal Description:	Lot 1 DP 31884
Current zone:	Rural – Countryside Living zone
<i>Proposed change:</i>	<i>Rezone 800 Huia Road, Huia from Rural – Countryside Living zone to Rural – Waitakere Ranges zone</i>
Proposed zone:	Rural – Waitakere Ranges zone

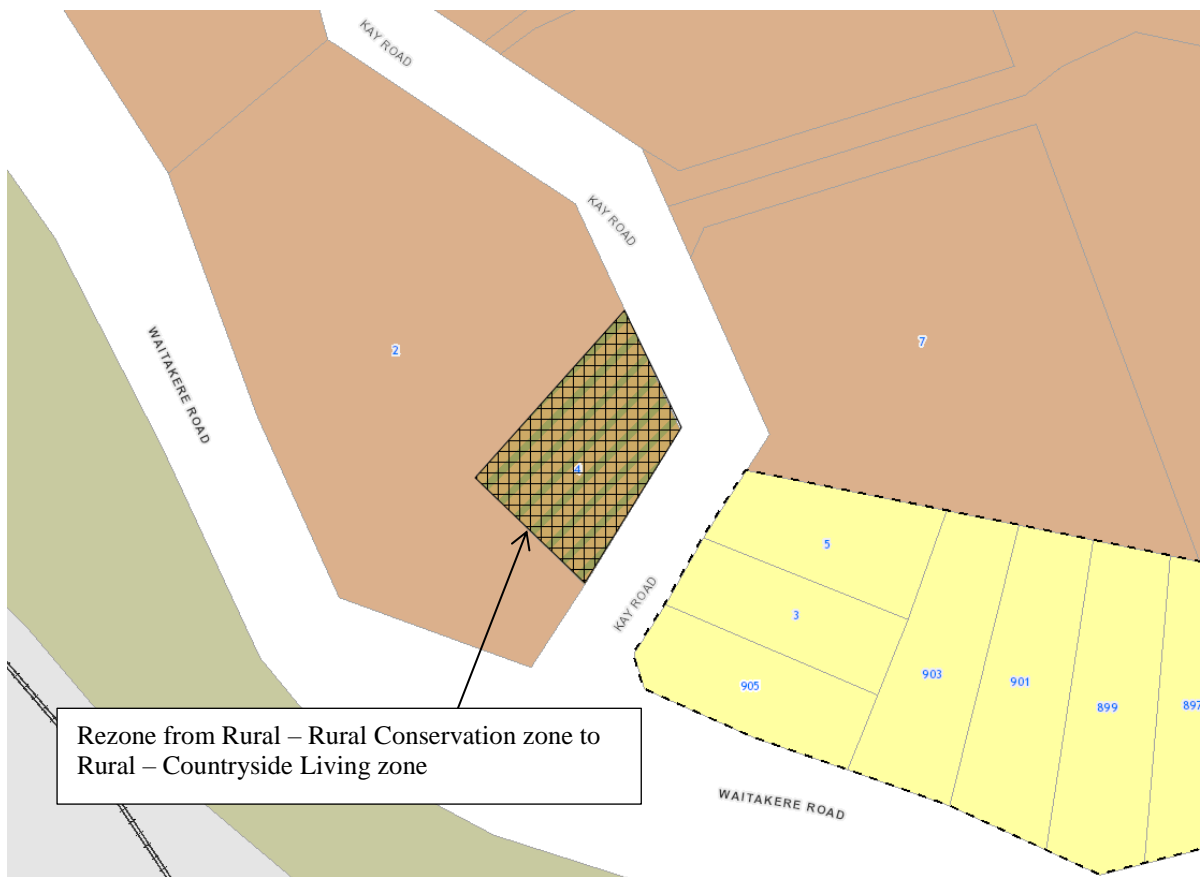




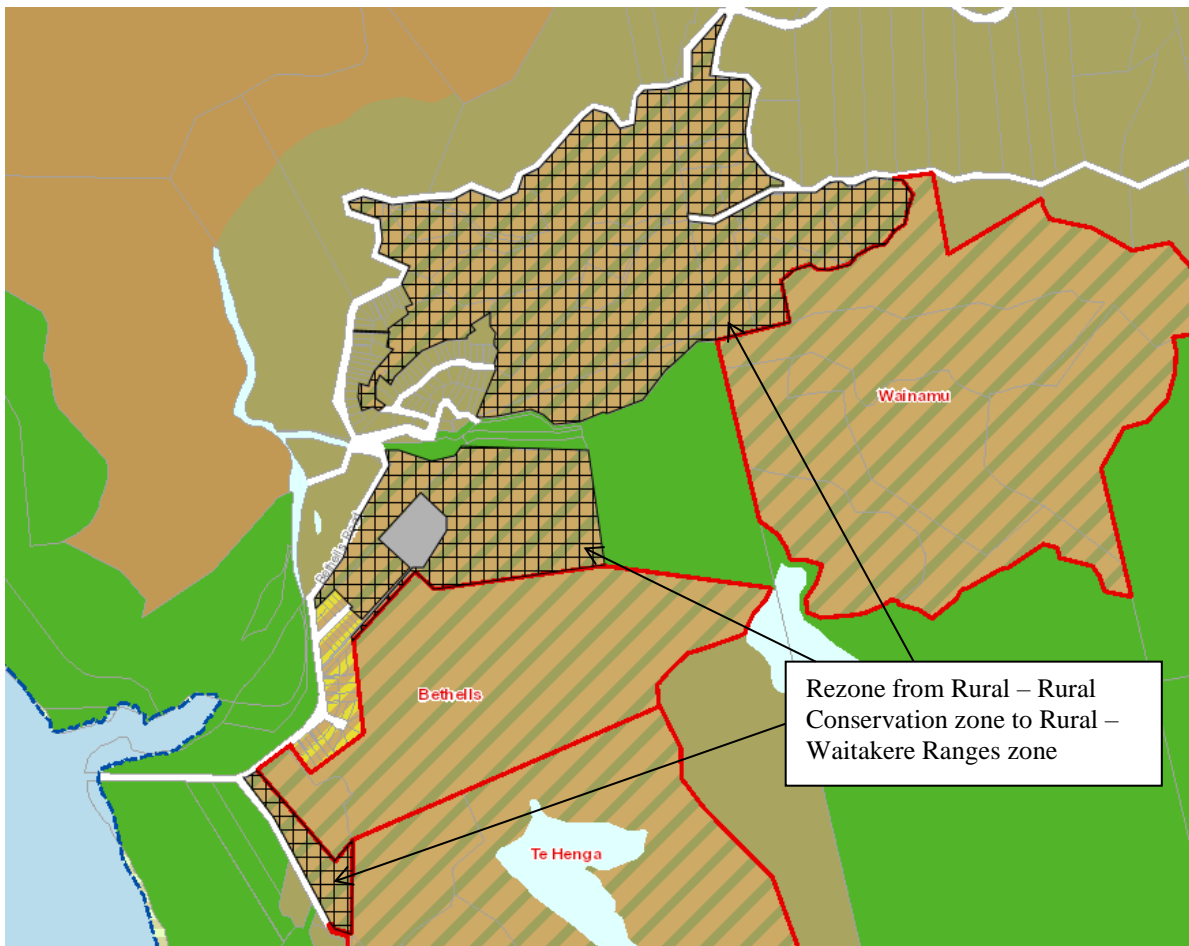
Map change:	29
Subject property:	3 McEntee Road, Waitakere
Legal Description:	Lot 1 DP44160
Current zone:	Rural – Rural Conservation zone
<i>Proposed change:</i>	<i>Rezone 3 McEntee Road, Waitakere from Rural – Rural Conservation zone to Residential – Rural and Coastal Settlement zone</i>
Proposed zone:	Residential – Rural and Coastal Settlement zone



