

# Submission no 1

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 26 March 2019 1:30 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Spring Chunchun Xu

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Spring Chunchun Xu

Organisation name: 149 Gillies Avenue, Epsom

Agent's full name:

Email address: chunchunxu122@gmail.com

Contact phone number: 0223238525

Postal address:  
149 Gillies Avenue  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Attachment H of the proposal.

Property address: 149 Gillies Avenue, Epsom, Auckland

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

This is a boarding house where more than thirty rooms shared by people with diverse backgrounds. It is not appropriate to assume this is a single household. There are aged trees in the place to hold the ground, including an ancient plum tree at the door step, a pohutukawa tree as well. There are fruit trees like grapefruit, tangiloes, lemon, etc citrus fruits in the garden. And a Phoenix palm tree in the court yard. Plus guava tree in the back yard where wood peagons eat fruits from. This is a neighborhood where one can easily find Kauri tree as well. Please don't undermine the power of trees to support the ground. Just like one needs to be very cautious about the iceberg appear on the sea

# Submission no 1

for boats to approach. If the trees are chopped, we will have a collapsed land where no buildings can be built up. Amen.

I or we seek the following decision by council: Decline the plan modification

Submission date: 26 March 2019

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 2

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Wednesday, 27 March 2019 8:15 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Stuart King

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Stuart King

Organisation name:

Agent's full name:

Email address: stuart\_patrick\_king@hotmail.com

Contact phone number:

Postal address:  
21 Wright Road  
Point Chevalier  
Auckland 1022

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Southern Cross Hospitals Ltd - Private Plan change 21

Property address: 147 Gilles Ave

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we support the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

I give my pro forma approval to the plans but want to first view what the building will look like from my property at 147 Gillies Avenue. Perhaps images of the proposed new structure taken from my property will clarify the visual and shading impact the proposed new building will have.

I or we seek the following decision by council: Accept the plan modification with amendments

Details of amendments: Please provide pictures of what the building will look like from my property.

# Submission no 2

Submission date: 27 March 2019

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 2

**From:** [Stuart King](#)  
**To:** [Unitary Plan](#)  
**Cc:** [Anne King](#)  
**Subject:** Southern Cross Hospitals Ltd - Private Plan Change PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom  
**Date:** Wednesday, 27 March 2019 9:02:53 PM

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Hi,

I own properties located at 147 Gilles Ave, Epsom, and the above proposed private plan potentially drastically affects the outlook and value of my property in the following ways:

- shadow by the taller building.
- parking issues, causing many nearby street parking to get full.
- increased construction timing and noise.
- more traffic and noise related thereto of people coming and going to the hospital, an entrance to which appears to be next to my property.
- privacy may be affected if there are windows from the proposed new building lookin onto my property.

The plan change seeks to rezone land at 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom from Mixed Housing Suburban and Single House Zones to Special Purpose – Healthcare Facility and Hospital Zone, to remove the special character overlays from the sites and to amend transport provisions to specify the parking requirement for the hospital.

I give my pro forma approval to the plans but want to first view what the building will look like from my property at 147 Gillies Avenue. Perhaps images of the proposed new structure taken from my property will clarify the visual and shading impact the proposed new building will have and where windows will be (will patients at the hospital be looking into my property?). Also, I would like more clarification regarding proposed parking at the hospital.

Please treat the above as approval for photos to be taken from my property.

Kind regards

Stuart King (027 818 2403)

Sent from my iPhone

# Submission no 3

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only Submission No:
Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

*Danming Huang*

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

*5/4 Brightside Rd. Epsom*

Telephone:

*021-1834627*

Fax/Email:

*danielhuang66@hotmail.com*

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

*THE PROPOSED PLAN CHANGE IN ITS ENTIRETY*

Or

Property Address

Or

Map

Or

Other (specify)

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

# Submission no 3

The reasons for my views are:

SEE ATTACHMENT

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Signature of Submitter

(or person authorised to sign on behalf of submitter)

Date

## Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 3

## ATTACHMENT -- Reasons for Submission

### 1. I oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and

## Submission no 3

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

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## 2. In addition, I also have these concerns and strongly oppose Proposed Plan Change 21:

- Auckland has a house shortage issue, Suburbs like Eden- Epsom are not exempt from that. I don't understand why Southern Cross Hospitals Ltd still lodge application for changing the existing residential zones to Special Purpose Healthcare Facility and Hospital Zone. I'm concerned if this proposal can take place here, then it can take place anywhere around Auckland residential zones. It will make Auckland a mess and ruin the good image of Auckland where is famous for its quality residential environments and liveable communities. I'm also worries that if this proposal is processed, it will set a bad example that in future anyone can apply for changing existing residential zones to commercial zones. Even worse it will bring unnecessary workload for council staff and makes Auckland no longer a suitable city for people to live.
- I'm seriously concerned about the idea that a major commercial hospital with 25 meters high can suddenly erected in a well established residential area that is clearly identified for residential activities only. The proposal of a 24/7 hospital operation of the scale is totally contrary to any concept about quality residential amenity. We have lived in this area for over 15 years and what we really like about the area is the peaceful environment and quality residential living conditions. But the proposal will destroy all those merits dramatically and impact our life negatively. Excavation requires explosive for up to 2-3 years, 9000 predicted truck trips to remove rock along plus blasting & rock breaking activity will definitely exceed the construction noise and vibration standards. No doubt the proposal will at the cost of resident's health and safety in that area. Please bear in mind there are lots of senior citizens and thousands of students ( Epsom girl, Epsom boy and Epsom primary) are walking through the intersection between Gillies Ave and Owens Road, the couple of years blasting and rock removal + couple of years construction of a large hospital will put senior citizens and thousands of students in danger.
- My house is made of concrete and many properties in the area have concrete / plaster components to it, and pools & rock walls. Those are all at risk of damage from continuous exaction/ blasting which last for 2-3 years duration to establish a extremely huge basement to proposed new structures. Can you imagine the

## Submission no 3

commercial "Quarrying" activity will be carried out within residential zone for 2-3 year??? It will not only incur health and safety issues for all Eden-Epsom residents but also result in potential substantial damage to properties and landscape in that area. We just wonder who will pay for costs to remedy those property damage if that happens in future? Southern Cross Hospital Ltd or Auckland council?

- Gillies Ave is one of the main access & exit to State Highway 1 and it's full of traffic all day around, not to mention during peak hours. If the proposed construction take place there for couple of years, it will lead to disaster of traffic congestion affecting all Aucklanders.

# Submission no 4

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - John Robert Kippenberger  
**Date:** Monday, 1 April 2019 8:30:26 PM  
**Attachments:** [PlanChange\\_Technical\\_20190401201310.764.pdf](#)  
[John Kippenberger\\_OpposingPlanChange21.pdf](#)

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The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: John Robert Kippenberger

Organisation name:

Agent's full name:

Email address: johnrkipp@gmail.com

Contact phone number: 6421964045

Postal address:  
22 Disraeli Street  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

I oppose the plan change in it's entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
see attachments

I or we seek the following decision by council: Decline the plan modification

Submission date: 1 April 2019

Supporting documents  
[PlanChange\\_Technical\\_20190401201310.764.pdf](#)  
[John Kippenberger\\_OpposingPlanChange21.pdf](#)

## Attend a hearing



# Submission no 4

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission?  
Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 4

My name is John Kippenberger – I am a Mt Eden/Epsom resident and the proud new owner of number 1 Shiphherds Avenue, Epsom.

My wife and I recently bought this substantial property to renovate and live in with our two children, Emily 15 and Tom 13. As our new home has a special character overlay in a residential zoned area we have been through the necessary council processes to achieve building and resource consent prior to starting our renovation. This has been an onerous and expensive process as a homeowner but we understand and respect the conditions associated with these overlays and zones of the Auckland Unitary Plan. We are passionate about maintaining the character and features of our 1929 home, which we already love, and further enhancing it for the future. It is fair to say it would be easier to build a new home but this special, character filled residential area of Epsom has always appealed to us.

To discover that Southern Cross Healthcare Ltd have requested a plan change in order to expand their hospital has been highly upsetting and alarming. We are very concerned about the impacts of the requested plan change on our home, our family, the surrounding area and the value of our property. We are just about to spend in excess of \$1.5m towards our renovation and now an ugly, busy, unnecessary hospital construction/expansion may impact our street, neighbourhood and community.

The negative impacts of constructing another large, busy hospital in this residential area with staff, patients, emergency services, traffic etc. coming and going 24 x 7 must be considered by Auckland Council. The area is well serviced by the many existing hospitals including Brightside, Auckland, Ascot, Mercy and Gillies Avenue so it cannot be a necessary service for our area. I am sure there are other areas in Auckland that would welcome the addition of a hospital to service their community. It is our understanding that SCHL have not undertaken any research into the suitability of alternative sites or the appropriateness of this site, but simply wish to create a trophy hospital amongst its competitors.

We expect the Auckland Unitary Plan to protect its citizens now that it is in place. We bought a significant property in a residential area and to allow a plan change for a commercial entity on our doorstep is contrary to the AUP. Allowing the change would set a precedent that would be of major concern for all of Auckland.

The lack of suitability of the site due to the following includes:

- Lengthy (+5 years) volcanic rock blasting and subsequent construction, which will heavily impact the surrounding residents and their properties.
- The impact on traffic in and around the surrounding streets (including access to the motorway) during all phases of the construction and beyond.
- The loss of character homes in a residential zone.
- The negative visual affect of a massive commercial building/s in a well renowned residential and character/heritage environment.

Auckland Council need to seriously consider the impact of this requested plan change – it is not appropriate to let commercialization creep into residential character zones. As the owners of 1 Shiphherds Avenue there were many limitations placed on our build plans due to the special character overlay. We were not consented to build a front fence beyond 1.5 metres, nor to alter our front porch or move the chimney. How, in good conscience, as an informed and impartial body representing the residents of our city, can Auckland Council enforce these rules on my renovation yet allow a plan change for a commercial company that would contravene all these conditions and more?

John Kippenberger  
021964045

# Submission no 4

johnrkip@gmail.com

# Submission no 5

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 1 April 2019 8:15 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Julie Margaret Kippenberger  
**Attachments:** PlanChange\_Technical.pdf; Oppose\_JulieKippenberger\_PlanChange21.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Julie Margaret Kippenberger

Organisation name:

Agent's full name:

Email address: juliekippenberger@gmail.com

Contact phone number: 6421964047

Postal address:  
22 Disraeli Street  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Oppose the plan change in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I wish to decline it in its entirety. See attachment

I or we seek the following decision by council: Decline the plan modification

Submission date: 1 April 2019

# Submission no 5

Supporting documents  
PlanChange\_Technical.pdf  
Oppose\_JulieKippenberger\_PlanChange21.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 5

Julie Kippenberger  
1 Shipherds Avenue  
Epsom

I also have multiple personal concerns with the requested zone change by Southern Cross Hospital.

My family and I have lived at 22 Disraeli Street in Mt Eden for the past 12 years – we love the community, the beautiful character homes, the tree lined streets, the schooling, the village and all that it offers.

In September 2018 we purchased a property at 1 Shipherds Avenue in Epsom. We bought the home because we wish to stay in the area we love and continue to raise our children in this family orientated community.

Our intention is to lovingly restore the home at 1 Shipherds Avenue, which under the AUP has a special character overlay. The house and land are our major assets and the cost of a renovation will mean considerable financial sacrifice for us. However we have been excited about the prospect of adding value to a grand and beautiful old home in a residential zoned area that has many other substantial homes, along with an inclusive community.

We required both building consent and resource consent in order to undertake the renovation. Due to the Special Character overlay we have had several rules and limitations placed on what improvements we have been permitted to make.

This process has cost us many months of time and thousands of dollars. However we do understand that due to the zoning of the area, and our home itself, this is necessary under the AUP. We believe that the heritage architects involved are looking to honour the character of the homes in the area, as the plan requires.

We were totally horrified to learn, after the purchase of this significant property, that Southern Cross Hospital have requested that the unitary plan (that we have had to adhere to so strictly) be changed purely for commercial gain. When the AUP was created the area was zoned residential - Single House Residential and Mixed house suburban and there is no reason that this should be altered for a trophy hospital.

Why should a commercial organisation be able to have the AUP altered when individual landowners and ratepayers are willing to work within the rules set down? The AUP must apply to all that fall under it be they individuals or organisations.

There are already multiple hospitals in the vicinity including Auckland, Ascot, Mercy, Gillies Avenue. Surely another community that currently does not have the services of a hospital near by would benefit greatly by having a new hospital to support their residents?

We have learned that Southern Cross Hospital has not considered any alternative sites in areas that are zoned Special Purpose Healthcare Facility and Hospital. This makes a mockery of the AUP and sets a dangerous precedent for the AUP to be altered for commercial gain, to the detriment of hard working Auckland residents.

We are incredibly concerned that a massive hospital expansion would be an eyesore in this pretty residential area. There is nothing appropriate about a 25 metre high building, spanning several sections in a residential area, not to mention the loss of the character properties the build would result in.

However equally concerning to me and my family are the various reasons why the site itself is totally inappropriate for an expanded hospital.

The excavation of the solid basalt rock, which our area is renowned for, would take several years of blasting to achieve. This would have wide ranging affects including excessive noise, ongoing traffic disruption, roading damage from rock carrying trucks, damage to houses due to blasting,

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interruption to the multitude of schools in the area, dust, health issues due to the ongoing noise and many other factors.

I simply cannot understand why Auckland Council would even consider allowing Southern Cross Hospital to spend 2-3 years blasting volcanic rock when there are many other sites that would not require this and are already zoned appropriately.

The fact that there would then be a further 2-3 years for actual construction of the buildings; which again would mean traffic disruptions, noise, dust, lack of parking for residents ..... is also of major concern to me.

Access to the Gillies Road on-ramp of the motorway, the traffic lights at Owens/Gillies and access to Mountain Road and Brightside Road is already extremely challenged. The construction of the buildings and the resultant busy hospital would exacerbate this dreadfully and heavily impact the 'liveable communities' that the AUP was meant to create in this residential zone.

These streets are used by literally thousands of school children on a daily basis (including my own) be it by bike, scooter, car, bus or on foot. The impact of 5+ years of construction and then a large busy hospital would undoubtedly lead to delays, accidents and injuries. The area is already too busy to sustain the build and hospital expansion. Parents in the area should not have to worry about our children getting safely to and from school just because SCHL have no respect for our residential area, our community or in fact Auckland Council's Unitary Plan (given their requested plan change).

I implore Auckland Council to honour the AUP created for the people of Auckland by not allowing the plan change. I hope that the integrity of Auckland Council ensures no commercial organisation including SCHL can destroy our beautiful residential area already over supplied with health care facilities.

Thank you for your consideration

Julie Kippenberger

+64 21 964 047

juliekippenberger@gmail.com

# Submission no 5

1. **I, Julie Margaret Kippenberger oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.



## Submission no 5

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 6

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Saturday, 30 March 2019 11:15 AM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - TOm Lorimer  
**Attachments:** Tom Lorimer submission final\_20190330110902.015.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: TOm Lorimer

Organisation name:

Agent's full name:

Email address: tlorimer2@gmail.com

Contact phone number:

Postal address:  
6 Brightside Road  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
The entire plan change

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I don't want the provisions amended I want them declined

I or we seek the following decision by council: Decline the plan modification

# Submission no 6

Submission date: 30 March 2019

Supporting documents

Tom Lorimer submission final\_20190330110902.015.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 6

Tom Lorimer  
6 Brightside Road  
Epsom  
1023

## **I want the Council to turn down the application PC 21**

I am 16 years old and a student at Auckland Boys Grammar School. I don't want this to go ahead because

1. It is opposite my home and I would be living next to a massive building when this area is known for its houses, families and schools.
2. It is already not safe on my Road. This is from traffic using Brightside as a shortcut , people visiting the hospital every day including weekends, doctors rushing in and parking illegally in front of my house, people constantly turning in our driveway. Couriers and delivery vans every working day.
3. My bedroom faces the hospital. At night I can hear a constant hum from the hospital and they leave the lights on all night so it glows. When it is dark and cars are constantly turning we get headlights shinning into our house. Trucks deliver stuff at night and the backing beep wakes me up (they aren't meant to deliver between 7 at night and 7 in the morning but they do).
4. I am told that building a hospital of the size they want will take at least a couple of years. If they go underground they will have to use explosives or jack hammers which will make it even longer. I have seen reports from the last time they did this with rock flying and damage to the house in the area, it took over 18 months. This isn't fair on people who live in this area and all the school children who walk past every day. This shouldn't happen in a residential area.
5. I have important exams throughout the year which require me to concentrate and study. I don't see how I can do this if there is rock breaking or explosives used during the excavation. Added to this the constant noise and traffic from construction of a massive building will be terrible. This shouldn't happen in a residential area.
6. I have asked my parents and neighbours if the trees and walls on Brightside Road will go. I am told there are 2 protected trees which they can't easily get rid of in the current hospital grounds but that nothing else can be guaranteed. In the pictures they have mocked up they use these to disguise the building but I don't see how they can say this when they are not protected. Even if they promise to keep them there is no guarantee that the trees will survive, they could easily say '*sorry they didn't survive*' or '*we had to cut them down because they were in the way or were causing a danger*' and when they are gone they are gone. Then well be looking at a huge office block. They don't actually disguise it any way because its so big.

# Submission no 6

7. My neighbours are part of the Eden Epsom Residential Protection Society. I have been shown their submission and I agree with it all. They have also shown me the rules of the Auckland Unitary Plan and I have included my opposition on the next sheet.

**Please don't change the plan**

# Submission no 6

## ATTACHMENT

### 1. I oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.

## Submission no 6

- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.
- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 7

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 2 April 2019 7:00 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Erica Hussona

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Erica Hussona

Organisation name:

Agent's full name: Erica Hussona

Email address: erica.hussona@ix.net.nz

Contact phone number: 021480204

Postal address:  
20 Pentland Ave  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Oppose the plan change in it's entirety'

Property address: 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

1. I have been a home owner in this area for 25 years. I love the community and am passionate about the heritage homes and the reputation our area has of being a great family place to live. This proposed development would mean another 3 heritage homes will be lost which I do not support on any level. There is no place in this environment for a major commercial intrusion such as is proposed. 2. Every time we have renovated a house the council have been pedantic about sticking to the heritage guidelines and staying within the building consent conditions. This often involves extra costs for consultants, resource consents and takes extra time. Why do the Council even begin to consider such a development that does not comply with the Councils own rules and guidelines? It is not ok for the



# Submission no 7

council to allow big developments to break the rules already set in place. 3. I am very concerned about the idea that a major commercial enterprise can come into a well-established residential area that is clearly identified for residential activities only.... 4. I am worried that if this proposal can take place here, then it can take place anywhere around Auckland residential zones. It sets a dangerous precedent. 5. The increase in traffic would seriously affect our community. The proposed site is close to many schools which already have problems with their traffic management. Council have not addressed decent public transport for school busses to and from many Auckland schools from the Eden / Epsom areas so parents are often forced to drive causing traffic congestion past this proposed site. 6. I do not understand how anything that is up to 25metres tall can be considered "appropriate" within a residential area with no more than 8 metre tall dwellings. This has to be considered an unacceptable visual intrusion that will be highly visible from many directions, and in-turn inflict privacy issues across a large outlook area.

I or we seek the following decision by council: Decline the plan modification

Submission date: 2 April 2019

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 8

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 2 April 2019 4:30 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Zhengyu He  
**Attachments:** Submission docs.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Zhengyu He

Organisation name:

Agent's full name: Jianming Huang

Email address: danielhuang66@hotmail.com

Contact phone number: 0211834627

Postal address:

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

PC21, 3 Brightside Road, 149,151 and 153 Gillies Avenue. Epsom

Property address: 2/2 Brightside Road, Epsom

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I wish to decline it in its entirety as indicated

I or we seek the following decision by council: Decline the plan modification

Submission date: 2 April 2019

# Submission no 8

Supporting documents  
Submission docs.pdf

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 8

## ATTACHMENT -- Reasons for Submission

### 1. **We oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.

## Submission no 8

- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.
- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the

# Submission no 8

subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

## 2. In addition, we strongly oppose Proposed Plan Change 21 due to below concerns:

- We have lived in this area for almost 20 years, Eden- Epsom has a unique environment which to us is quiet, peaceful and safe. Also the community is characterized with heritage homes. 3 quality heritage homes have already been lost 20 years ago when the first south across hospital was built. Now another 3 could be lost. Eden- Epsom area is the residential zoning for residential activities only and all residents, especially kids and senior citizens are living there peacefully, there is definitely no way and no place in this environment for a major commercial hospital intrusion. Therefore the proposal plan to change residential zone to commercial hospital zone is the crime against the whole community.
- Unitary plan has been put into practice for couple of years, but does that mean anyone can lodge the application to change residential zoning to commercial hospital zoning at the sacrifice of interests of all residents? If that is the case, then it can take place anywhere around Auckland residential zones and ruin this most liveable city in the world.
- My parents are over 70 years old and living at Brightside road. Epsom. There are many senior citizens are living in the area at the similar age, many of them are suffering heart disease, insomnia and high blood pressure etc, so a quiet and peaceful environment is vital for their health. Furthermore, there are thousands of kids from Epsom girl , Epsom boy and Epsom primary walking through the intersection between Owens Road & Gillies Ave Epsom. The blasting of underground rocks will last at least 2-3 year, plus construction of the hospital, **can you image the health and safety of those senior citizens and children will be put in danger for such a long time?**
- My house is built in concrete and many properties located at Eden- Epsom have concrete/ plaster components and pools. These are all potentially at risk of damage resulting from continuous excavation/blasting for a long period of time to establish a huge basement to proposed new structures. If that damage occurs in future, will council or South Cross hospital pay for all repair costs?
- I do not understand and can not accept how anything that is up to 25 meters height can be considered with a residential area with no more than 8 meters tall dwellings. This is absolutely an unacceptable visual intrusion that will be

## Submission no 8

highly visible from many directions and in turn lead to substantial privacy issues across a large area.

- Increasing traffic is a serious concern for us as well. Gillies Ave & Owens road are major access road to and exit from State Highway 1 plus several schools are located in that area, so it's full of traffic all the time. The construction of hospital will last for at least 4-5 years, inevitably all residents will suffer traffic congestion for the same period of time.

# Submission no 9

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Gregory Brett Towers  
**Date:** Wednesday, 3 April 2019 10:15:45 AM

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The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Gregory Brett Towers

Organisation name:

Agent's full name:

Email address: greg.towers1@gmail.com

Contact phone number:

Postal address:  
167 Gillies Avenue  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Adverse effect of construction on surrounding houses and occupiers. Short/long term traffic congestion and parking issues caused by the proposal. adverse effect on the heritage aspects currently protected by the Unitary Plan.

Property address: 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

CONSTRUCTION EFFECTS When Brightside Hospital as it currently stands was redeveloped there was blasting which caused damage to our property at 167 Gillies Avenue. The shock wave was easily felt with items in the house falling etc. I suspect this is because all the houses in that area are on the same basalt rock "sheet". There ISno comfort in the proposal that blasting will not cause the same thing to happen again, perhaps even worse than before given the more significant size of the development. CONGESTED ROADS The roads around Brightside/Gillies Avenue (including side roads like Kipling and Dommett) are already congested with cars parked there by staff working at the existing medical practices in Brightside and Gillies Avenue (most spots have been taken before 7.30 am) . Making Brightside Hospital bigger will only make that situation worse, adversely affecting residents (with no street parking available for their visitors etc). Additionally, the



# Submission no 9

construction traffic caused by the development and the eventual increased traffic caused by a much larger hospital will further stretch an already at capacity roading network. For example already peak morning traffic (7.30am - 8.45am) is at a standstill outside our place at 167 Gillies Avenue (stretching north to the motorway on ramp) due to commuters and school traffic. Encouraging even more traffic (staff and patients) to the area makes no sense. What is already congested will be made much worse. Cars seeking to "slip" from Kipling into Brightside and those exiting Brightside and turning right into Gillies Avenue already cause significant congestion. I have witnessed many near accidents cause by the blindspot effect of the traffic congestion already present. Adding more traffic movements into that mix cannot do anything except make the situation worse (and more dangerous, especially for school children crossing Brightside from the Gillies Avenue buss stop outside 161 Gillies Avenue). LOSS OF HERITAGE VALUE The plans included as a part of the proposal indicate the construction of a building that is significant in size and completely out of step with the heritage nature of the area - something that the Unitary Plan sought to protect. What is the point of the Unitary Plan if within a few years of it becoming operative developers get around it in the way proposed? Auckland has so few areas of historic housing left and the loss of these two heritage houses in Gillies Avenue will be a step towards the complete loss of such character - if this proposal is approved what is to stop further development along Gillies Avenue with further loss of heritage housing? The heritage nature of the area is something all Aucklanders benefit from as the character of these two houses (and the majority of the surrounding houses along Gillies Avenue) is readily displayed on such a main arterial route to the CBD.

I or we seek the following decision by council: Decline the plan modification

Submission date: 3 April 2019

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 10

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mrs Miranda Jane Rabone

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

Personal submission

PO Box 99732, NEWMARKET, AUCKLAND 1149

Telephone:

022 4027293

Fax/Email:

bhgc@xtra.co.nz

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Building to 15 - 25 metres height

Or

Property Address

Overshadowing 36 Owens Rd

Or

Map

Or

Other (specify)

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

~~I wish to have the provisions identified above amended~~

Yes

No

struck out

# Submission no 10

The reasons for my views are: ① DANGER of fly rock from blasting, could not use my garden, last time 1996-98 ② Prolonged excavation period with severe [noise] impacts ③ Destruction of community atmosphere & residences ④ FLASHY BUILDING dominating Gillies Ave/Brightside Rd. & destroying neighbouring residences and destroying atmosphere (continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

M. Ravone  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

2.4.2019  
Date

**Notes to person making submission:**  
If you are making a submission to the Environmental Protection Authority, you should use Form 16B.  
  
Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.  
  
If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.  
  
I could  / could not  gain an advantage in trade competition through this submission.  
**If you could gain an advantage in trade competition through this submission please complete the following:**  
I am  / am not  directly affected by an effect of the subject matter of the submission that:  
(a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.



# Submission no 11

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Dr. Stuart Darwin Clifford RABONE

Organisation Name (if submission is made on behalf of Organisation)

Eden - Epsom Residential Protection Society / Personal

Address for service of Submitter

P.O. Box 99732 Newmarket Auckland 1149

Telephone:

(09) 623 6680

Fax/Email:

bhgc@xtra.co.nz

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

The proposed plan change in its entirety.

Or

Property Address

N/A

Or

Map

N/A

Or

Other (specify)

N/A

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

Struck out

# Submission no 11

The reasons for my views are:

- 25 m height will dominate the environment made up of 2-story houses
- Excavation will require blasting and be very disruptive.
- Southern Cross has not been a good neighbour in the 1999-2019 period (45000 tonnes) going on for upwards of 2 years.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

*A. Rabone*

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

*1. 4. 2019*  
Date

### Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 11

## SUBMISSION IN OPPOSITION TO PLAN CHANGE AND TO SOUTHERN CROSS HOSPITAL EXPANSION

Auckland Unitary Private Plan Change 21 applying to 3 Brightside Rd, 149, 151 and 153 Gillies Ave, Epsom, Auckland.

22<sup>nd</sup> March 2019

1. Prepared by: STUART RABONE, PhD, Geologist; Geotechnical CoP; B Grade Tunnel Manager CoC; Site Senior Executive CoC; Approved Handler and Controlled Substance Licences.
2. Resident 36 Owens Rd, Epsom, Auckland with wife Miranda Rabone. We wish to be heard in support of this submission.
3. We have been resident at 36 Owens Rd for the past 27 years. During that time we have restored an old house built in 1905, which was in a state of ruin when we bought it. It originally was the property of Mr. Owen. It has kauri weather boards and heart matai floors, and recently (beginning of 2018) we put a new roof on the building (Florence Red Marseille tiles) at a cost of \$40,000. The original roof was Rosemary Tiles. This roof (Marseille Tiles) will be compromised if development goes ahead.

#### 4. BACKGROUND

4.1 We have a strong connection with Epsom – Mt. Eden. My Great Grandfather Oliver Nicholson was the first Mayor of Mt Eden Borough and was born here in the 1860's. He (Oliver Nicholson) initiated the building of the Auckland War Memorial Museum. My paternal Grandparents lived at 20 Epsom Avenue for a very long period. My father's father was a noted civil engineer who was brought in to resolve a problem with the Arapuni Dam. He cable-bolted a problematic fissure zone in the ignimbrite foundations for the dam.

4.2 We bought here because we were attracted to the environment with its many mature trees and older dwellings. These are part of our heritage and are a legacy of Mr. Owen. Our house at No. 36 is founded on volcanic rock (see Photo 1).



# Submission no 11

4.3 My wife has had two strokes, one in 2010 and the other in 2015, and the development proposed by Southern Cross will disturb her severely.

4.4 We live immediately across the northern boundary from the existing hospital built in 1996-98. I will amplify on the breaches of the Resource Consent that imposes conditions on this hospital owned and operated by Southern Cross in a later part of this submission.

## 5. LOSS OF AMENITY

5.1 The Plan Change to a **Special Purpose Healthcare Facility and Hospital Zone** will result in a significant loss of amenity in respect of this iconic part of Epsom.

5.2 Residents will neglect their gardens and with a building height of maximum 25 metres this will impose on the surrounding neighbourhood to the detriment of such old houses that remain. The Queensland Kauri tree at Kauri Court, 34 Owens Rd, is 25 metres in height. In other words it will be dwarfed by the size of the buildings which Southern Cross contemplates.

5.3 It is worth noting that visitors to Government House up Mountain Road will drive past the hospital complex, and this will create a negative impression for them. The designs are architecturally hideous.

## 6. EXCAVATION

6.1 The Tonkin and Taylor report of August 2018 (Job No. 1002128) and the Babbage report of 1<sup>st</sup> February 2019 do not accurately portray the extent of excavation (volumes and tonnages) required for the building of the additions to the existing hospital.

6.2 These consultants (Tonkin and Taylor) deliberately misrepresented the facts of excavation for the building of the existing hospital. The basalt is extremely strong and their report (August 2018) seriously underestimates both the extent and strength of the material which will need to be excavated. They are not following the NZ Geotechnical Guidelines. Basalt at 140 mPa is well within the blasting field in their figure on Page 8 of their August 2018 report and would require blasting to excavate it.

# Submission no 11

6.3 Tonkin and Taylor's Report of August 2018 makes no reference anywhere to volumes or tonnages requiring to be excavated.

6.4 The Babbage Report refers to excavation within the Hospital Zone as allowing 2500square metres (surface area) and 2500 cubic metres (volume / quantity) as the maximum allowable.

6.5 Reference to Southern Cross' own plans show that the excavation proposed at 149-153 Gillies Ave is on average 7 metres deep and 35 metres wide and 70 metres long. This is conservative.

6.6 This equates to 2450 square metres (6370 tonnes to 1metre depth) surface area approximately but takes no account of depth of excavation; depth of 7 metres (with a factor for over-excavation to allow for footings) results in a volume of 17 000+cubic metres. At a tonnage factor of 2.6 which is conservative for solid basalt, this amounts to 45 000 tonnes – **this is 6.5 times more than the allowed limit under the Hospital Zone.** Again, this is conservative.

6.7 It is important to go by tonnage and not by cubic metre volume, as trucks are rated to the **tonnage** they can carry, **not the volume.**

6.8 At about 12 tonnes for a 3 or 4 axle truck **this amounts to about 4000 truck journeys.** Once again, this is conservative.

## 7. EXCAVATION METHODOLOGY

7.1 Blasting is the most efficient method to excavate solid rock such as volcanic basalt.

7.2 However this would cause unacceptable vibration levels and noise levels for residents over an extended period (with percussion drilling of blast holes). The blasting / excavation work in 1996-97 took upwards of 18 months. For residences in the immediate proximity such as the mock Tudor house (No. 30 Owens Rd; photo 2) and the Allen house (at No. 32a Owens Rd; photo 3), also the colonial house with the slate roof at No. 30 Owens Rd (photos 4, 5), this would have an intolerable impact.

7.3 Other methodologies are much slower such as using deflagrating explosives like PCF or using hydraulic breakers to excavate the rock.



# Submission no 11

7.4 Reducing the MIC (maximum instantaneous charge) to levels that would not cause vibration would result in a protracted duration for the blasting work.

7.5 The Babbage report of 1<sup>st</sup> Feb. 2019 alludes to mitigation measures for excavation methods for alleviation of neighbourhood nuisance and destruction, but it is very shy of saying what these are and whether they would work in practice (Secs. 5.3 and 5.4, Page 7 of the Babbage Report):

*Sec 5.3: "The increase in the extent of earthworks may result in a longer duration of earthworks, which could increase construction noise effects, especially in volcanic materials. However construction techniques other than rock breaking such as hydraulic fracturing can be used to mitigate these issues."*

*Sec. 5.4: "In general, any effects from any increase in earthworks as a result of a change in zoning could be mitigated by the standard controls required as part of a land use consent process"*

7.6 Using methods such as hydraulic breaking would take 5 to 7 times as long as blasting with intensive prolonged noise. The excavation period lasted 18 months back in 1996-1997 and it was predominantly blasting.