Map change:	30
Subject property:	4 Kay Road, Swanson
Legal Description:	PT Lot 1 DP 55266
Current zone:	Rural – Rural Conservation zone
Proposed change:	<i>Rezone 4 Kay Road, Swanson from Rural – Rural Conservation zone to Rural – Countryside Living zone</i>
Proposed zone:	Rural – Countryside Living zone



Map change:	31
Subject property:	See Table below.
Legal Description:	See Table below.
Current zone:	Rural – Rural Conservation zone
<i>Proposed change:</i>	<i>Rezone the properties specified below from Rural – Rural Conservation zone to Rural – Waitakere Ranges zone.</i>
Proposed zone:	Rural – Waitakere Ranges



**Affected sites:**

Subject properties	Legal Descriptions
228 Bethells Road, Bethells	SEC 1 BLK I SO 47102, SEC 2 BLK I SO 47102, PT 1A ML 1902
17 Erangi Place Bethells	LOT 43 DP 72475
240 Bethells Road, Bethells	PT LOT 1 DP 52977
284-286 Bethells Road Bethells	LOT 4 DP 45364
36 Te Aute Ridge Road Bethells	LOT 4 DP 59176
2 Kokako Grove Bethells	PT LOT 5 DP 59176
40 Te Aute Ridge Road Bethells	LOT 6 DP 59176

10 Kokako Grove Bethells	LOT 7 DP 59176
18 Kokako Grove Bethells	LOT 10 DP 172677
9 Tasman View Road Bethells	PT LOT 3 DP 52977
7 Kokako Grove Bethells 9 Kokako Grove Bethells 5 Kokako Grove Bethells	LOT 12 DP 172677, LOT 11 DP 172677, LOT 7 DP 172677 LOT 12 DP 172677, LOT 11 DP 172677, LOT 8 DP 172677 LOT 12 DP 172677, LOT 11 DP 172677, LOT 6 DP 172677 LOT 1 DP 439729
12 Tasman View Road Bethells	LOT 1 DP 62899, LOT 1 DP 192609
18 Tasman View Road Bethells	LOT 1 DP 40072
160 Bethells Road Bethells 156 Bethells Road Bethells 156A Bethells Road Bethells 152 Bethells Road Bethells 150 Bethells Road Bethells 154 Bethells Road Bethells 46 Te Aute Ridge Road Bethells	LOT 11 DP 172677, LOT 13 DP 172677, LOT 2 DP 172677 LOT 11 DP 172677, LOT 13 DP 172677, LOT 1 DP 172677 LOT 11 DP 172677, LOT 13 DP 172677, LOT 4 DP 172677 LOT 11 DP 172677, LOT 13 DP 172677, LOT 5 DP 172677 LOT 11 DP 172677, LOT 13 DP 172677, LOT 3 DP 172677 LOT 2 DP 58776
44 Te Aute Ridge Road Bethells	LOT 1 DP 341728
44B Te Aute Ridge Road Bethells	LOT 3 DP 341728
44A Te Aute Ridge Road Bethells	LOT 2 DP 341728
58 Tasman View Road Bethells	LOT 1 DP 208433

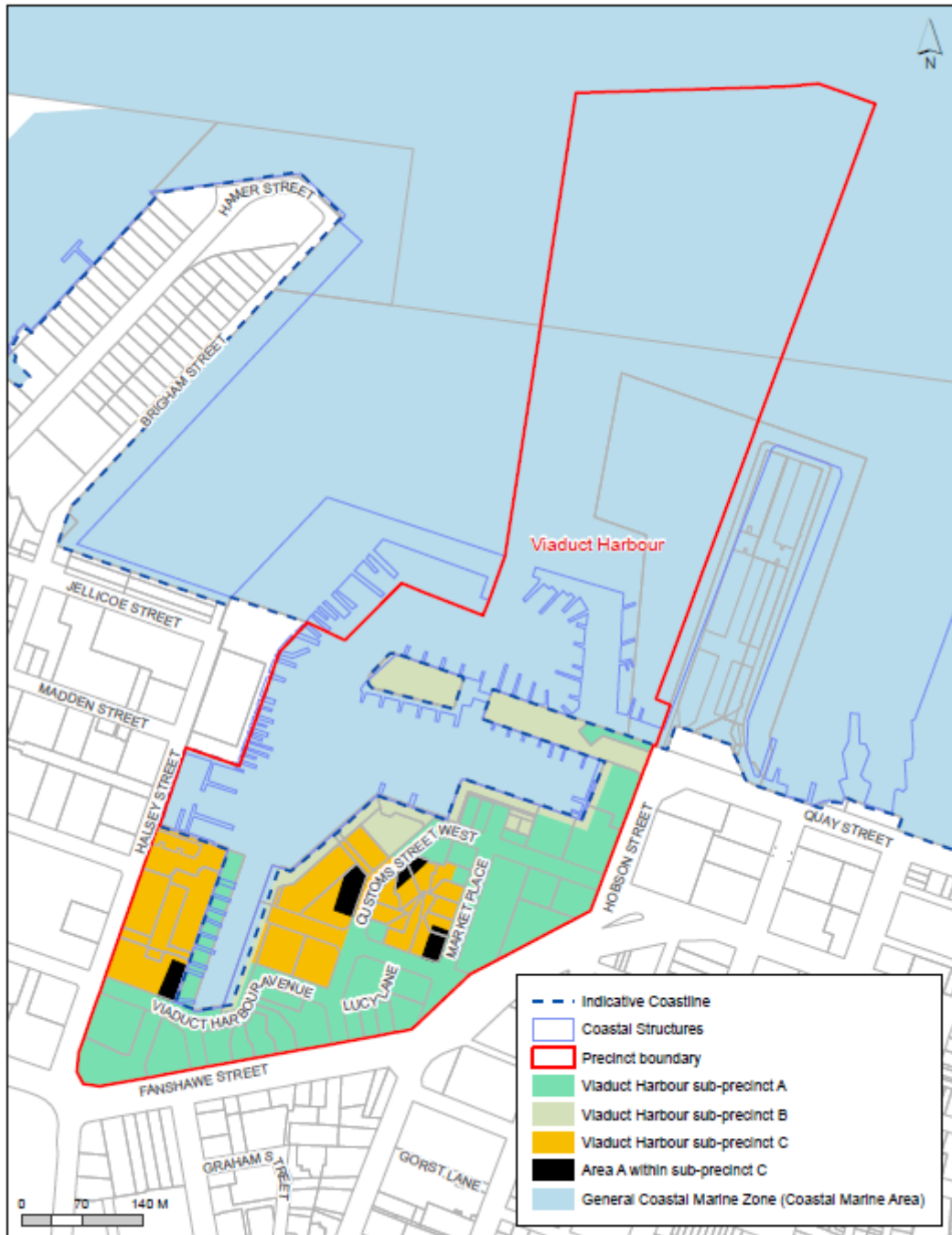
## **Chapter I Precincts: Consequential Changes**

## I211. Viaduct Harbour Precinct

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### I211.10. Precinct plans

#### Error! No text of specified style in document..10.1 Viaduct Harbour: Precinct plan 1 – Precinct and sub-precincts



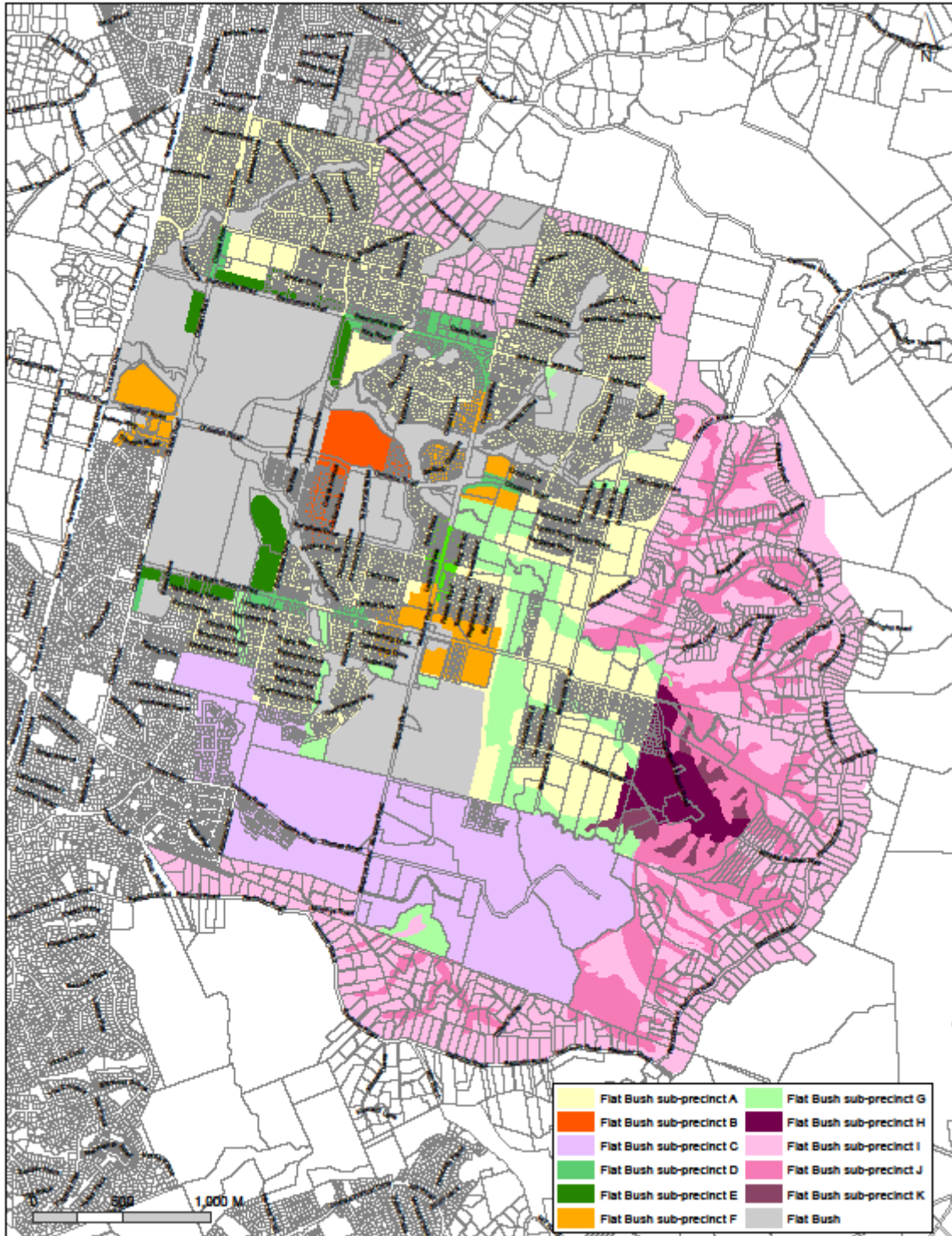
*Note: Consequential change relates to Map Change 17 above.*