7.7 Blasting has a series of problems:

1. Serious vibration issues and their effects on adjacent buildings. This resulted in damage in 1996 to the house on the eastern corner of Shiphers Ave. and Brightside Road (No. 8 Brightside Rd). No compensation was ever made for this by Southern Cross Hospitals. This house has recently been re-roofed with Rosemary Tiles imported from Australia by a Mr. King. Blasting will damage his roof from vibration.
2. Fly-rock (when the existing hospital was built there was fly-rock littering Brightside Road, and **also a piece the size of an apple in our back yard**). See Eastern Courier of the time (attached) and verifiable by Mrs Virginia Chong (1996). This poses a potentially fatal threat to residents and the general public including school children from Diocesan, Epsom Girls Grammar and Auckland Grammar during blasting times.
3. It is impossible to guarantee the safety of the general public other than by excluding all foot and vehicle traffic from the area at the time of blasting, and evacuating residents. **This means closing off and evacuating Gillies Avenue.**

# Submission no 11

4. Hydraulic breaking is protracted, noisy, and the noise is continuous and disruptive to persons working from or in their homes, such as self-employed persons (e.g the Allens).

## 8. MISSION CREEP

8.1 There is ample scope for Southern Cross to build in zones that are non-residential such as Light Industrial or Commercial e.g. at Morningside or adjacent to Auckland Hospital on Park Rd. They have demonstrated that they do not wish to do that but prefer to expand their existing facilities. It is clear from their application for a Plan Change that they intend ultimately to take over the whole block between Brightside Road and Owens Road, to the detriment of the old houses and the residents who live there.

8.2 They do not wish to build elsewhere as according to Courtney Bennett surgeons wish to practise in a congenial environment. **The neighbourhood is being destroyed at the whim of these surgeons, and Southern Cross, which may be sold to another Healthcare provider.**

8.3 Southern Cross purports to be a charitable organisation but their hospital expansion philosophy is aggressively commercial. They are borrowing from the built historical environment and transferring the economic burden to residents.

## 9. PAST HISTORY OF SOUTHERN CROSS AT 3 BRIGHTSIDE ROAD

9.1 The past history of Southern Cross Hospital's compliance with the Resource Consent at 3 Brightside Rd is extremely poor.

9.2 In January 2017 immediately after New Year Southern Cross cut branches off our trees growing inside our rear boundary without reference to us or informing us and also trespassed into our property to cut branches off flush with the trunks of the trees. We have never been compensated for this.

9.3 Residents have been woken at all hours of the night by waste trucks picking up rubbish and food trucks making deliveries, despite deliveries as specified in the Resource Consent not to occur between 7pm and 7am.

# Submission no 11

9.4 During the day we are subjected to prolonged crashing and banging from contractor waste trucks removing material, trucks backing in with their reverse beepers going, and in the weekends when we look for peace and quiet, prolonged noise from garden chippers, water blasting and metal grinding and construction.

9.5 This is the case on Public Holidays as well, including Anzac Day and Good Friday as well as days between Christmas and New Year when major maintenance work is scheduled. **This is not appropriate in a residential neighbourhood with a heritage overlay.**

9.6 They (Southern Cross) are turning this site into what approximates to Light Industrial rather than Special Purpose – Healthcare Facility and Hospital Zone and if Southern Cross had **any decency or consideration for this unique neighbourhood with its heritage overlay** they would construct their hospital facilities in a Commercial or Light Industrial Zone.

Signed

 Stuart Rabone. 2.4.2019.

Stuart Rabone PhD Geologist



Photo 1 No. 36 (RABONE HOUSE)  
Submission no 11



Photo 2 No. 32 Wlock Tudor House

Submission no 11





Photo 3 No 321a (ALLEN HOUSE)

Submission no 11

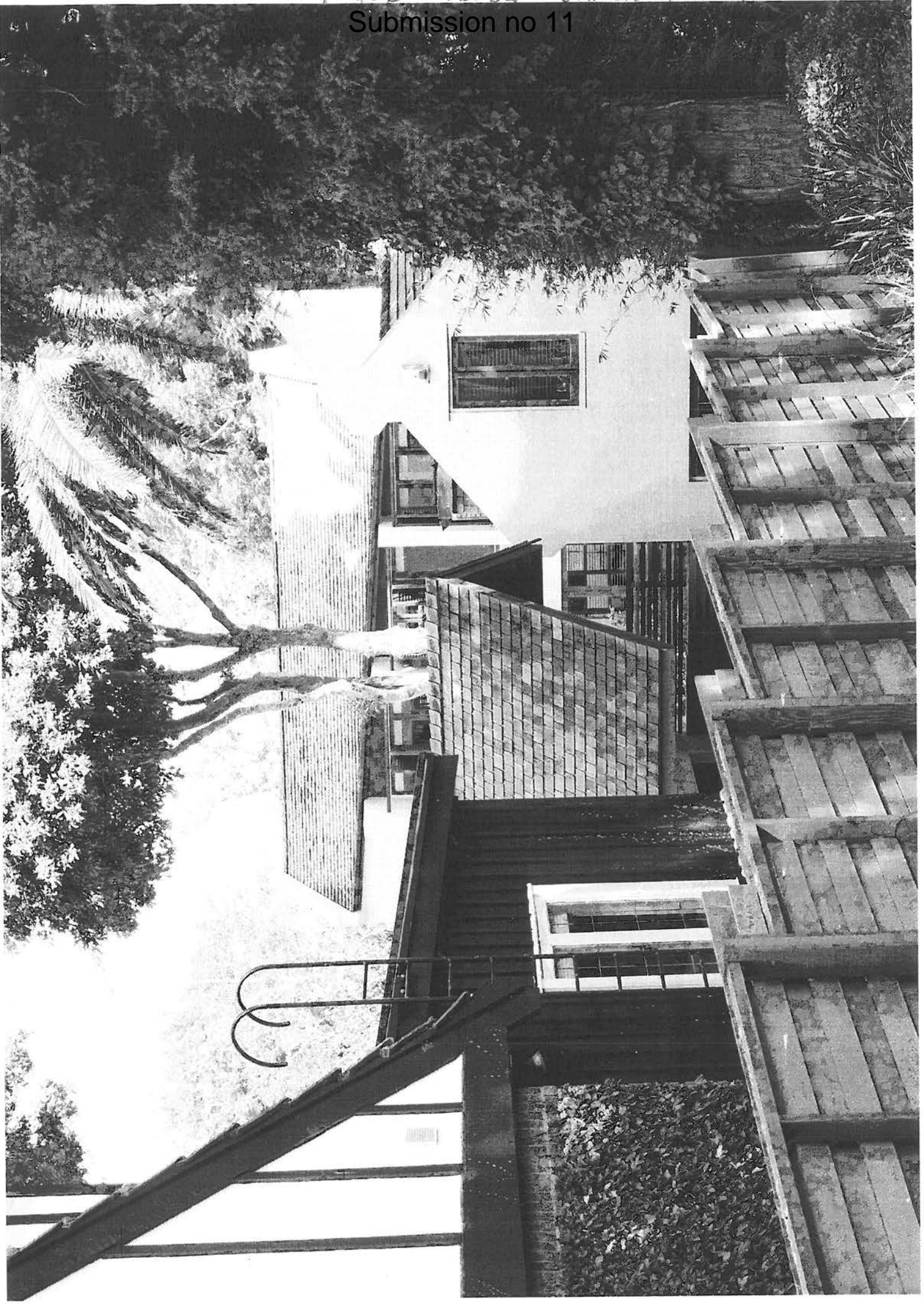


Photo 4 No. 30 (Colonial House)

Submission no 11

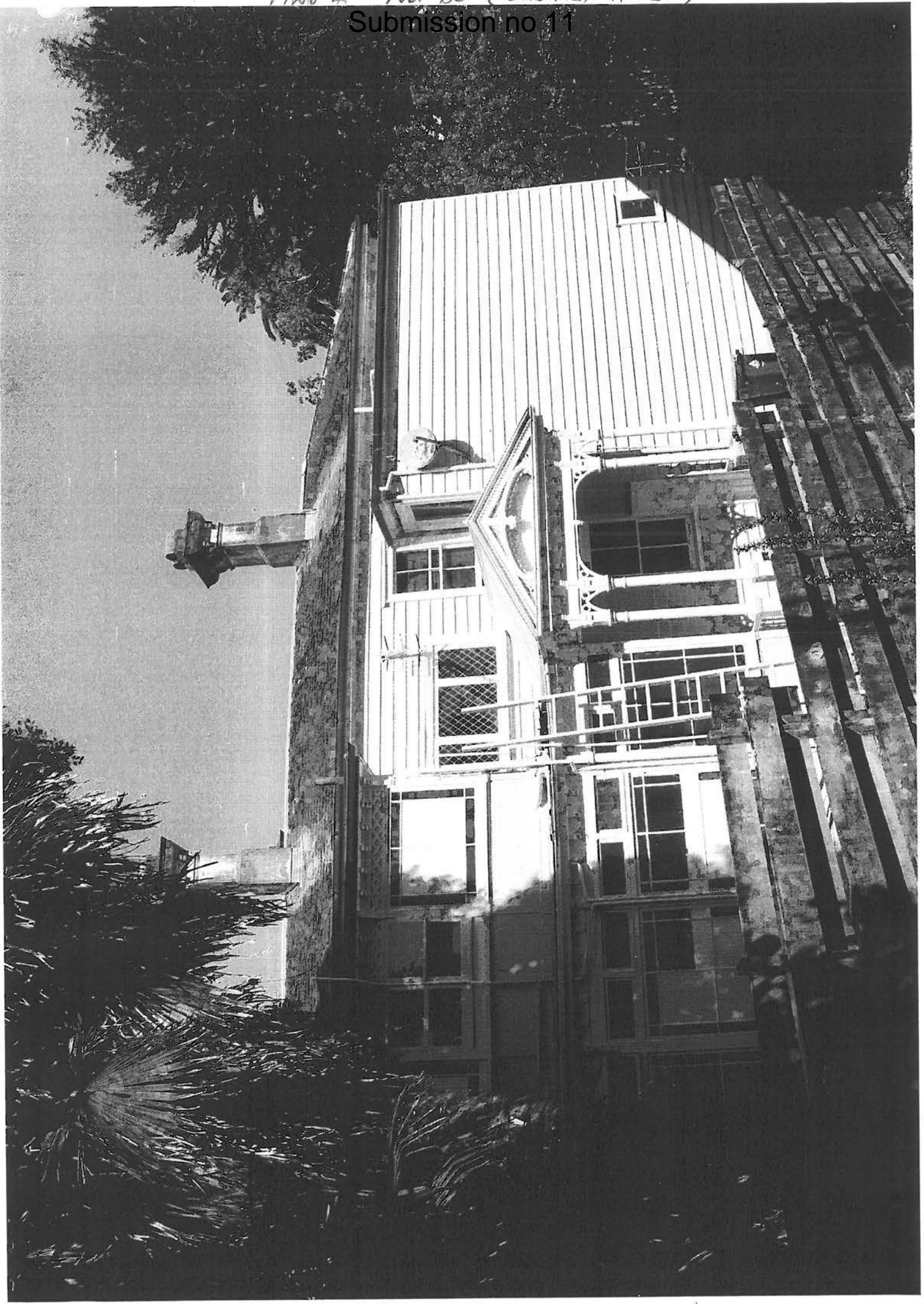




Photo 5 No. 30 Colonial House front view.  
Submission no 11





NEWS

# Residents duck for cover

By AMANDA MCGREGOR

**MIRANDA Rabone is afraid to hang out her washing.**

She and other Epsom residents living near the Brightside hospital development believe small rocks are being catapulted out of the building site on to neighbouring properties.

Excavation began late last year on the Southern Cross-owned hospital site, on the corner of Shiphards Ave and Brightside Rd.

Residents believe "fly rock" has been occurring since mid-February from boulder busting, a method used to excavate the hard balsalt rock.

Miranda Rabone's husband Stuart says: "The fly rock issue particularly means it's unsafe to go into your yard when the activity's going on."

The Rabones' Owens Rd property backs on to the hospital development and they claim the rocks found on their section have come from the site.

Other residents have noticed pieces of stone in their properties. Several have also noticed cracks in their homes which they blame on vibrations from the site.

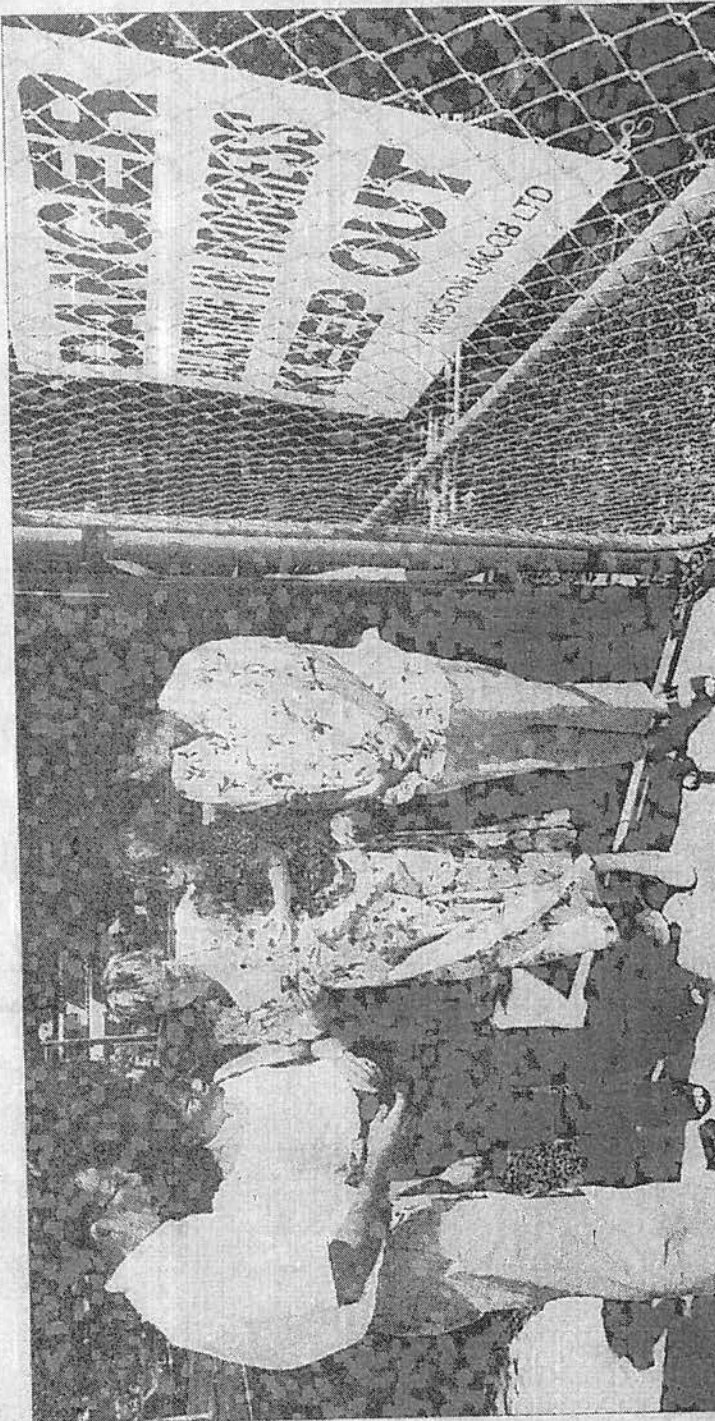
Susan Bamber of Brightside Rd says her roof tiles have been damaged and cracks have appeared in her 90-year-old home.

Virginia Chong, who lives nearby, says the possibility of flying rock poses a risk.

Epsom MP Chris Fletcher agrees.

She visited the development after requests from residents and talked to the Department of Occupational Health and Safety (OSH) and the site engineer.

"It's unacceptable to think there might



**DANGER BLASTING:** Epsom residents, from left: Stuart Rabone, Virginia Chong, Susan and Rebecca Bamber and Miranda Rabone inspect a piece of stone they suspect was catapulted from the Brightside hospital site.

Photos: JASON OXENHAM



**FLY ROCK**

When asked if the site is producing fly rock, Mr Milroy says: "We have no evidence of that."

But he says Civil and Civic are aware of residents' concerns. "It is a tricky situation for all involved."

Southern Cross, which owns the site, says it is committed to working with its neighbours and the Auckland Council, and within the conditions of the Resource Consent, to complete the first phase of the project.

area," especially with children in the neighbourhood committee.

OSH Penrose branch manager Kevin Third says they have inspected the site twice recently, once at the request of Civil and Civic which is carrying out the work, and once following residents' concerns.

Mr Third says adequate steps are being made at the site to prevent hazards.