## I412. Flat Bush Precinct

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### I412.10 Flat Bush Precinct Plans

#### I412.10.1. Flat Bush: Precinct plan 1 - Sub-precincts Boundary



*Note: Consequential change relates to Map Change 15 above.*

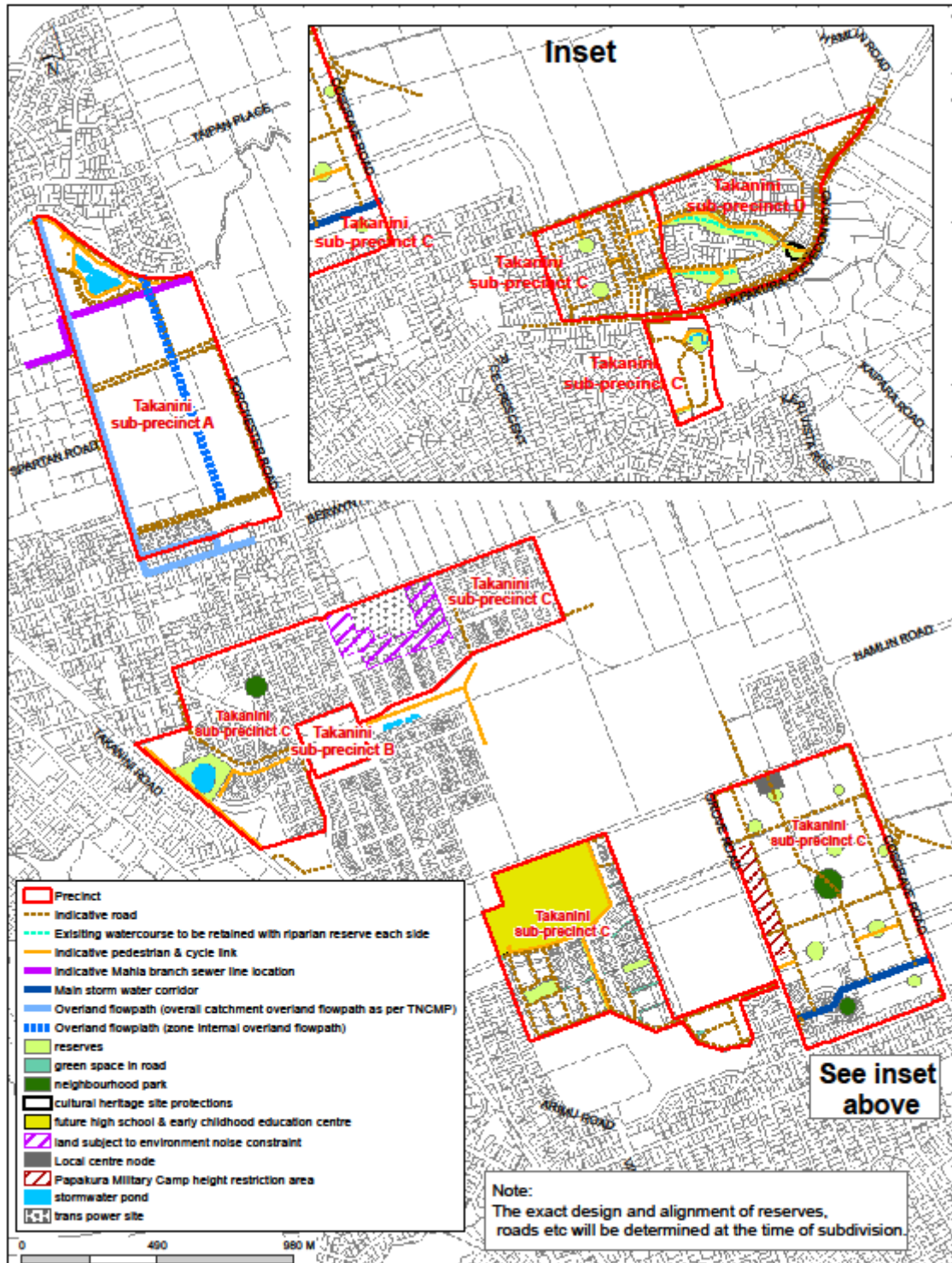


# I438. Takanini Precinct

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## I438.10. Precinct plans

### I438.10.1. Takanini Precinct: Precinct plan 1



Note: Consequential change relates to Map Change 11 above.

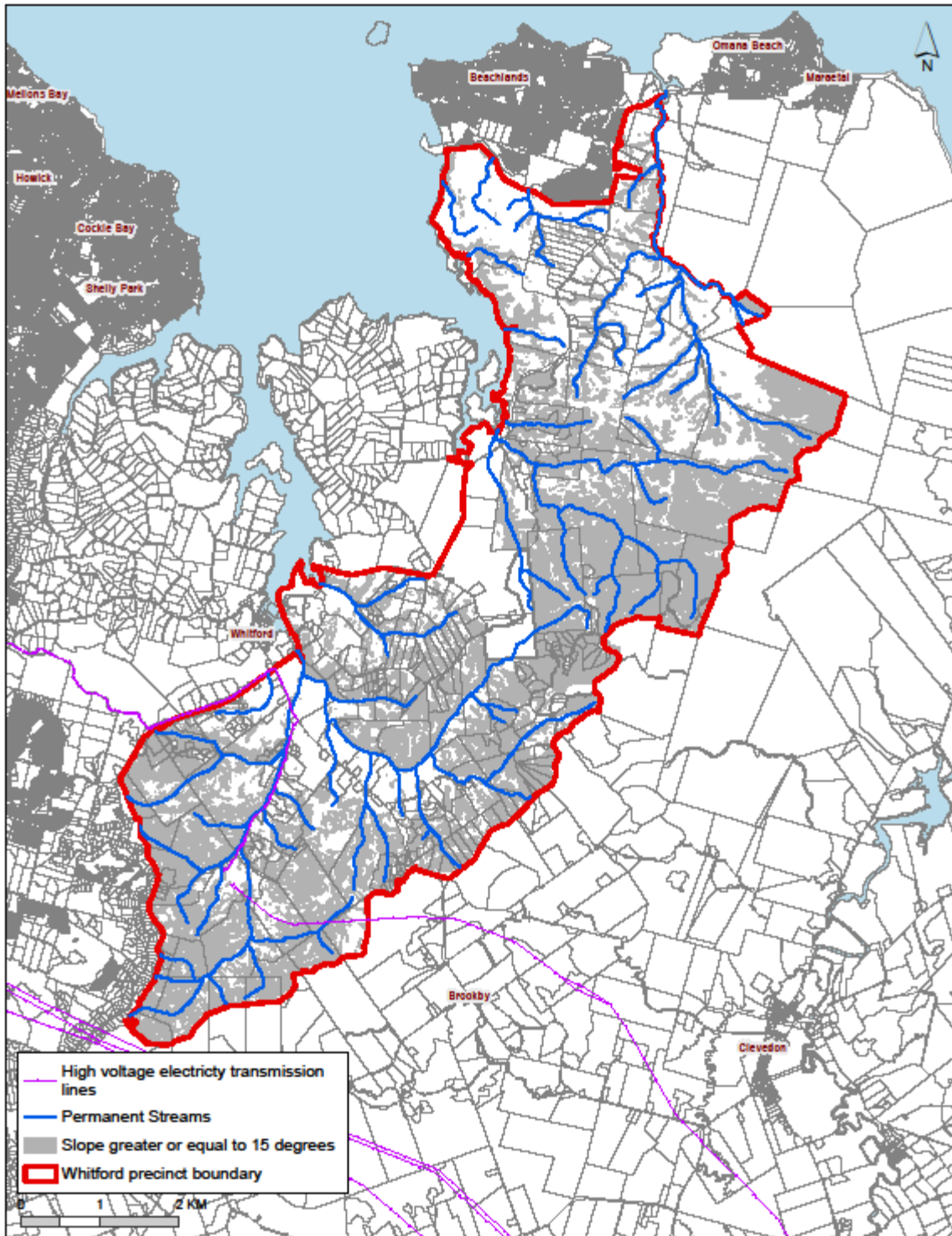


## I441. Whitford Precinct

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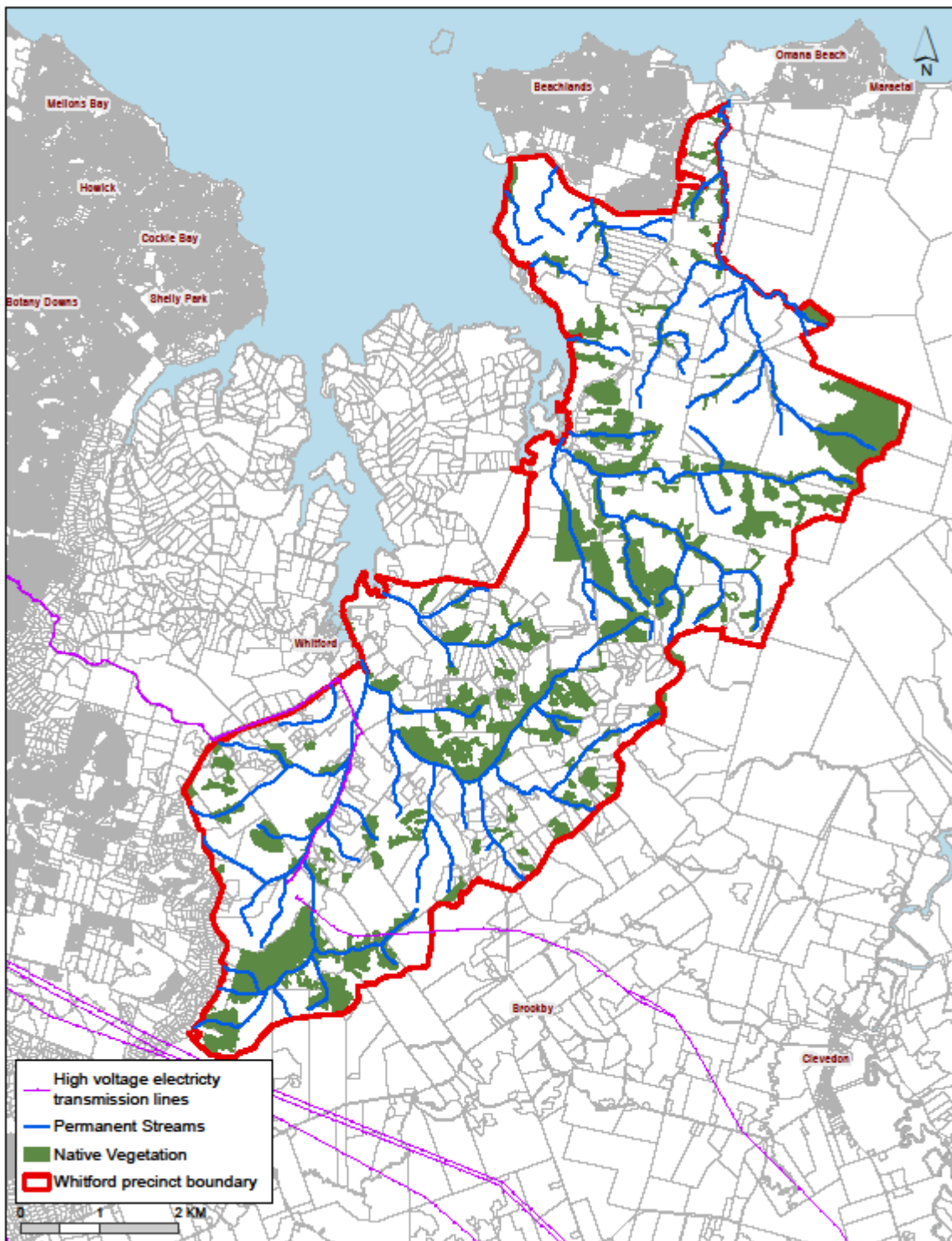
### I441.10. Precinct plans