New Zealand manager of Civil and Civic, Kevin Milroy, says his firm has consulted widely with the council and a



# UNIVERSITY OF AUCKLAND


THIS IS TO CERTIFY THAT

*Stuart Darwin Clifford Rabone*

has been admitted to the degree of

DOCTOR OF PHILOSOPHY  
IN  
*Geology*

Given under the Seal of the University of Auckland  
this *Twelfth* day of *December* 1977



*[Signature]*  
CHANCELLOR

*[Signature]*  
VICE-CHANCELLOR

*[Signature]*  
Acting REGISTRAR



## CERTIFICATE OF COMPETENCE

Health and Safety at Work  
(Mining Operations and Quarrying Operations) Regulations 2016

AWARDED TO

*Stuart Rabone*

IS ISSUED A CERTIFICATE OF COMPETENCE AS A

*Site Senior Executive*

The Site Senior Executive Certificate of Competence is issued for Underground Metalliferous Mining Operation

<b>CERTIFICATE NO:</b> 1248	<b>DATE OF ISSUE:</b> 15/12/2017	<b>DATE OF EXPIRY:</b> 15/12/2022
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A handwritten signature in black ink, appearing to read "Mark Pizey".

---

*Mark Pizey, Chairperson  
New Zealand Mining Board of Examiners*





INDEPENDENT CONSULTANCY SERVICES LTD

## TEST CERTIFICATE

### Approved Handler

**Certificate Number: AH000012-2473**

**Replaces certificate AH000012-0576**

Issued pursuant to Section 82 of the Hazardous Substances and New Organisms Act 1996

Issue date: 11th October 2015

Expiry date: 10th October 2020

Name: *Stuart Darwin Clifford Rabone*

Date of Birth: 14/03/48

**Residential contact details:**

15 Athenree Road  
Athenree RD1  
Katikati  
Telephone: (027) 223 0274

**Work contact details:**

Broken Hills Historic Mine Ltd  
PO Box 99 732  
Newmarket  
Auckland 1149

This certificate is issued in accordance with Regulation 5 of the Hazardous Substances and New Organisms (Personnel Qualifications) Regulations 2001. This certifies that the handler has met the relevant requirements for the substances and lifecycles specified below:

**Substances/Classes**

**Lifecycles**

**Explosives- Blasting**  
(1.1B, 1.1D & 1.4S)


**Use, Storage, Transport & Manufacture**

**Conditions:**

- 1) Unless surrendered or revoked beforehand, this certificate shall remain in force until the expiry date above and may be renewed thereafter by an authorised test certifier.
- 2) This certificate must be produced at the request of an enforcement officer appointed under the HSNO Act 1996.

**Special conditions:**


- 1) The certificate is limited to handlers in control of class 1 explosives in Metalliferous Mining and Tunnelling.
- 2) Manufacture is restricted to ANFO explosives.

  
**Test Certifier name: Robert John Storrie**  
**Test Certifier registration no: TST000012**



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Fax: (03) 326 3102  
Mobile: 027 269 0601  
E-mail: rob@ics.co.nz

**CONTROLLED SUBSTANCE LICENCE (NEW ZEALAND)**

	<b>First Names</b> <b>Stuart Darwin Clifford</b>	
	<b>Surname</b> <b>Rabone</b>	
	<b>Date of Birth</b> <b>14/03/1948</b>	<b>Licence No.</b> <b>CSL005313</b>
	<b>Issued</b> <b>11/10/2015</b>	<b>Expires</b> <b>10/10/2020</b>

Issued under section 152B of the HSWA Act 1999 and, where appropriate, subject to a condition of registration under the ACVM Act 1997

**WORK**  
NEW ZEALAND



## CERTIFICATE OF COMPETENCE

Health and Safety in Employment  
(Mining Operations and Quarrying Operations) Regulations 2013

AWARDED TO

*Stuart Rabone*

IS ISSUED A CERTIFICATE OF COMPETENCE AS A

*B Grade Tunnel Manager*

<b>CERTIFICATE NO:</b> 359	<b>DATE OF ISSUE:</b> 9/02/2016	<b>DATE OF EXPIRY:</b> 9/02/2021
----------------------------	---------------------------------	----------------------------------

A handwritten signature in black ink, appearing to read "Dave Bellett".

---

*Dave Bellett, Chairperson  
New Zealand Mining Board of Examiners*

Submission no 11  
**Statement of  
Attainment**

PO BOX 138 MACKAY QLD 4740 PH: 07 49 441 551 Fax : 07 49 440 511 EMAIL : admin@qldtsol.com



This is a statement that  
**Stuart Darwin Clifford Rabone**

has attained

- RIIRIS601D Establish and Maintain the Risk Management System (Equivalent to NZQA 28739)
- RIIWHS601D Establish and maintain the WHS management system (Equivalent to NZQA 28740)

these competencies form part of the

**RII60715**

**Advanced Diploma of Surface Coal Mining  
Management (Release 1)**



NATIONALLY RECOGNISED  
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*Cost Effective Training*  
*(Qld) Pty Ltd*

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more accredited units.

National Provider Number 31504

Issue Date

10/11/2016

SOA No: 88014275



Gary Adamson  
Authorised Signatory

Stuart Darwin Clifford Rabone  
PO Box 99732  
Newmarket  
Auckland

NSN: 118816806  
Issued: 20 January 2017

### Qualification and Achievement Summary

New Zealand Qualification Framework Registered Qualifications	Date
National Certificate in Extractive Industries (Mining Administration B Grade Tunnel Manager) (Level 5)	05 Dec 2013

### Standards Achieved

Each standard can have a range of results including "A" for Achieved, "M" for Achieved with Merit or "E" for Achieved with Excellence. As some standards cannot be awarded all of those results, the result code is shown in bold where a candidate has reached the maximum possible result for that standard.

Communication Skills	Credits	Result	Date
Level 4 11101 Collaborate within a team or group which has an objective	5	A	14 Jun 2015
Level 2 9677 Participate in a team or group which has an objective	3	A	14 Jun 2015
<b>Community and Workplace Fire and Emergency Management</b>			
Level 6 16810 Develop a Workplace Emergency Management Plan	10	A	28 Nov 2016
Level 4 22445 Describe the roles and functions of a CIMS Incident Management Team (IMT) at an incident	4	A	14 Jun 2015
Level 2 3271 Suppress fire with hand extinguishers and fixed hose reels	1	A	15 Oct 2013
4647 Explain principles of fire science	1	A	15 Oct 2013
17279 Demonstrate knowledge of the coordinated incident management system (CIMS)	2	A	14 Jun 2015
<b>Extractive Industries</b>			
Level 6 7142 Demonstrate knowledge of the application of regulatory requirements to manage an extractive site	25	A	13 Sep 2013
28739 Establish and maintain the risk management system at an extractive site	15	A	10 Nov 2016
28740 Establish and maintain the Occupational Health and Safety management system at an extractive site	20	A	10 Nov 2016
Level 5 7143 Inspect and report on extractive site and operations	10	A	30 Oct 2013
7144 Review and implement plans for ongoing operations of an extractive site	15	A	30 Oct 2013
16686 Conduct an incident investigation at an extraction site	8	A	13 Sep 2013
26855 Analyse Human Factors present in workplace practices to determine how they contribute to incidents at an extractive site	10	A	15 Jun 2015
Level 4 8899 Plan storage for product processed at extractive sites	8	A	13 Sep 2013
17705 Describe, develop, and maintain basic ventilation systems for an underground mine or tunnel	15	A	05 Dec 2013
21152 Demonstrate and apply knowledge of storing explosives for use in extractive industries	10	A	23 Nov 2013
21278 Describe, install, and reassess support systems for an underground mine	15	A	30 Oct 2013
21281 Interpret and test for gases in an underground extraction site	15	A	25 Sep 2013
26856 Carry out the risk management processes at an extractive site.	10	A	30 Jun 2015
Level 3 17694 Demonstrate knowledge of explosives and their properties	10	A	23 Nov 2013
21821 Supply, maintain, deliver, and store services for an underground mine	15	A	23 Nov 2013
Level 2 7146 Demonstrate basic knowledge and ability required to work in an underground mine	6	A	22 Mar 2013
8922 Conduct safety checks prior to equipment usage at an extractives site	2	A	30 Oct 2013
15672 Demonstrate knowledge of the Mines Rescue Service	2	A	23 Nov 2013



art Darwin Clifford Rabone

NSN: 118816806

**Mechanical Engineering**

Level 3 2401 Safely shut down and isolate machines and equipment

3

A

30 Oct 2013

----- End of Transcript -----



Dr Karen Poutasi  
Chief Executive  
New Zealand Qualifications Authority

# Submission no 12

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Wednesday, 3 April 2019 2:46 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Janet Wightman  
**Attachments:** Submission on PC21.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Janet Wightman

Organisation name:

Agent's full name:

Email address: nzjanetwightman@gmail.com

Contact phone number: 021632285

Postal address:  
95 Owens Road  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
PC 21 application in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I wish to decline PC 21 in its entirety

I or we seek the following decision by council: Decline the plan modification

Submission date: 3 April 2019

# Submission no 12

Supporting documents  
Submission on PC21.pdf

## **Attend a hearing**

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 12

This document forms part of my submission to Council regarding Plan Change PC21 at 3 Brightside Road, 149, 151, 153 Gillies Avenue, Epsom.

I oppose the specific provisions identified on the submission for the following reasons:

1. Firstly, PC21 has failed to provide the necessary justification required under s.32 of the RMA to make the significant changes and modifications to the operative planning provisions being requested. This confirms that PC21 does not provide for the sustainable management of the urban environment of the site and the neighbourhood as required by S5RMA. PC21 therefore fails to meet the purpose of the Act and accordingly cannot proceed.

2. The Auckland Regional Policy Statement sets out in Chapters B1 and B2 the relationship which should exist between residential, historic, heritage and other special character protection zones.

The site is within an area currently zoned residential with heritage and special character overlays as set out in the AUP, Chapter D18.

PC21 seeks to undermine the integrity of these overlays.

As well as the points itemised above, PC21 fails on the following

The site does not meet the spatial objectives of the Special Purpose-Healthcare Facility and Hospital zone nor does it meet the zone description, objectives or policies found in Chapter H25.1, 2 or 3

It has potential adverse effects on neighbouring properties and the locality because of the proposed intensity of the development, proposed reduction in private parking on site and the requirement for considerable blasting.

I have lived at 95 Owens Road for nearly 30 years. I chose this area to live in as it was a residential area. I don't know how long Auckland Council was working on the AUP but I was interested enough to keep up to date with what was going on and make submissions in order to ensure that the area was protected from inappropriate development as much as possible. I was heartened when the AUP was implemented that the area was basically kept residential and there were special overlays covering heritage, sight lines to Mt Eden, etc. There was a considerable amount of work and input from so many people around Auckland and now I am left wondering - what was the point. I finally felt that the people of Auckland had at last got some sense of security so that they knew, when they bought a property, what could be done nearby. Obviously not.

I object to this development on so many levels

Owens Road is already heavily used by the University of Auckland students at various times for parking.

As more people catch buses into town, they are already starting to park in the street

A hospital as large as envisaged will cause even more parking problems let alone the resulting extra traffic entering and leaving the site.

The building will be up to 25m tall. That is way over the surrounding buildings which are 8m at the most. The height and bulk is totally inappropriate.

I have a concrete block house with plaster rendering and with a tiled roof. I am concerned about any damage that may occur during the significant blasting operation. During the previous blasting neighbouring properties were damaged but the developer managed to avoid responsibility. Who

## Submission no 12

will guarantee that the blasting will not cause damage to my property this time. Who will take responsibility?

I was here when the last development occurred on this site resulting in the demolition of an historic nursing home. I was not involved in the application stage but have been affected by the resulting blasting work, building work and consequent parking and traffic management issues. The development was able to go ahead on that site as it a restricted discretionary activity under the former District Plan (2A) but there were quite stringent conditions regarding blasting, tree protection, hours of use etc. The conditions regarding blasting didn't stop rock being hurled into neighbouring properties and I believe the hours of operation are currently being ignored. I therefore have no confidence that if this development is approved with conditions, those conditions will be adhered to. This is why I ask that the PC21 be declined in its entirety.

Finally, I am extremely concerned that if this this proposal is approved here it will be the thin end of the wedge and developers will feel emboldened to apply to Council for a plan change anywhere in Auckland. Then we might as well throw the AUP and the RMA out the window! It is extremely difficult and expensive for a community to fight this type of application and it should be entirely unnecessary under the provisions of the Auckland Unitary Plan

Submission by Janet Wightman, 95 Owens Road, Epsom

# Submission no 13

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Wednesday, 3 April 2019 10:01 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - William Lorimer  
**Attachments:** PC21 submission WL .pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: William Lorimer

Organisation name:

Agent's full name:

Email address: willlorimer21@gmail.com

Contact phone number:

Postal address:  
6 Brightside Road  
Epsom  
Auckland 1023

## Submission details

**This is a submission to:**

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

**My submission relates to**

Rule or rules:  
The proposal in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I would like it declined in full

I or we seek the following decision by council: Decline the plan modification

Submission date: 3 April 2019

# Submission no 13

Supporting documents  
PC21 submission WL .pdf

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 13

William Lorimer  
6 Brightside Road  
Epsom  
1023

I am 19 and a tertiary level student studying design and photography. I went to both Mount Eden Normal School and Auckland Grammar School.

## **I fully oppose the Private Plan Change PC 21**

### **I don't want the zone in my neighbourhood changed because:**

1. As a design student I have learnt to understand context and history in appreciating form. In understanding the issues about this Plan Change I have read material that relates to 'urban form' both in The Auckland Unitary Plan (AUP) and assessments by Lifescapes and Salmond Reed Architects. The AUP in particular has objectives which protect areas such as the one that is threatened (see section B5.3.1). There is a heavy emphasis on retaining residential character in Auckland particularly where it has been given extra ordinary protection in the form of Special Character overlay and the assessments I refer to demonstrate the area in question has exceptional residential qualities. I would like the AUP zoning for this area to be upheld and for the request to change to be declined.
2. I am not trying to suggest there isn't a need for development but clearly the AUP is a 'road map' for how we can all get along together. It has land zoned for developments like the one proposed, I trust the Council to look after the City and put things in the right place. It seems the Council and residents of the city spent a lot of time putting the AUP together and we all had the chance to make requests. The AUP is our rule book, we all live by it and so should Southern Cross.
3. My neighbourhood however is not limited by the AUP but is flourishing as a result and growing as intended, it is stimulating and diverse but it *is* residential. My neighbours come from all over the world. My Chinese ones love New Zealand because it is not like their home country. They tell me "*people in New Zealand can tell the government what to do and what they need and they will listen, the government works for the people. In China it is the other way around, the people work for the government*". "*If the government or a big company want some land in China, they kick people out and knock down their houses*". *They are glad this doesn't happen in New Zealand, they are happier and feel safer*".
4. My longstanding neighbours regret the consent given to knock the Owens homestead down as well as 2 other old houses to build the current small hospital. It is a good example of why we should learn from the past and the Council seem to have recognised this by tightening the rules in our area compared to the old district plan; if the AUP applied back then we wouldn't even be considering this. It was a mistake and the legacy of that mistake shouldn't give the right to expand. The negative effects of letting them build are still being felt today
  - a. Brightside Road is already too busy with traffic to the current hospital. Brightside Road can be a nightmare with trucks and couriers visiting the hospital, visitors to the hospital constantly including the weekends, doctors rushing in and out and often doing U turns without indicating and staff taking all the parking.
  - b. There is noise 24/7 from the 'plant' that runs the hospital
  - c. The Lights are on 24/7 and shine in to our property

# Submission no 13

- d. We have lost forever some of our residential history
  - e. Despite insisting there will be no deliveries or other activities after 7pm, they still occur and when they do they wake me up. Eg trucks backing, headlights, noise, voices, vehicle noise.
5. The area I live in is very special. I study in Wellington for 30 weeks of the year and look forward to coming home because I miss the greenery, can you believe that? The trees and the houses at 151 and 153 in particular, are beautiful. The bird song is beautiful, especially the Moreporks which I go to sleep listening to. They often use the big trees at 151 and 153. I have read that if the zone is granted there is no guarantee these will remain as they are not 'scheduled' but despite this Southern Cross use them in their photomontages to try to disguise the shape of the building; this is wrong.
6. I don't think it is fair to knock down a property that at least 30 people live in (Everdell House which is at 149 Gillies Avenue). They won't be able to afford rent elsewhere in Epsom and some of them have lived and worked here for a long time. It is their home and their neighbourhood as well.
7. Even though I live opposite Brightside Hospital currently, I can't go there because it is private. Nor can my neighbours, we would all need to go to Auckland Hospital. It seems pointless to build a bigger hospital I can't go to and at the same time knock down lovely old houses we will never re build. It seems far-fetched that Southern Cross say that their hospital *needs* to be there for the community and public when the public don't have any rights to go there. Go figure?
8. I have read and support the submission of the Eden Epsom Residential Protection Society it pretty much says what I want to but probably don't have the language.
9. The following reasons relate directly to the Auckland Unitary Plan and I support this content.

**1. I oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:**

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the

# Submission no 13

location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.

- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.
- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,

## Submission no 13

- ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 14

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Shuqin Zhang

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

3 Kingsway, Three Kings, Auckland

Telephone:

022-308-5868

Fax/Email:

NEXINXIN@GMAIL.COM

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

THE PROPOSED PLAN CHANGE IN ITS ENTIRETY

Or

Property Address

Or

Map

Or

Other (specify)

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

# Submission no 14

The reasons for my views are: SEE ATTACHMENT PLEASE

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(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- 
- I wish to be heard in support of my submission
  - I do not wish to be heard in support of my submission
  - If others make a similar submission, I will consider presenting a joint case with them at a hearing

X 張敬榮

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

3.4.2019

Date

### Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  /could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 14

## ATTACHMENT -- Reasons for Submission

### 1. **We oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and



# Submission no 14

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 14

## 2. In addition, I also have the following concerns and oppose the Proposed Plan Change 21:

- I used to live on Brightside Road for 3 years. What I really like about this area is that Epsom is a reputable well-established suburb with many beautiful historic villas and bungalows. I think these heritage houses should be kept but not to be removed /demolished for a commercial activity.
- Secondly, in a residential area it is not appropriate to build a commercial building, not to mention that could be at least 15 meters, virtually double the height limit in the current residential zone. What is even worse is that under the hospital zone that Southern Cross Group want, they could build as high as 25 meters with very limited ability by the council to control what happens.
- Lastly but not least this is going to be highly disruptive to residents in the community. "Quarrying", which is what excavation is over 2 – 3 years duration within a residential area is never a good idea because it will bring health and safety issues to local residents and students in the number of schools in the vicinity. The new construction is on Gillies Ave, which is an arterial route to City, Airport, SH1 & SH20. It is going to have immense disruption on all Aucklanders to some extent.

# Submission no 14

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**From:** Shirley Zhang <nzxinxin@gmail.com>  
**Sent:** Thursday, 4 April 2019 10:24 AM  
**To:** Unitary Plan  
**Subject:** Submission of Form 5\_Objection to PC 21  
**Attachments:** Objection to PC21.pdf

Hi there,

Please find attached my submission of Form 5 in relation to PC 21.

Thanks and regards  
Shirley

# Submission no 15

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Geoffrey William John Hinds

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

12/24 Sherbourne Rd, Mt Eden, Auk 1024

Telephone:

630-3267

Fax/Email:

geowill1@gmail.com

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Proposed Plan change in its entirety.

Or

Property Address

Or

Map

Or

Other (specify)

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

# Submission no 15

The reasons for my views are: see attachment

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Cathy W. J. Hind  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

3rd April, 2019  
Date

### Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 15

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 15

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.



# Submission no 15

## (Personal) Reasons for Submission

1. The area in the vicinity of the proposed development is a special residential space with houses of heritage and historical value which should not be removed.
2. There would be adverse effects on the surrounding neighbourhood especially with blasting for the underground car-park and increased traffic disruption in an already busy thoroughfare.
3. Three historical homes have already been lost in the original development and another three will be lost if the proposed development goes ahead. This will contribute further to Auckland's housing shortage.
4. There is already a hospital nearby; Mercy Hospital in Mountain Road. If Southern Cross wish to expand its enterprise then it should seek alternative venues such as Ellerslie or Kingsland.
5. If the development goes ahead it will set a precedent for other designated residential areas in Auckland such as Mount Eden.
6. No protection for significant trees on the proposed area has been indicated.
7. Southern Cross did not put in a submission for the Auckland Unitary Plan so it should not expect special favours in its desire to expand its business.
8. My personal view is that Southern Cross has been high-handed in its whole approach and this reinforces the argument that the development should not proceed.

Cathy W. J. Hill

3. 1. 2019

# Submission no 16

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 4 April 2019 1:31 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - David Andrew Ross  
**Attachments:** PlanChange\_Technical\_20190404131847.918.pdf; David Ross.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: David Andrew Ross

Organisation name:

Agent's full name:

Email address: David.ross@kotahi.co.nz

Contact phone number: 0278367390

Postal address:  
19 Fairview Road  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Oppose the proposed plan change outright

Property address:

Map or maps:

Other provisions:  
see attachments to support my opposition of the proposed plan change

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
see attachments

I or we seek the following decision by council: Decline the plan modification

Submission date: 4 April 2019

# Submission no 16

Supporting documents

PlanChange\_Technical\_20190404131847.918.pdf

David Ross.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 16

## 1. I, Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 16

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 17

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 4 April 2019 1:16 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Hannah Marie Saulbrey Ross  
**Attachments:** PlanChange\_Technical\_20190404131424.524.pdf; Hannah Saulbrey-Ross - oppose.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Hannah Marie Saulbrey Ross

Organisation name:

Agent's full name:

Email address: hannahsr@me.com

Contact phone number: 02102338354

Postal address:  
19 Fairview Road  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
I oppose the plan change application in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
see attachments

I or we seek the following decision by council: Decline the plan modification

Submission date: 4 April 2019

# Submission no 17

Supporting documents

PlanChange\_Technical\_20190404131424.524.pdf

Hannah Saulbrey-Ross - oppose.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 17

1. **I, Julie Margaret Kippenberger oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 17

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 17

Hannah Saalbrey-Ross

We have lived in this area for 5 years. What we really like about Mt Eden/Epsom is the character homes and the neighbourhood 'feel' where it is safe for children to walk and ride to school.

Increasing traffic is a serious concern for me because my three children currently attend/will attend in the next two years, schools in this area (Diocesan School for Girls, Auckland Grammar, ACG Parnell). The increased heavy vehicle traffic is a safety issue for children walking and biking to school and for prospective road closures in an already busy area.

Eden-Epsom has a unique environment which to me is about the beauty and nature aspect of Mt Eden. There is no place in this environment for a major commercial intrusion.

I am very concerned about the prospect of further loss of heritage homes. 3 quality heritage homes have already been lost 20 years ago when the first SX hospital was built. Now another 3 could be lost. This is wrong in an area that enjoys a reputation built around this very character.

# Submission no 18

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 4 April 2019 1:01 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Jane Robson  
**Attachments:** PlanChange\_Technical\_20190404125704.122.pdf; Jane Robson -oppositon .pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Jane Robson

Organisation name:

Agent's full name:

Email address: robsonjp@xtra.co.nz

Contact phone number: 0272522333

Postal address:  
25 Prospect Terrace  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Oppose the plan change in its entirety

Property address:

Map or maps:

Other provisions:  
See attached

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I oppose the plan change in its entirety

I or we seek the following decision by council: Decline the plan modification

Submission date: 4 April 2019

# Submission no 18

Supporting documents

PlanChange\_Technical\_20190404125704.122.pdf

Jane Robson -oppositon .pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 18

1. **I, Julie Margaret Kippenberger oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 18

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 18

My name is Jane Robson and in addition to the technical issues detailed I have the following concerns.

My family and I live at 25 Prospect Terrace; we have lived in the Mt Eden/Epsom area for over 15 years and absolutely love the community.

If the requested plan change and resultant hospital expansion were to be allowed the increase in traffic would be dreadful. This is a very serious issue for me as I have two children that walk to both Epsom Girls Grammar and Auckland Boys Grammar via the Owens Road and Gilles Avenue intersection twice daily.

However it is not just about the increased traffic but also about the safety issues when potentially 40,000 tonnes of basalt rock are going to be removed (via blasting) within 70 meters of this busy crossing. The safety risks associated with the proposed excavation/build (taking +5 years) and subsequent increase in traffic a hospital would create are unacceptable as a parent and local resident. The plan change should not even be considered given the zoning in this area was determined as residential during the AUP process.

Mt Eden/ Epsom is an extremely unique heritage environment that we should protect and conserve as much as possible. I do not understand how any structure that is up to 25 metres tall can be considered appropriate within a beautiful heritage residential area that has been zoned as such under the Auckland Unitary Plan. All the heritage homes in the area should be preserved and maintained or the characteristics of Mt Eden/Epsom our community treasures will be lost to commercial interests. There is no place in our environment for a major commercial intrusion.



# Submission no 19

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Friday, 5 April 2019 8:31 AM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Lisa Janine Phillimore  
**Attachments:** PlanChange\_Technical\_20190405081330.415.pdf; Lisa Phillimore\_PlanChangeopposition.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Lisa Janine Phillimore

Organisation name:

Agent's full name:

Email address: phillimorefamily@gmail.com

Contact phone number: 0274769178

Postal address:  
2a Poronui Street  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
I wish to oppose the plan change in its entirety

Property address:

Map or maps:

Other provisions:  
See attached

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
We oppose the plan in its entirety

I or we seek the following decision by council: Decline the plan modification

Submission date: 5 April 2019

# Submission no 19

Supporting documents

PlanChange\_Technical\_20190405081330.415.pdf

Lisa Phillimore\_PlanChangeopposition.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 19

1. **I, Julie Margaret Kippenberger oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 19

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 19

I have lived with my husband and two daughters, who attend a local school, for 25 years. The girls frequently walk to school and we have already noticed that traffic in the area of Owens Road/Gillies Avenue has become heavier in recent years, as the surrounding suburbs have become more densely populated.

The impact of the proposed plan change and hospital expansion would heavily impact neighbours and in fact everyone who travels in and around the area – this is totally unacceptable.

Excavating the proposed site, which is known to comprise of solid basalt rock, would have extensive and numerous impacts. The noise, vibration and potential damage to properties are just not tenable in a residential area.

Southern Cross Health Care built the original Brightside hospital approximately 20 years ago and it was an extremely lengthy and problematic excavation and construction project back then. There will be detailed records available referencing the significant issues that neighbours and the wider community suffered such as cracking in houses, illness due to incessant dust, stress from vibration and noise, traffic disruption and the like.

It was clearly shown during the original build that this was not as suitable site for a commercial hospital. I am concerned that SCHL have so little care for the community that they are proposing to put the local residents through an even bigger, more complex and lengthy excavation/build.

There are multiple other sites that are appropriately zoned for the realities of a 24 x 7 hospital and will not have the multitude of negative impacts that this proposed area has. Also the Mt Eden/Epsom area is well serviced with hospitals and health care facilities already including Ascot, Mercy, Gillies Avenue, Greenlane and Auckland. I hope that SCHL and Auckland Council can see the merit in providing such facilities elsewhere in Auckland where these needs are not currently being met?

# Submission no 20

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

ELSPETH PATRICIA WHITMORE

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

5 SHEPHERDS AVE, EPSOM, AUCKLAND 1023

Telephone:

09 6303224

Fax/Email:

cmwhit@xtra.co.nz

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

The supposed plan in its entirety.

Or

Property Address

Or

Map

Or

Other (specify)

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

# Submission no 20

The reasons for my views are: see attachment

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

A. P. Whitmore  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

3.04.19.  
Date

## Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 20

## ATTACHMENT -- Reasons for Submission

### 1. I/we oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.



# Submission no 20

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

IN ADDITION TO THESE CONCERNS —

I have lived in Shipton's Ave for 49 years and love the area.

I am in a so-called "heritage" area and I fail to understand how this can be called that when we are to be subjected to a larger building on Brightside Road with its attendant extra traffic to and from the proposed building.

My late husband, Arnold, was instrumental in obtaining changes in the rebuilding of the hospital all those years ago, and how the then committee fought hard to gain some concessions among which was the height, specialists consulting rooms, more planting & more car parks. Not all these concessions were met - particularly the car parks as our previously quiet street is now usually full of staff & visitors car parking so that anyone visiting our homes has to park in our respective driveways which is not always convenient.

I can only see the situation worsening if this plan progresses.

Elpeth Whitmore.

5 Shipton's Ave.

# Submission no 21

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Thursday, 4 April 2019 12:31 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Lisa Sharee Manks  
**Attachments:** PlanChange\_Technical\_20190404114524.679.pdf; LisaManks\_planchangeopposition.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Lisa Sharee Manks

Organisation name:

Agent's full name:

Email address: manksyak@gmail.com

Contact phone number: 6421747035

Postal address:  
16a Fairview Road  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Oppose the application in its entirety

Property address:

Map or maps:

Other provisions:  
See attached

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
We oppose the application in its entirety See attached

I or we seek the following decision by council: Decline the plan modification

Submission date: 4 April 2019

# Submission no 21

Supporting documents

PlanChange\_Technical\_20190404114524.679.pdf

LisaManks\_planchangeopposition.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 21

1. **I, Julie Margaret Kippenberger oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 21

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

## Submission no 21

I have been a resident in Mt Eden with my family for over 15 years. I love the family orientated feeling of Mt Eden/Epsom and the diverse nature of the area. We share a great community feeling and are very concerned that this would be negatively impacted should the proposed plan change be accepted.

We were under the impression that the zones of the AUP are set in stone and are not able to be altered for individual/commercial gain. I find it incredibly unfair and discriminatory that the proposed SCHL expansion is even being considered when, as a local resident I have conformed to the rules set down in building and resource consent requirements of the council under the Auckland Unitary Plan. We have undertaken numerous renovations on our properties and we were not afforded the same considerations that appear to be offered to SCHL.

The request to have the plan changed by Southern Cross Hospital to expand their hospital shows that they have no care for our community. There is no community focus and they are purely worried about their financial success and the competition in place with Mercy Hospital.

I have children that attend school in the area and feel very concerned about their safety if this proposal were to be accepted. The pressure that this excavation and construction would place on surrounding areas/roads would be dramatic. The area is already under extreme pressure.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991 FORM 5

AUCKLAND COUNCIL
08 APR 2019
CBD - ALBERT ST



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 24, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Ms/Miss/Ms (Full Name)

PHILIP TAYLOR

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

19 GLENFELL PLACE, EPSOM, AUCKLAND

Telephone:

630-9486 / 021-377-977

Fax/Email:

philipjtaylor@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

The proposed plan change in its entirety

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above [ ]

I oppose the specific provisions identified above [x]

I wish to have the provisions identified above amended

Yes [ ]

No [ ]



# Submission no 22

The reasons for my views are:

SEE ATTACHED

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing.

*P. J. Taylor*

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

*1/4/19*

Date

## Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 22

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and

## Submission no 22

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 22

## Objections to the Proposed Plan Change PC21(PC-21 – private)

My objections to the proposed plan change are:-

1. Special Character
2. Traffic
3. Health and Safety

### Special Character

My wife & I moved to Epsom 26 years ago, drawn by the opportunities for education for our son, the proximity to the centre of the city and also by the very nature of the area with its mix of old & new housing & this is a special feature of this part of Epsom which has been recognised in the Unitary Plan. Being garden lovers, we still enjoy this part of Auckland with its tree lined streets & well-maintained gardens.

In addition, a feature of the area is the number & size of the schools in the area with Auckland Grammar, St Peters, Epsom Girls, Diocesan Girls, St Cuthberts Girls, Auckland Normal Intermediate & Kohia Terrace all within 2 km of Gillies Avenue/ Brightside Road.

The size & nature of the proposed structure is completely out of character with the whole area. The structure that has been indicated (which may not be the full height of the final structure) dwarfs any 2-story residential property.

I also note that the submission uses Mercy Hospital as precedence. This is totally wrong. The current Mercy Hospital has been built around one of the original buildings in the area dating back to the 1860's and it therefore has its own special historical place in the area. There is no way that this development can use Mercy Hospital as an example & this highlights the weakness of their proposal under Special Character.

The Proposal talks broadly of the special character and plays down the size and nature of the residential properties. However, they do not address the fact that the multi-story facility will dwarf any existing 2-story residence and be totally out of context.

### Traffic

#### a) Parking

Street parking is a major issue in the area. During the day, all the local streets are lined with parked cars either from staff at local hospitals and health facilities, students at the local secondary schools plus some city centre workers who park & then bus into the city. This can be severely exacerbated when Government House has a day-time function.

I am no traffic expert, but I believe the parking on-site at the proposed facility will be insufficient for all staff, as it is for nearby Mercy Hospital staff, with priority parking given to senior staff, surgeons & doctors plus visitors with even some visitors unable to find parking as again occurs at Mercy Hospital. In recent weeks, we have come across one desperate visitor to Mercy Hospital who had been driving round the area for 45 minutes, unable to find anywhere to park that was legal.



# Submission no 22

Because of our proximity to Mercy Hospital & Auckland Grammar School, most parking in Glenfell Place is from these places & we have had numerous issues with illegal parking in recent months as demand for spaces has grown. Auckland Transport are well aware of this issue because of the increased number of vehicles that have been towed in recent months.

I do not have intimate knowledge of parking in the area around the existing Brightside Hospital but I am aware that all parking spaces in Shiphards Avenue are taken by 7.30am so I am somewhat surprised to find that there were empty spaces available during the day. Certainly, we have found there has been an increase in demand for parking around Mercy Hospital in the past 2-3 years so this may account for the lower numbers from 2017 survey compared with today's demand. Staff numbers at the new facility will triple the current number & put a huge strain on parking in the area

## b. Traffic Movement Gillies Road/ Owens Road.

I would take issue with the summary in section 5.3.6 of the proposal regarding traffic movements around this junction. Flows through this junction have eased since the Waterview Tunnel opened & the lights were re-phased but I would suggest volumes are growing. To put an entrance for a large facility within 100 metres of this junction will cause traffic build-ups, especially around peak hours. Part of the reason will be that visitors who are unfamiliar with the area, will take additional time to find the entrance. As well as additional numbers this will put added pressure on this junction.