#### I441.10.1. Whitford Precinct: Precinct plan 1



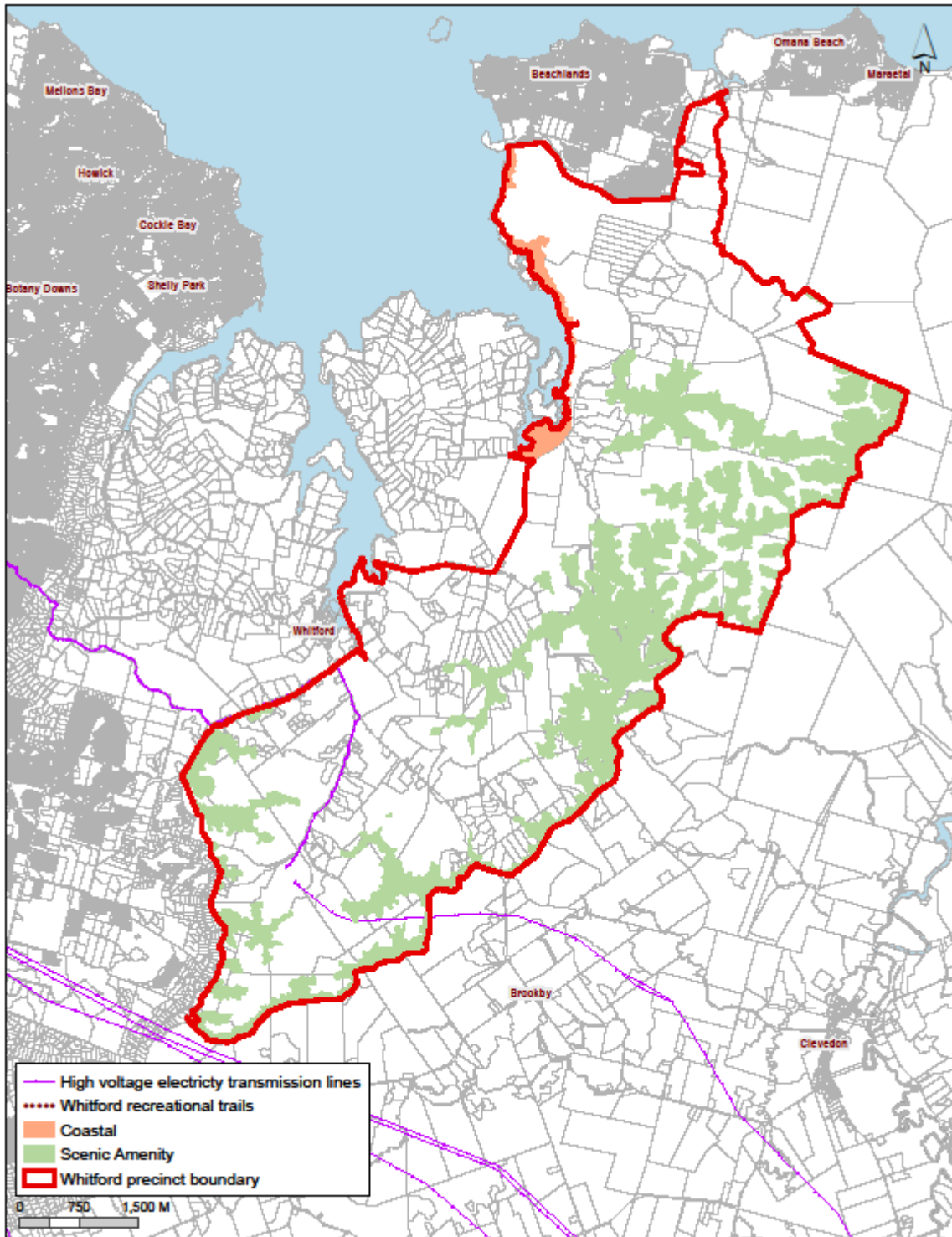
*Note: Consequential change relates to Map Change 14 above.*

## I441.10.2. Whitford Precinct: Precinct plan 2 - vegetation management



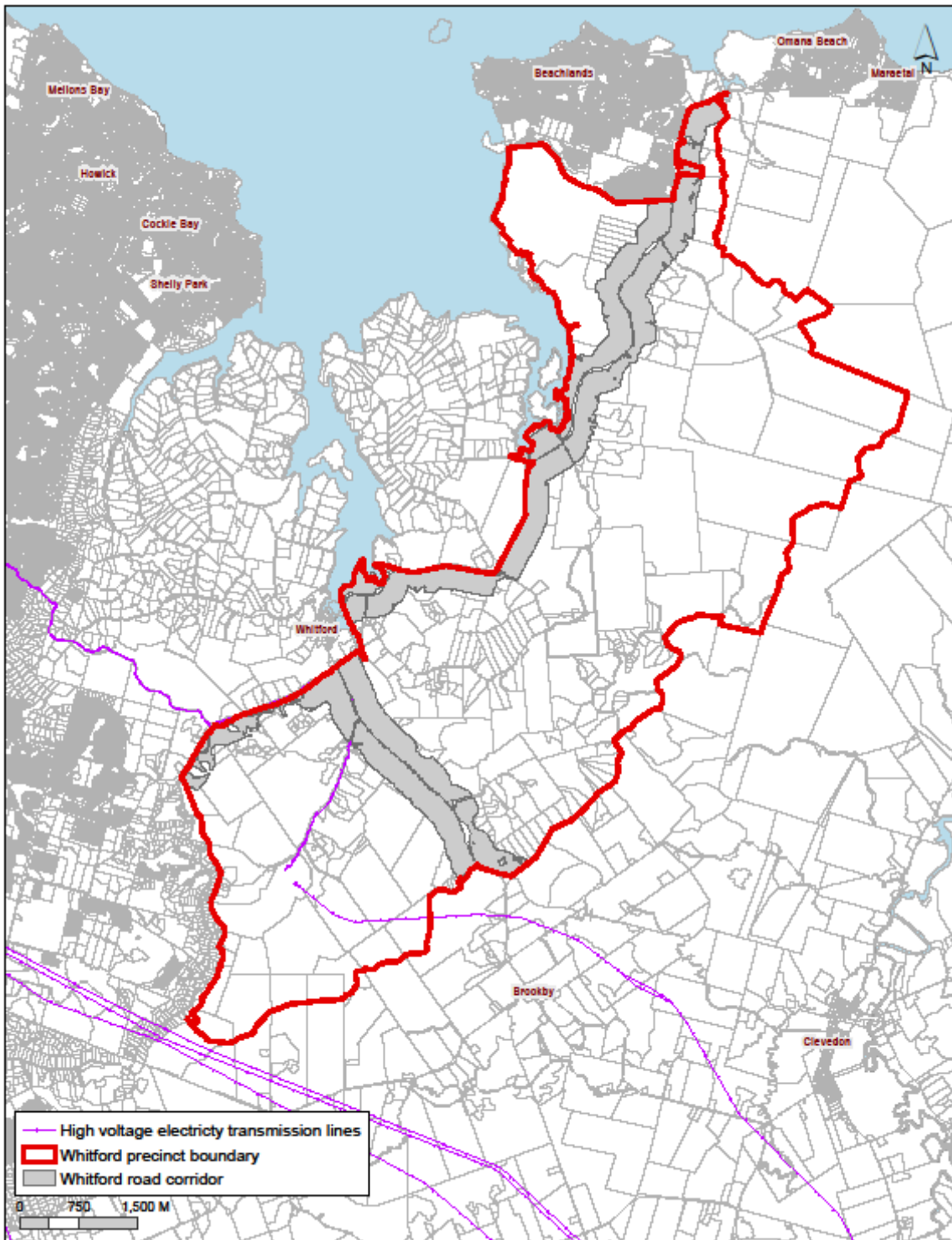
*Note: Consequential change relates to Map Change 14 above.*

### I441.10.3 Whitford Precinct: Precinct plan 3 - coastal and scenic amenity



*Note: Consequential change relates to Map Change 14 above.*

#### I441.10.4. Whitford Precinct: Precinct plan 4 - location of road corridor



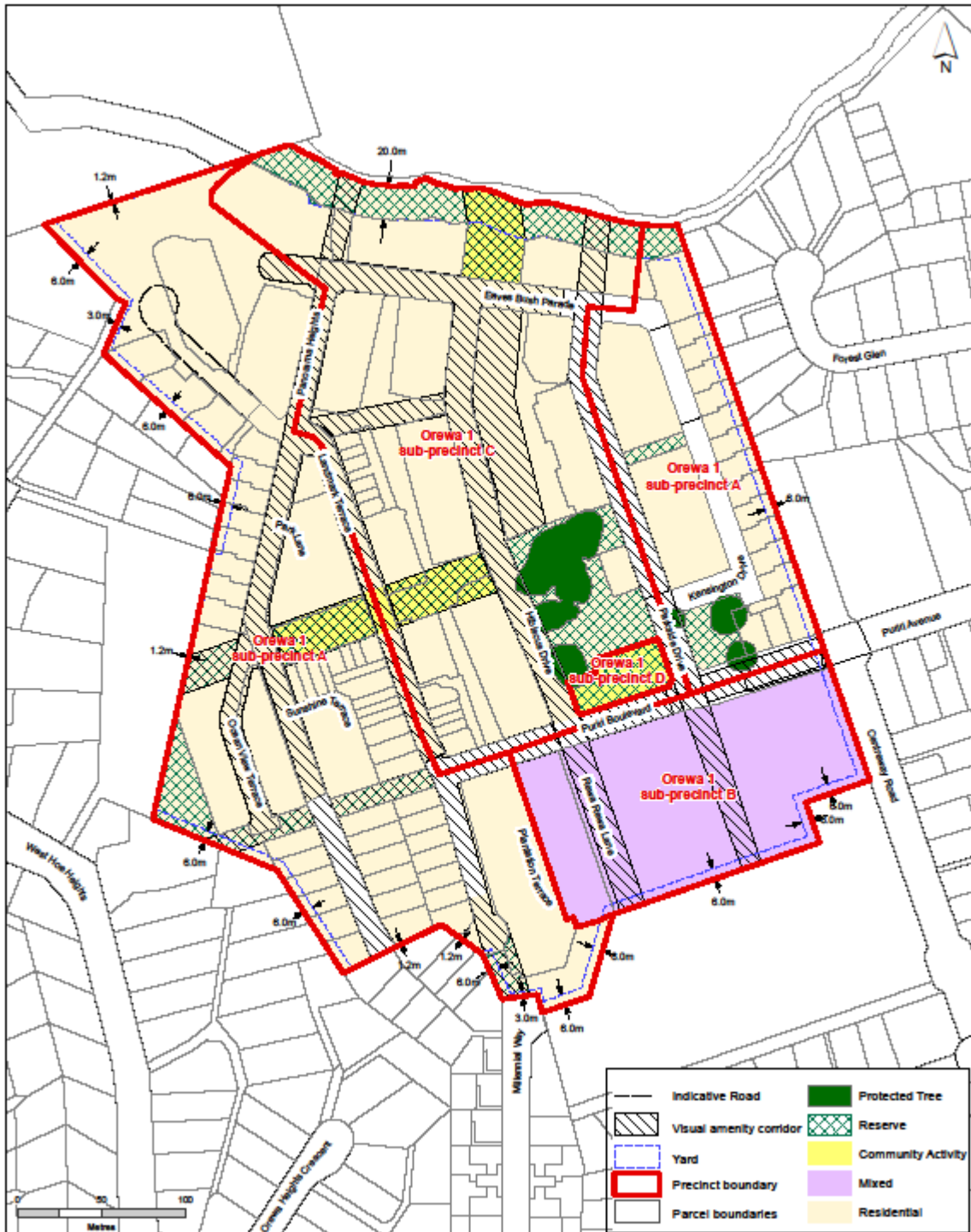
*Note: Consequential change relates to Map Change 14 above.*