I would also add that the reports comments that there is no provision for cyclists around this junction & the Mountain Road/ Owens Road junction but there are a lot of cyclists during school time (mainly from Auckland Grammar) & this will be a concern with the additional traffic volume.

## c. Health & Safety

Section 5 of the Civil Engineering report refers to Earthworks & it neatly glosses over the fact that a long period using blasting to loosen the basalt rock that will need to be removed. This is going to cause great anxiety to local residents and more especially to students at nearby Epsom Girls School. With NCEA students being tested at various times it could be most unnerving to students if blasting occurs in the middle of an exam or assessment. In addition, dust created by the explosion could spread across to the sports fields of both Epsom Girls & Diocesan Schools. I am not sure what the regulations are regarding traffic but with the proposed site being closer to the major thoroughfare of Gillies Avenue, then this could be a significant hazard for passing vehicles.

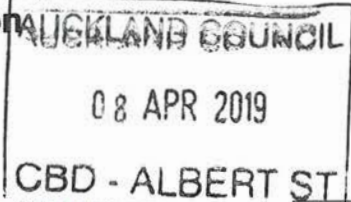
## Summary

As a Southern Cross member, I am very disappointed they have chosen to try & destroy the nature of one of Auckland's oldest & most beautiful suburbs & their action has made me think hard about continuing as a member. It is also the fact that they have done this so soon after the Unitary Plan was agreed across the City & that they have made little or no effort, according to their submission, to seek alternative sites in other city fringe suburbs.

I would therefore ask that this proposal is declined.

**Submission on a notified proposal for policy statement or plan change or variation**

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to:

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

JANET TAYLOR

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

19 GLENFELL PLACE, EPSOM, AUCKLAND

Telephone:

630 9486

Fax/Email:

jan\_taylor@xtra.co.nz

Contact Person: (Name and designation, if applicable)

**Scope of submission**

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number PC 21

Plan Change/Variation Name 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

THE PROPOSED PLAN CHANGE IN ITS ENTIRETY

Or

Property Address

Or

Map

Or

Other (specify)

**Submission**

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes  No

# Submission no 23

The reasons for my views are:

SEE ATTACHED

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Janelle Taylor

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

2/4/19  
Date

## Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and  
(b) does not relate to trade competition or the effects of trade competition.



# Submission no 23

## ATTACHMENT -- Reasons for Submission

### 1. I/we oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and



## Submission no 23

- purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.
- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
  - (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
  - (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
    - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
    - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
    - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
    - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
  - (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
  - (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 23

## **Objections to the Proposed Plan Change PC21(PC-21 – private)**

I have lived in the area for 26 years with my husband & family. We chose the area as it was quiet, centrally located and the quality houses had a large gardens and a lot of open spaces. It was also close to the motorway with good access to other areas and lots of schools and tertiary institutions. That was important to me as I was a secondary and tertiary teacher.

I am very concerned that a large commercial enterprise plans to come into this unique area and it will over ride the special character of this well established and historical residential area hence my submission. The purpose of the Unitary Plan is to maintain the special unique character of the area for everyone to appreciate and enjoy. As a member of Heritage New Zealand I was dismayed when I learned that 3 heritage houses were lost when the first hospital was built 20 years ago and another 3 now could be lost. If this plan goes ahead what stops Southern Cross from buying the rest of the block with the loss of even more historical houses? This makes a mockery of Heritage status, plus it adds to the lack of community spirit by the hospital. Auckland is coping with a severe housing shortage, and this will not help especially as one to be demolished is a boarding house.

If the Unitary Plan is changed then it could happen anywhere/everywhere in Auckland.

The prospect of a 24/7 enlarged hospital operation of the proposed scale is of great concern as it will affect traffic and parking in the area. Living in Glenfell Place we get a lot of the Mercy Hospital staff parking from 6.30 am as their car park facilities are not sufficient for their need. Parking in Brightside, Kipling, Mountain and Owens roads is now already heavy. Senior students from local schools do also aggravate the problem. Many residential streets are now full of parked cars and increasing staff and patient numbers will only add to the disruption and decrease the quality of the special residential area.

This area is already very busy with traffic as there are many schools in the area so staff and students have to pass the proposed extension site. Many walk not only to EGGs and Grammar but also to Diocesan as well as the local primary schools. If the plan goes ahead there will be twice daily for 2-3 years of blasting and removal of the basalt from the site to provide the underground car park. This would affect access and homeward journeys for school children and staff as the surrounding roads will be closed for safety for several hours each day.

The blasting time line is another reason that the project should be culled. When the first stage was built the blasting sent rocks into neighbours gardens and increased the dust in the air and consequently in houses. Cars will not be able to be parked locally as they could get damaged by rock debris.

The blasting will be twice a day and this could have major impacts of the EGGs community. Their boarding house, the nearest structure to the blasting area could have damage to the rock walls. NCEA internal assessments can take place at any time of the week or day so the noise and vibrations could be a great distracter. As a teacher I am well aware that noise and distractions can seriously affect student learning in a negative way. Students could be fazed by the excessive and regular sound over a prolonged period leading to psychological problems. This is especially possible if they are having a physical education lesson outside. The dust in the air could make it an unhealthy environment for some

## Submission no 23

asthmatics. The school has swimming pools and these could be affected. The second blast could be at end of the school day, around 3 pm, and with roads closed some students could have excessive distances to walk compared with their normal routes. Buses could be rerouted.

We live in an art deco concrete house with an underground cellar and is partly surrounded by rock walls. The concrete is about 2 inches thick and is supported by a metal framework. We could get severe damage from the blasting vibrations but it would be excessively hard to prove that the blasting over a prolonged period was the cause of the damage. Houses opposite the site could also suffer damage. Excessive and prolonged blasting in a residential area is not a good idea.

We live opposite Government House and they frequently have important receptions, meetings and events in their gardens. Imagine the embarrassment if they blast during the welcoming ceremony for an overseas dignitary or during a speech by the governor general.

The other side of Government House from us is Eden Gardens. The explorer bus visits the very popular site many times a day bringing tourists to wander round, look at the butterfly house and or for a coffee in a rural setting. The blasting would deter visitors and they may suffer financially. Eden Gardens is located on an old quarry site and so that shows the extent of the volcanic rock in the area that would transmit the vibrations of blasting.

\* We live in a residential area where houses cannot exceed 8m in height. The shared information from the hospital indicates that the buildings would go up to 16m high. However if they win their case then this could be extended to 25m. This is very inappropriate for our area as it could be seen to dominate the sky line on the edge of a residential area with special character.

*I oppose the proposed Unitary Plan change for the above reasons.*

\* the blasting could upset our pets as they have much more acute hearing. Those closer to the blast area will really be upset.

AUCKLAND COUNCIL  
04 APR 2019  
A24

**Submission on a notified proposal for policy statement or plan change or variation**

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

*Frederick Anthony Knights*

Organisation Name (if submission is made on behalf of Organisation)

*Norfolk Limited.*

Address for service of Submitter

*P.O. Box 9723 Newmarket 1149 Auckland*

Telephone:

*09 6302634*

Fax/Email:

*faknights@gmail.com*

Contact Person: (Name and designation, if applicable)

*As above*

**Scope of submission**

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

*PC 21*

Plan Change/Variation Name

*3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom*

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

*See attached reasons for submission PC 21*

Or

Property Address

*3 Brightside Rd, 149, 151, 153 Gillies Ave*

Or

Map

Or

Other (specify)

*Proposed zoning change from the recently approved Unitary Plan*

*and consequent possible permission for a large scale commercial enterprise*

**Submission**

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

# Submission no 24

The reasons for my views are:

*See attached reasons for my views 3 page*

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

*The concept & possible consequences for the entire block is totally out of character and is in direct contradiction of the Unitary Plan provisions. It would result in a major business/commercial operation replacing housing usage. No variations etc acceptable*

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

*John Knight*  
*Director, Northland Limited*  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

*2nd April 2019.*  
Date

## Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.



# Submission no 24

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 24

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

## REASONS FOR MY VIEWS. (3 pages)

1. We built in this Area about 50 years ago (1970), we deliberately chose to live here because of the character of the Area, the young family support Amenities, proximity to CBD, Airport, and the Industrial Areas where I worked. We had hoped our children's children could have continued to enjoy the Area in the future protected by the Unitary Plan provisions and promises covering the residential and character heritage environment.
2. It is most concerning that a major Commercial & business enterprise should be attempting to expand and increase its presence by challenging the Unitary Plan provisions so soon after they were agreed upon. It must be asked why did not the applicant choose to challenge the Unity Plan provisions in its discussion stage, as any sensible and reasonable commercial enterprise would always have expansion plans (particularly) of this magnitude available for long term consideration? Particularly so since it already had a major presence in the area!
3. There are many available options for the applicant to acquire suitable properties within appropriately zoned areas adjacent to Epsom. These would certainly be more suitable for purpose, rather than the further desecration of the area under consideration.
4. Should their application meet with planning approval and the very large (25m high and 4 stories extending over a whole block frontage on Gillies Ave) building proceed, some 17500 tons of basalt is estimated to be removed by blasting and then transported by truck (about 4000 truckloads) the following points should be noted.
  - (a) There would be a massive disruption to traffic and personal movements in Gillies Ave, Duns Rd & Bayliffside Rd. over the estimated 2-3 year construction period. Protective structures would have to be erected for both residents and other users of these streets as conduits.



## Submission no 24

- (b) There would be major disruption of school children movements on these streets. It is estimated that there would be 2-3000 school children movements affected, there are also the huge number of automotive movements to be considered.
- (c) The disruption to existing hospital activities and services; for patients, staff, and visitors. There is also the huge volume of dust created from blasting and general construction work that could cause major hygiene risks.
- (d) From the personal experience of having been subjected to small scale blasting nearby in the past (Brooken Ave.) and the fact that our home is of concrete block construction, we have previously taken professional legal advice concerning the effects of blast generated shock waves & vibrations. These could cause fracture in mortar lines, rebar/rod adhesion and foundation structures that are directly placed upon the basalt layer. All these could cause major structural damage, leakage and misalignments. It would be our intention to seek injunctive relief from the Courts for any potential damage and costs relating to and including demolition, repair, rebuilding and damaged. Given the present value of our property, this would likely be in the nature of several million dollars.
- (e) The sheer bulk of the proposed building in a residential heritage area, as it is totally imposing from every visual aspect, is absolutely out of character, and boggles the understanding of the intellect of those who propose it!
5. The continued loss of heritage homes and other residential properties, and 3 such premises were last lost in the previous iterations of the applicants activities in Epsom, and if this application proceeds, more residential properties will be lost affecting at least 50 people and families. Being under the very distinct impression that we need housing in this city not hospitals which can easily be accommodated in adjoining appropriately zoned areas. Why could the applicant not apply to construct residential properties.

- After demolishing city's existing hospital in Brightside Rd?  
 As a result would be aiding the Auckland housing problem to a Unitary Plan approved resolution.
6. Increased traffic flows are another major concern, particularly so because both ingress & egress to the planned build lead directly into the major junction of Gillies Ave and Owens Rd. The crossing and junction is used extensively by school pupils morning & afternoon, plus the cross town traffic using Owens Rd, and the traffic generated by both "On and Off" ramps to the motorway several hundred metres away, north on Gillies.
7. I have much concern over the effect such a huge construction will have on existing services, such as power, water, telephone and sewage etc. Most of these services are very old in parts and hang together by good luck. We have been informed as a result of service breakdowns by the authorities concerned of the age of the facilities, and their fragile nature. We have had serious failures over the years in sewage, phones and power plus large scale water leakage. How these services and others would cope with the stress of such a large construction that is absolutely service orientated is of extreme doubt!
8. If this application is granted - what price Unitary Plan. Permitting a major business/commercial intrusion into a heritage residential area. It creates a frightening precedent and demonstrates that the Unitary Plan is little more than a collection of very expensive paper, with no real effect against vested commercial interests. This application is so wrong it should never have been accepted for consideration in the first place - it just does not fit the area.

04 APR 2019

ALBERT ST

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991 FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Margaret Henriette Knights

Organisation Name (if submission is made on behalf of Organisation)

N/A

Address for service of Submitter

PO Box 9723 Newmarket Auckland 1149

Telephone:

09 6302634

Fax/Email:

faknights@gmail.com

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

see attached reasons for submission PC 21

Or

Property Address

3 Brightside Rd, 149, 151, 153 Gillies Av.

Or

Map

Or

Other (specify)

Proposed zoning change from recently approved Unitary Plan and consequent possible permission for a large scale commercial enterprise

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

# Submission no 25

The reasons for my views are:

See attached reasons for my views

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

The concept + possible consequences for the entire block is totally out of character and is in direct contravention of the Unitary Plan provisions. It would result in a major business/commerce operation replacing housing usage. No variations are

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

M Knight  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

2nd April 2019  
Date

## Notes to person making submission:

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Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

# Submission no 25

## ATTACHMENT – Reasons for Submission

1. **I/we oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:**
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

## Submission no 25

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 25

## Reasons For My Views

We have lived in our present house for the last 49 years, and the reason we chose to live here, was that we loved the character and feeling that Epsom has always had.

Our children could walk to their schools with their friends from around this area.

Unfortunately, nowadays, walking to school safely has changed, because of the increased density of traffic along Gillies Ave., as a result of it being one of the arterial roads to get to the motorway.

The increase of cars in general was another reason, but this is unavoidable these days.

However, what is **NOT UNAVOIDABLE**, is the hazards that would be created by the blasting of 17500 tons of basalt, and the 4000 truckloads to get rid of it, followed by 2 to 3 years of building this enormous construction, which will cause no end of traffic problems along a stretch of road already overloaded.

The existence of a 24/7 hospital operation of this scale will also create a whole new concept of "local" traffic in a residential area, already overstretched for space.

There are 9 schools, plus a University Campus within a one mile radius of Brightside Hospital, all attended by young children, and teenagers, going to school. Additional to this number are the numerous parents in motorcars that take their children to school.

The continuous blasting over a period of time, will be a serious risk to the reticulation of services around Epsom, as a lot of these date back to the early 1900, and are getting a bit fragile,

We live in a house of concrete block construction, and we have stone walls built some time ago, so they will be affected for sure.

We have had a previous experience with blasting when one of our neighbours used this method, and we took legal advice at the time. We were told that we would definitely have cause to take legal action. With the risk of mortar lines, reinforcing, adhesion lines cracking, reinforcing damage, adhesion of foundations, that are directly on the basalt substrata, substantial damage could result.



## Submission no 25

Considering the value of our home at present, the claims could well run in the millions.

I am very concerned about how a building 25 metres tall could “blend” in with the present heritage homes, which are no more than 8 metres at best. These would be totally dwarfed and it would be an unacceptable visual intrusion.

Eden Epsom has a unique environment, which to me represents the History of Epsom, has been described in the book by that name. There is no place in this environment for such a monstrous construction in a heritage and residential area.

I am worried that if this proposal can take place in Eden Epsom, then it can take place anywhere else in Auckland residential areas, and it will make Auckland no different from other big cities around the world. We have a beautiful setting by the Hauraki Gulf and have a duty to develop this city responsibly.

Recently, when the Unitary Plan was being developed, there was plenty of opportunity for Southern Cross group to have made known their aspirations for growth, they failed to do this and now have attempted to create a major variation to the accepted and established standard.

# Submission no 26

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 7 April 2019 3:01 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - David Lim

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: David Lim

Organisation name: N/A

Agent's full name: N/A

Email address: david.lim49@gmail.com

Contact phone number: 027 276 1831

Postal address:  
1/15 Shipherds Ave  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:  
The Entire Plan change

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
See attachments

I or we seek the following decision by council: Decline the plan modification

Submission date: 7 April 2019

# Submission no 26

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 26

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and

# Submission no 26

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 26

The Reasons for my views are:

1. I am very concerned about the new hospital that Southern Cross Hospitals Ltd (SCHL) is proposing to build on 149 to 153 Gillies Ave, Epsom. This area is one of Aucklands oldest, established suburbs and is clearly identified as a residential area in the Auckland Unitary Plan (AUP). What SCHL is proposing goes entirely against the AUP.
2. My family has lived in this area for over 25 years, and we have enjoyed the tranquility and peace that Epsom offers even though we live close to Aucklands centre. The idea that a large hospital, operating 24 hours a day 7 days a week, will be built in close proximity is incredulous. Not only will the construction process be daunting and disruptive, but the on-going chaos once the building is complete will be massive. The very character of Epsom will be changed, and not for the better.
3. Firstly, the demolition of the existing residential properties will be disruptive, requiring traffic control issues along one of Aucklands main thoroughfares (Gillies Ave). Even if some of the traffic is diverted to Manukau Road or Mt Eden Road and their many side roads, there will still be major disruption.
4. Once the existing houses are removed, then the major task of blasting the basalt rock substrate in order to create underground parking will begin. This is expected to take 2 to 3 years and it has been calculated that it will require approximately 4,000 truckloads to remove all the rubble and debris. It is my belief that surrounding roads need to be closed off while the blasting occurs and if that is correct, then closing Gillies Ave, Brightside Road, Shiphers Ave, and probably parts of Owens Raod, and Kipling Ave will create major disruption to traffic and pedestrians. not to mention the public who live in the area. The additional traffic created by the dumptrucks alone will be a massive issue.
5. Once the demolition and earthworks have been completed, then there will be the issue of all the building materials to be delivered, concrete trucks, workmen and their vehicles, and servicemen supplying essential infrastructure such as drainage, power, water supply, telecommunications etc. So far there has been no mention of how long the construction stage will take, but I imagine it will be in excess of 3 to 4 years. I have no doubt that the surrounding streets will become jammed with cars, utes, and trucks (service vehicles) for this total period.janlim
6. Being in the centre of some of Aucklands most desired secondary schools will create major safety issues for some of the hundreds of school children who either walk, cycle, or drive through or past the vicinity of the proposed new hospital, both during construction and once

## Submission no 26

the hospital is operating. The junction of Owens Road, Brightside Road, and Mountain Road is already a dangerous intersection, where school children risk their lives daily by running in between the traffic. Not only will the dumptrucks add to the danger but if traffic is diverted around the immediate area, there will be an even greater danger to the children.

7. Once the hospital is completed and operating, I imagine the surrounding streets, especially, Brightside Road, Shipherds Ave, Ownes Road, and Kipling Ave will be inundated with cars parking, if not all day then for extended periods during the day. We already have cars parked along both sides of Shipherds Ave for most of the day by, I presume, staff who work at the existing hospital. SCHL should guarantee that the staff, patients, and visitors of the new and existing hospitals will have sufficient, off-street parking so that residents and their visitors can still have somewhere to park on their own street.

8. In closing, I urge the Auckland City Council to reject in it's entirety the new hospital that SCHL is proposing to build. Not only is it opposing provisions in the AUP, but the demoltion and construction process will be a major disruption to traffic and the lives of the residents who not only live in close proximity, but all Aucklanders who use Gillies Ave and it's surrounding streets, for years. And even if the hospital is built, once it's operating, access to it from Gillies Ave will be a disaster from a traffic perspective, being so close the the major intersection with Owens Road, and also Kipling Ave. And if SCHL are proposing to have access from Brightside Road, the Council must realise and accept that Brightside Raod is not wide enough to accomodate the increased amount of traffic, especially if there are cars parked on both sides of the road.



# Submission no 27

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Friday, 5 April 2019 4:16 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Harvey Douglas White and Janette Frances Venus White

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Harvey Douglas White and Janette Frances Venus White

Organisation name: nil

Agent's full name: nil

Email address: harveywhite1911@gmail.com

Contact phone number:

Postal address:  
137 Mountain Road  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
PC 21

Property address: 3 Brightside Road, 149,151 and 153 Gillies Avenue, Epsom

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? Yes

The reason for my or our views are:

Its hard to believe after all the reassurances given by the Council and the Mayor that a 25 metre tall Hospital building is proposed to be built in a community suburb where a community involving families and whanau, children play, older people walk and trees are preserved. If this goes ahead it will completely destroy our trust and respect for the council and the Mayor. There is no need to have increased commercial activity which is against the Unitary plan. Hospitals need to be built where the patients are and not in a community suburb.

# Submission no 27

I or we seek the following decision by council: Decline the plan modification

Submission date: 5 April 2019

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 28

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Saturday, 6 April 2019 3:46 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Karim Ayad Hussona  
**Attachments:** Karim Hussona.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Karim Ayad Hussona

Organisation name:

Agent's full name:

Email address: erica.hussona@ix.net.nz

Contact phone number: 021 480 204

Postal address:  
20 Pentland Avenue  
Mount Eden  
Auckland 1024

## Submission details

**This is a submission to:**

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

**My submission relates to**

Rule or rules:  
I wish to decline the plan change in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I wish to decline the plans in full, please see attachment

I or we seek the following decision by council: Decline the plan modification

Submission date: 6 April 2019

# Submission no 28

Supporting documents  
Karim Hussona.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 28

Karim Ayad Hussona

20 Pentland Avenue  
Mount Eden  
Auckland 1024

**I fully oppose the provisions requested in the PC 21 plan change application. This is on the basis of both the controls set in place in the Auckland Unitary Plan and personal viewpoints which I hold strongly.**

## 1. The Auckland Unitary Plan

This provides clarity and surety for private citizens and commercial enterprise to jointly grow our city in a sustainable and cohesive way. It provides protection for residents and respects their right to expect their communities and neighbourhoods not to be degraded by the intrusion of commercial enterprise of a scale that is not provided for in the plan.

PC 21 is the antithesis of the high level objectives of the AUP, specifically:

- (a) PC 21 ignores the fundamental intention, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) There are several adverse effects from PC 21 including undermining and degrading the residential and character heritage environment of the proposed site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this area.
- (c) The urban form displayed by the operative land use zone pattern covering the proposed site and the surrounding neighbourhood clearly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 28

- (d) PC 21 incorporates three special character residential buildings along Gillies Avenue. The loss of these special character dwellings is incongruous with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP.

## 2. Personal View

I am a long time resident of the Eden Epsom area having resided here for the last 24 years. My wife and I have invested heavily in the area both personally and professionally. The characteristics that attracted us to the area remain intact and I am grateful to those that went before me and had the foresight to protect the essence of the area and to the Council for awarding protection to residential neighbourhoods against intrusion by inappropriate land use. I feel the responsibility in turn to offer the same degree of stewardship to future generations.

I have relied on and had faith in Council to Uphold the zoning of the former District Plan and the provisions of the newly implemented Auckland Unitary Plan. This has given me a stable platform on which to grow my family and business. As a residents of the area these documents have informed my choices. It is for these reasons I expect other citizens, which includes businesses, to observe a plan which is in our collective interest.

Having spent many years in the commercial sector I recognise the choices a large enterprise like Southern Cross have. Rather than attempting to demonstrate that they are restricted and constrained by their existing property portfolio and land availability to the existing site and those residential properties they have acquired, I would expect them to explore the real planning opportunities the Auckland Unitary Plan provides. There is no evidence in their submission that they have done this. Consequently, there is no requirement to overturn a widely consulted Unitary Plan which has identified the sites in question as high quality residential land with special character within a neighbourhood with a clear residential pattern.

In summary I would like the Council to decline the application in full.

# Submission no 29

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 7 April 2019 3:46 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Marion Armstrong

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Marion Armstrong

Organisation name:

Agent's full name:

Email address:

Contact phone number: 021336736

Postal address:  
37 Owens Road  
Empsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
PC21

Property address: 3 brightside Road 149,151 and 153 Gillies Ave Epsom

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This is a residential area. It breaches the zones. There are alternatives for Southern Cross in St Marks road. The private hospital is not needed in this area as there is Mercy and Ascot plus Auckland hospital and Greenlane and St Marks surgical centre. We live here to be residents and not part of a commercial centre and a fight between private hospital services. We have school children we need houses for people not private luxury hospitals. Auckland has a housing crisis not a private hospital crisis. Why have a unitary plan that is then ignored and rolled over by Private Hospitals with \$\$\$\$ because they act as a Charity and ignore the private citizen who doesn't have the enormous financial power. The building will destroy the whole residential area of quiet streets and historic houses and the

# Submission no 29

excavation and long term increased traffic will danger our children and ourselves. WE NEED HOUSES. THE COUNCIL MUST LISTEN TO THE PEOPLE WHO VOTE AND NOT THE PRIVATE INSURANCE COMPANY

I or we seek the following decision by council: Decline the plan modification

Submission date: 7 April 2019

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 30

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 7 April 2019 4:16 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Pavneet Grover

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Pavneet Grover

Organisation name:

Agent's full name:

Email address: pavneet.grover@yahoo.com

Contact phone number:

Postal address:  
41B Peary Road  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Property address: Epsom Girls Grammar School

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
Plan change 21

I or we seek the following decision by council: Decline the plan modification

Submission date: 7 April 2019

## Attend a hearing

# Submission no 30

Do you wish to be heard in support of your submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 31

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 7 April 2019 2:46 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Terry and Marianne Kayes  
**Attachments:** Technical submission ideas .pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Terry and Marianne Kayes

Organisation name: N/A

Agent's full name: N/A

Email address: terry.kayes@gmail.com

Contact phone number: 021826536

Postal address:  
19 Essex Road  
Mount Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
The proposed plan in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We have lived in this general area (Rockwood Place, Mountain Road and now Essex Road) for the past 34 years. We are very concerned that the scale and scope of the proposed development, and its potential future uses (which could include a 24/7 hospital operation) are completely inappropriate for a residential area such as this and would have a major detrimental effect on the liveability of the surrounding residential zone. We are also concerned about the increased traffic flow through Gillies Avenue and Owens Road, which are already very busy at certain times. Our overall concern is at the overturn of the Unitary Plan: if the Unitary Plan can be disregarded in this way in simply

# Submission no 31

because there is a perceived commercial benefit for a private company, then it seems likely similar commercial interests will be encouraged to seek changes to the Unitary Plan, with a resulting gradual erosion of the Plan. (See also attachment.)

I or we seek the following decision by council: Decline the plan modification

Submission date: 7 April 2019

Supporting documents  
Technical submission ideas .pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 31

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and

# Submission no 31

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 32

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 7 April 2019 1:46 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Nicola Maling  
**Attachments:** ZoneChange\_Technical\_20190407133450.443.pdf; Personal submission\_Nicola Maling.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Nicola Maling

Organisation name:

Agent's full name:

Email address: an.maling@xtra.co.nz

Contact phone number: 0273262300

Postal address:  
73 Prospect Terrace  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
I oppose the plan modification in its entirety.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
We reject the proposed plan modification in its entirety as it is unsuitable for the location and will completely change the fabric of the area.

I or we seek the following decision by council: Decline the plan modification

Submission date: 7 April 2019

# Submission no 32

Supporting documents

ZoneChange\_Technical\_20190407133450.443.pdf

Personal submission\_Nicola Maling.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 32

**1. I, Nicola Jane Maling** Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

## Submission no 32

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 32

## **1. In addition, I Nicola Maling have the following concerns:**

- Mt Eden/Epsom is a unique part of our heritage. By taking away heritage homes in an established residential area in order to make way for a large-scale commercial operation I'm concerned that we are losing the very character that makes this suburb unique.
- I am also concerned that by making way for a large-scale commercial operation by will have a negative impact on the local environment.
  - Noise pollution –both during the build and through increased traffic to the area 24 hours a day.
  - Traffic – There are a number of schools in the area which make traffic congestion a real problem already. A24/7 commercial operation can only make this worse.
- There are better locations for a hospital that does not need to be in the middle of a residential area. We have residential zones for a reason and if these are not adhered to it illustrates no concern for 'liveable communities' based around quality residential environments. I am concerned that a large hospital can be built in an area that is clearly identified for residential activities only it paves the way for future developments in residential zones.
- Relocating the hospital altogether would in fact provide valuable land for future housing developments. Part of the intensification process that is necessary to solve the Auckland shortage of housing.
- One of the reasons we chose to live in the area was the sense of community. A 25m tall commercial development in the heart of a residential area must effect the volcanic viewshafts and it certainly impacts on the community village vibe.

# Submission no 33

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Sunday, 7 April 2019 10:16 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Michael Lorimer  
**Attachments:** ML submission.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Michael Lorimer

Organisation name:

Agent's full name:

Email address: [michaellorimer@xtra.co.nz](mailto:michaellorimer@xtra.co.nz)

Contact phone number: 0211364117

Postal address:  
6 Brightside Road  
Epsom  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
The Plan in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I wish to decline the plan in full, please see attachment.

I or we seek the following decision by council: Decline the plan modification

Submission date: 7 April 2019

# Submission no 33

Supporting documents  
ML submission.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 33

Personal Submission by Michael Lorimer, 6 Brightside Road, Epsom, Auckland 1023 on Application by Southern Cross Hospitals Limited (SCHL) for a Plan Change under the Auckland Unitary Plan (AUP)

**Statement: I would like to state my full opposition to a plan change as proposed by SCHL in their application for plan change PC 21.**

The following are the key components of my opposition. I have also reviewed and support in full the opposition offered by the Eden Epsom Residential Protection Society.

1. Integrity of the Auckland Unitary Plan (AUP).

1.1 The AUP was implemented in late 2016 after extensive consultation. In defending the current zoning in place for the PC21 subject site I refer to the objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. As a resident of Auckland I believe individuals as well as Council are responsible for the oversight of the AUP. I point specifically to the statement in section B5.1.2 “*Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development*”.

1.2 There are many sections in the AUP which support the dismissal of the proposed plan change. Particularly relevant are the following:

*B5.1.3 Areas with special character should be identified so their particular values can be maintained and enhanced.*

*B5.3. Special character*

*B5.3.1. Objectives*

*(1) Historic heritage values of identified special character areas are protected from inappropriate subdivision, use and development.*

*(2) The character and amenity values of identified special character areas are maintained and enhanced*

The submission by the Eden Epsom Residential Protection Society gives more comprehensive technical opposition but I would like to raise the following.

1.2 Specific attention was paid to zoning to direct predicted growth in the Auckland region. In this respect there is provision for activities to reside and congregate in identified areas in order to coordinate growth and prevent piecemeal and inappropriate development within the region. This gives surety in both the commercial and residential sectors and encourages medium to long term investment time frames for both. Overturning zoning creates reduced confidence, instability and reduces investment.

1.3 The AUP provides for sympathetic transition between zones. The proposal for a ‘Special Purpose – Healthcare Facility and Hospital Zone’ (SPHFHZ) to co habit adjacent to the existing single house residential zone, as would happen in this case, abolishes this transition and degrades severely the character of the built landscape.

1.4 Awarding a unique ‘spot zone’ in a highly protected and long-established residential zone is not compatible with the objectives of the AUP. It sends a signal to other commercial

# Submission no 33

enterprises to challenge zoning Auckland wide which will further destabilise communities and undermine the time, effort and planning invested in the AUP.

- 1.5 The commentary accompanying the application for plan change by SFH consultants Ltd (p18 Assessment of Effects In relation to a Private Plan Change Request) that the sites 149-153 Gillies Avenue are “*marooned*” is a reversal of the reality. Aerial photography as well as the AUP zone mapping demonstrates a diametrically opposite truth. Figures 1 & 2 illustrate this point showing a mature residential area with connections to the Special Ecological Areas of Mount Eden, Government House and the Pines residence. The Special Character overlay is illustrated in figure 3 and confirms it as the dominant pattern in the area.



Fig 1.

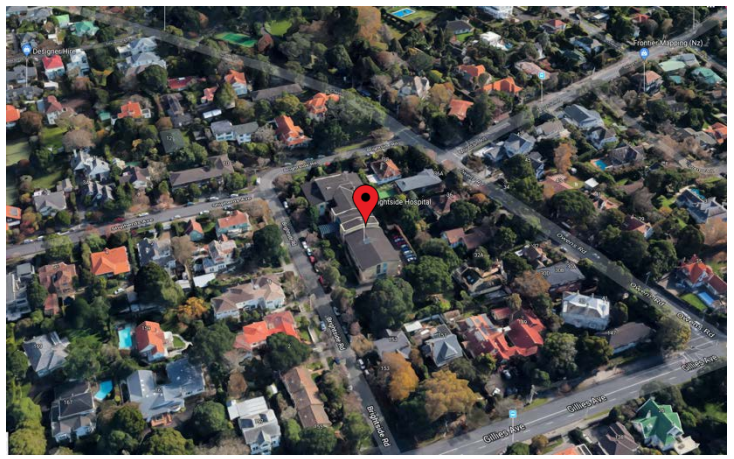


Fig. 2.

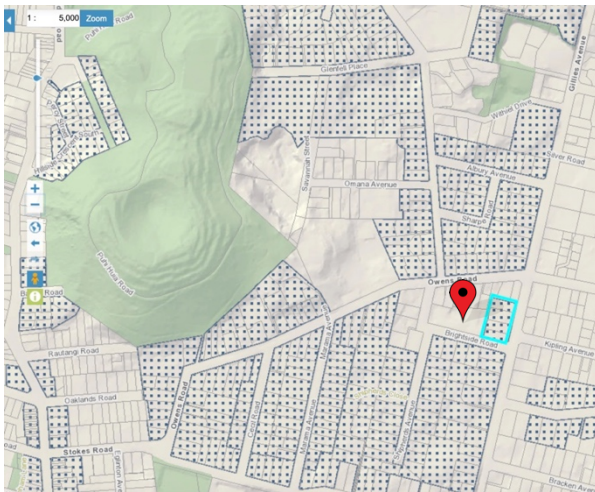





Fig 3.