# I529. Orewa 1 Precinct

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## I529.10. Precinct plans

### I529.10.1 Orewa 1: Precinct plan 1



Note: Consequential change relates to Map Change 16 above.

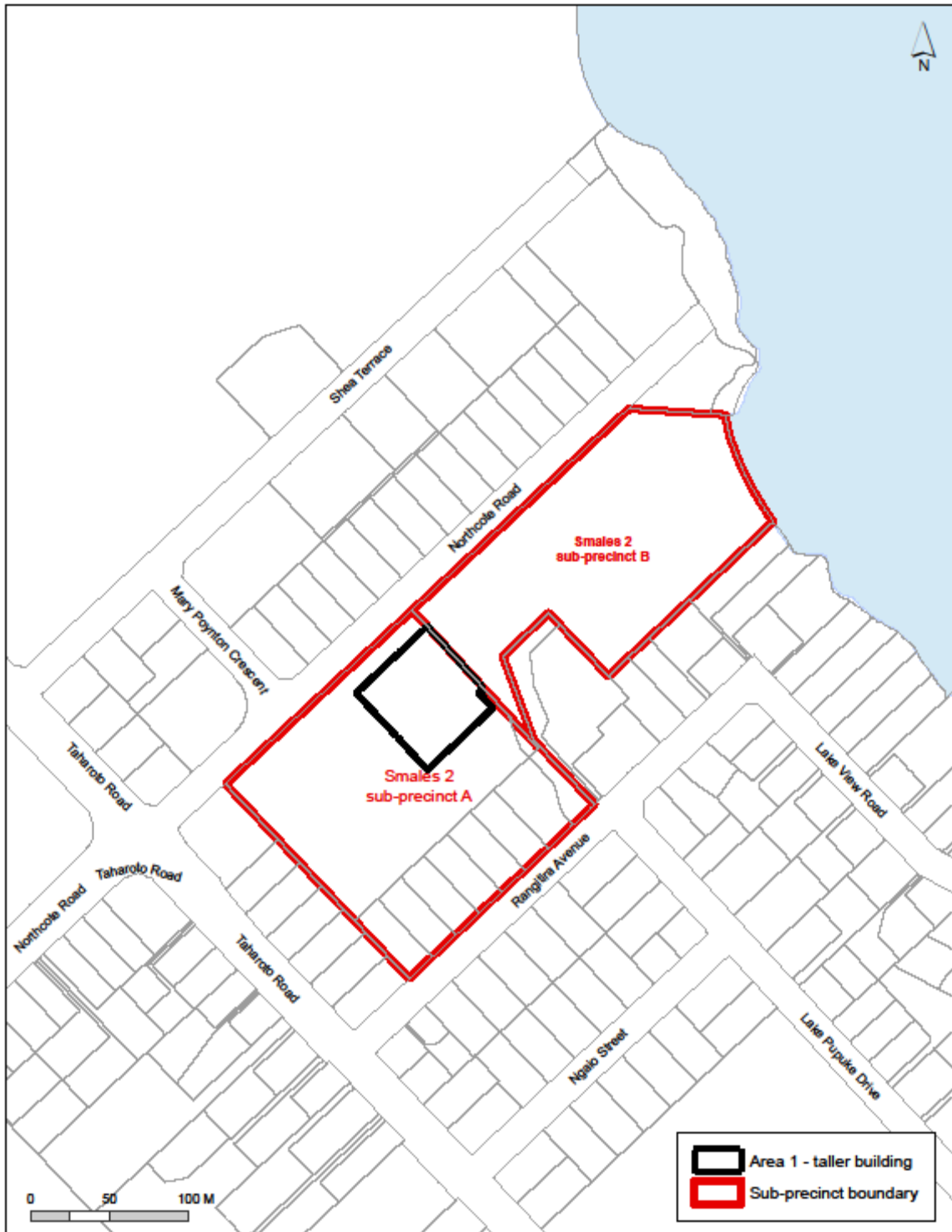


# I539. Smales 2 Precinct

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## I539.10. Precinct plans

### I539.10.1. Smales 2: Precinct plan 1



Note: Consequential change relates to Map Change 12 above.

### 6.33 Hingaia 3

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### 10. Precinct Plans

### Figure 2 - Structure Plan