-  149-153 Gillies Avenue
-  Location of current Brightside Hospital
-  Special Character overlay

Rather than the subject site being ‘*marooned*’, granting a SPHFHZ to the proposed development would create an ‘island’ of commercial activity in a ‘sea’ of residential land. The current Brightside Hospital is already the ‘Cuckoo’ in the nest and any expansion draws parallels with the known trait of the Cuckoo of expelling the native residents at the expense of its own growth.

- 1.6 The highest level of protection was given to the properties which are the subject of the application. The AUP identifies these residences as part of the overarching theme of the area as one of an established residential area. In fact, 151 and 153 Gillies Avenue represent some

# Submission no 33

of the larger single house properties in the area and are good examples of the balance of spaciousness, 'set back' and character typical of the area. Gillies Avenue represents a 'high tide' mark offering a clear demarcation from the intrusion of activities to the east of its north-south axis, with these properties safely positioned to the west.

- 1.6 The immediate block bounded by Owens Road, Brightside Road and Gillies Avenue represent a wholly residentially zoned area reflecting its expression as a core ingredient of the greater Epsom/Mount Eden residential area. Despite the presence of the Hospital at 3 Brightside Road, which itself has its origins as a family homestead, the facility was not recognised by special zoning in the AUP. Instead Mixed Housing Suburban zoning was granted to reflect the previous restricted status as imposed by the environment court in 1997. It is clear the Council, in promulgating the AUP, echoed this court ruling in not re zoning the site to Special Purpose, preferring instead to impose residential zoning.
- 1.7 In addition to their zoning, the properties acquired by SCHL at 151 and 153 Gillies avenue were awarded 'Special Character' overlay providing demolition control and further protection from intensification. This status is in fact recognised by the applicant who includes a report by Lifescapes which has the following as key findings:

*"This analysis finds that the properties at 151 – 153 Gillies Ave and to a lesser extent 149 Gillies Ave have historical and physical/visual values consistent with the SCA. The period houses, historical stone walls, large setbacks, abundant trees and vegetation are all characteristics that are specifically highlighted in the SCA's statement of significance".*

*Given that the subject sites have demonstrable special character values that are consistent with the SCA, the Council is obliged to maintain and enhance these values in accordance with Objective B5.3.1.(2) of the Regional Policy Statement.*

## 2. Relevance of Location

- 2.1 I would like to comment on location from my position as a specialist medical practitioner now in my 20<sup>th</sup> year of practice. Much is made in the Ernst Young report accompanying the application of the importance of the location for doctors, patients and staff in term of 'convenience'. Specifically, I would like to draw to the attention of officers assessing this application of a major difference between public and private healthcare.

Public healthcare is population based and as such operates on the basis of district health boards (DHBs) which have clearly identified 'catchment' areas much like school zones. This has relevance as the DHBs serve an identified community and offer access to local residents. On the contrary, private hospitals do not operate in identified catchments. As indicated in the 'heat maps' in the Ernst Young report, the patients are accessed from all over the Auckland region. This is true also of the medical staff also indicated in a 'heat map' of their residence in the same report.

In terms of convenience, the subject site has no compelling reason to be the only site assessed for suitability which is the case with this application. As Robert Speer a neighbour will point out in his submission, there are significant areas of land within the central Auckland isthmus that are appropriately zoned that offer the same access to the disparate spread of private patients and specialists.



# Submission no 33

It is also to be noted that the medical specialist on site at any one time will be a minority of the workforce, perhaps 8 maximum out of 40+ other workers who may also operate shifts and therefore multiply their 24 hour total. No assessment has been made of their typical geographical spread in terms of residence so convenience which itself is not a reason to overturn the AUP has not been demonstrated for patients or the majority of the workforce.

- 2.2 Secondly, as access to private surgical hospitals is by referral to a specialist with admitting rights to the facility in question, there is no relationship with the immediate community. The hospital at Brightside offers no community value in terms of medical care, access rights or treatment.
- 2.3 The applicant stresses that Gillies Avenue is a key transport corridor for car, bus and rail in support of the hospital location. It is notable however, that the policy statements of the Auckland Regional Transport Authority do not list Gillies Avenue as a major regional arterial route. On the contrary they identify the key role of Gillies Avenue is as an:

*“Alternative general traffic route through Newmarket with limited ability to cater for traffic growth and with Limited opportunity for change”.*

In addition, Gillies Avenue has no access to rail and limited bus routes. In summary the proposed location cannot be supported as having any unique attributes in terms of patient access, work force residence or identifiable future transport developments.

## 3. Fundamental Character of the Neighbourhood

- 3.1 The fundamental character of the immediate and extended neighbourhood is one of a stable residential zone. The area notable for its appeal to families as a prime residential location because of its ‘liveability’ and in particular its access to some of the best schooling in Auckland and indeed New Zealand. The essence of its amenity is discussed further in section 6 below.
- 3.2 Heritage assessments by both SCHL and Eden Epsom Residential Protection Society (EERPS) support not only the specific provisions of the ‘single house zone’ but the unique heritage elements of the threatened properties at 151 and 153 Gillies Avenue (and to a lesser extent 149) and the environment to which these properties belong. A prime example of this is the intact band of specimen trees and plantings extending from the sites in question through to Mount Eden as a legacy to the vision of the Owens family who owned the original homestead at 3 Brightside Road. This extends beyond scheduled specimens to many other mature trees creating a broader context to the area and cementing it as one of a high-quality residential locality. The Council has recognised this eco system with further protection in the form of Special Ecological Areas (SEAs) which encompass pockets of plantings from both George Owens and Gillies and link with the broader pattern that extends all the way from Mount Eden through Mountain Road, Owens Road, Brightside Road and their feeder streets to Gillies Avenue. This pattern is evident from in figures 1 & 2 above and the following examples from private residences.

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6 Brightside Road



75 Owens Road

## 4. Local investment by residents

- 4.1 Recognising the protected and high level residential zoning of the area, local residents have invested considerably in the area. There are numerous examples of renovation where residents have chosen to honour the zoning and restore character housing to former condition and incorporate sympathetic landscaping.
- 4.2 The story behind my own residence is a perfect example of this and rather than feel like the beneficiary of completed project I sense and feel the responsibility of a guardian to the character and history of the area.

Number 6 Brightside was built in 1910 but by the 1990's it had fallen into poor repair. In 2012 it was purchased as a dilapidated poorly maintained residence. The following photos show the condition at this point in time.



Over the next 3 years it was painstakingly renovated to reflect its former glory with attention to character detail. With the house in good repair my wife and I became the owners in 2015. The grounds had superficial landscaping but were not in keeping with the general amenity of

# Submission no 33

the area. We have since invested significant time and money in attending to this. Pride of place is the scheduled Puriri tree which we have made the center piece of the garden, originally planted by the Owens family (shown above).



It has been our choice to invest in this area, we could have invested in other property with the ability to subdivide or intensify but this was not our preference. We researched our purchase extensively from our position in Mount Eden as residents of over 30 years. The previous District Plan and the *proposed* AUP were critical to making this choice giving us confidence that the area had been recognised over a substantial period as one earmarked as a high-quality residential suburb which would continue in to the future. The subsequent implementation of the AUP in 2016 justified our faith in the Council planning process.

4.3 There are numerous other examples of residents making the same choices based on the status of the area now fully recognised in the AUP. Figure 4 shows properties with significant renovations either underway or completed with descriptions of some of these following.

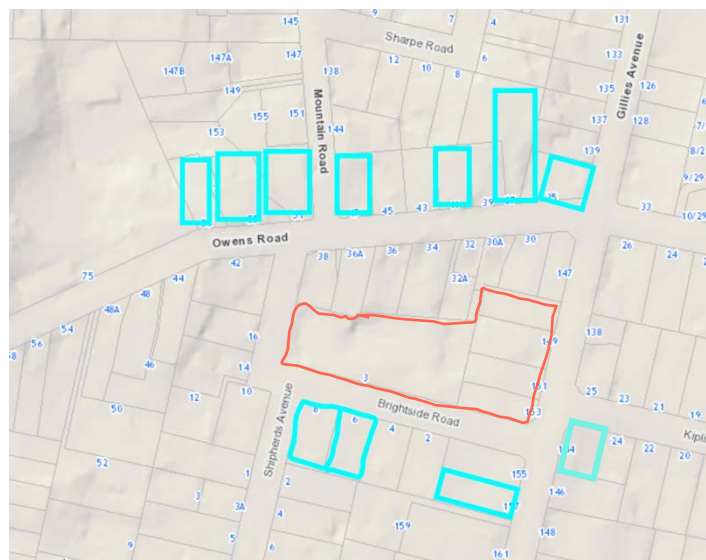


Figure 4



Houses undergoing or having undergone significant renovation in the last 5-10 years.



Subject site



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## 8 Brightside Road:

Built in 1910 this, property has extensive ongoing renovation. This house was subject to severe blast damage in the original Brightside Hospital build estimated to be \$30,000 in 1998. This was never fully remediated after the engineering company withdrew its accountability paying just \$600. It has received full restoration over the last 15 years with structural repair and complete replacement of all roofing tiles which were the subject of much damage.



## 157 Gillies Avenue

Built in 1920 and purchased by current owners in 2013. Has received extensive renovation completed 2018.



## 51 Owens Road

Built purchased 2010 with wholesale renovation sympathetic to the area.



## 47 Owens Road

Built in 1920, purchased by current owners in 2010 and renovated extensively.



## 55 Owens Road

Built c1900, faithfully restoration.



There are others properties not illustrated but these are not limited just to large character residences. Directly across from 153 Gillies Avenue adjoining Brightside Road is 155 Gillies Avenue where there is currently renovation of terraced housing which will suffer significant local effects of any plan change.

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## 5. Direct effects to me and my neighbours

5.1 I am directly affected by the proposal to expand the operation at Brightside Hospital. My experience to date of the current hospital as a neighbour has not been positive. This will only be exacerbated by a facility that during preliminary discussions SCHL have indicated will be >300% bigger in operational terms. This refers to their information to local residents that a theatre complex of 10 theatres is planned in a building of ~16m height. This will amplify all negative effects which include but are not limited to:

### 5.1.1 Traffic congestion.

I continually experience parking across my driveway from couriers, delivery trucks, patient set down and pick up and visiting doctors. This relates directly to inadequate provision of parking onsite. It is notable that the environment court ruling of 1997 provided for 61 parks. Survey of the site by neighbour Arnold Whitmore (since deceased), showed a reduced number of 53 with quarantined areas for doctors that is often not fully used but not available to other workers. The application by SCHL to reduce the number of parks regulated for hospitals in their proposal will make this intolerable from the current status which is already in violation of the 1997 ruling.

5.1.2 Nocturnal deliveries despite a control on this by the environment court in 1997.

5.1.3 Light spill, notably the large 2 storey glazed entrance which is invariably fully lit including nights and weekends for which there is no effective screening.

5.1.4 Noise particularly of plant operation and air conditioning which runs 24 hours a day.

5.1.5 Loss of on street parking. Please refer to Robert Speer's submission.

5.1.6 Shading to properties from height exceeding current 8m limit if the plan change is granted.

5.1.7 Loss of privacy to properties from the prospect of a multi storey building.

## 5.2 Health Risks

5.2.1 Construction timeframe and intensity will introduce significant health and safety risks. The principle concern is excavation required for both foundations and the possibility of underground parking. You will receive a submission from fellow resident Mr Stuart Rabone, a qualified and highly respected geologist familiar with explosives, that details the geology of the area, essentially continuous solid interlocking basalt. This was encountered during the last development in the late 1990's when the extent was entirely under represented by the engineering company. As a result, the blasting schedule of up to 4 times a day extended over approximately 18 months. This caused significant damage to surrounding properties. The accompanying article from the Metro in 1998 illustrates the extend of distress and financial cost to one resident at 8 Brightside Road.



The report by Mr Rabone will indicate danger cannot be entirely mitigated. One of the known hazards is 'flyrock' which is projectile fragments that can travel significant distance at high velocity. The Epsom area is known for its high-level schooling and the streets are traversed daily by hundreds of children principally attending Auckland Boys Grammar, Diocesan School, Epsom Girls Grammar and to a lesser extend St Cuthberts College. Being secondary schools, children walk and cycle to and from school not only at the typical times of 7:30-9am and 3- 4:30pm but throughout the day. It is hard to see how the use of explosives on such a small site in the heart of a residential suburb is compatible with any form of health and safety.

I would like officers assessing this application to consider these effects as more than temporary. The potential physical, psychological and financial harm all have lasting ramifications and are not confined to a time limited period and living through this will cause daily stress for between and estimated 3-5years; this is not temporary.

5.2.2 The requirement for onsite bulk storage of oxygen is required for a major hospital. This introduces a new health risk. Oxygen stored in this manner is considered a hazardous substance. It requires storage at -150 C and is pressurized to 10 atmospheres. The siting of such a facility in a residential zone produces a permanent health and safety risk not only from the on ground infrastructure but from the need for ongoing supply and delivery of liquid oxygen in tankers.

6. Personal View

6.1 It is impossible to convey the 'liveability' of an area without personal experience of it but I would like to try to convey some of the reasons why the area has attracted me, my family and my fellow residents.



# Submission no 33

It is evident from walking the area that it is a well preserved residential area with significant amenity. I admit to having to look up the word 'amenity' to confirm its true meaning. It simply refers to the 'pleasantness or attractiveness of a place'. While this sounds trivial on the face of it, it hides a deeper connection that is sometimes experienced sub consciously. For me it talks to the linked spaces of Maungawhau (Mount Eden), Mount Eden Gardens, Government House, and the immediate residential neighbourhood which all demonstrate spaciousness with mature tree specimens and large 'set backs'. The assessment by Lifescapes as indicated in section 1.8 above recognises these features

This built environment is disappearing in wider Auckland and loss cannot be reversed. The AUP has identified and seeks to preserve these areas of which this is one of the few remaining; they are precious areas that need to be protected at all cost. Many have gone from Auckland already. Mine is not a selfish stance, rather I am grateful to my predecessors who had the vision to create and protect these areas with significant philanthropy and feel the responsibility to continue this for future generations; this is the '*stewardship*' the AUP plan refers to. The following are just a few examples of the local amenity



Owens Road



Owens Road



Owens Road



Brightside Road

## 7. Conclusion

In conclusion, the plan change application and the intended land use including the bulk and dominance of a commercial scale building located in a residential area is in conflict with all of the tenants of 'liveable communities' the AUP promotes. This is fundamental to my opposition and **I REQUEST YOU DECLINE THE APPLICATION IN ITS ENTIRETY.**

# Submission no 34

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Friday, 5 April 2019 11:16 AM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Peter Robson  
**Attachments:** ZoneChange\_Technical\_20190405111317.543.pdf; PeterRobson-PC21 opposition.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Peter Robson

Organisation name:

Agent's full name:

Email address: alertelectrical@xtra.co.nz

Contact phone number: 0274540249

Postal address:  
25 Prospect Terrace  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
I wish to oppose the plan change in its entirety

Property address:

Map or maps:

Other provisions:  
See attached

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I oppose the plan change request completely

I or we seek the following decision by council: Decline the plan modification

Submission date: 5 April 2019



# Submission no 34

Supporting documents

ZoneChange\_Technical\_20190405111317.543.pdf

PeterRobson-PC21 opposition.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 34

**1. I, Nicola Jane Maling** Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 34

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

## Submission no 34

My family and I live at 25 Prospect Terrace in Mt Eden and have done for over 15 years. I share my wife's concerns regards the safety of our children, who attend EGGs and AGS should the Southern Cross Hospital excavation/construction and commercial business go ahead. To think that the impact of the build process and resultant busyness an additional hospital would bring to our area would be acceptable contravenes the 'liveable communities' the council is trying to maintain under the AUP.

However I am also concerned should the proposed plan change go ahead as I am a self-employed electrician who works predominantly in the Mt Eden/Epsom area. I drive between residential properties to undertake work on behalf of my clients. Over recent years my travel times have increased as a result of the increased density of housing and congestion in the area. My travel times would be further affected due to the impact the construction would have on off street parking, road closures and the like.

The Owens Rd/Gillies Avenue intersection and surrounding streets are already heavily congested throughout the day. The off street parking in areas surrounding the existing hospital is completely oversubscribed by young adults that drive to school, staff of the existing hospital, commuters who 'park & ride' the buses etc. The plan change would just exacerbate all of these things and spread the congestion even further.

I really enjoy working in our residential area on beautiful heritage homes that the Mt Eden/Epsom area is renowned for. I think it would be a terrible shame to have an additional 3 heritage homes destroyed for the commercial gain of a hospital. If this is allowed where will it stop? If Southern Cross can have a zone changed to suit their needs what does this suggest about the integrity of the AUP?

**Submission on a notified proposal for policy statement or plan change or variation**

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Stephanie Mary Stewart Watson

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

3 SHEPHERDS AV EPSOM  
AUCKLAND 1023

Telephone:

09 6315 997

Fax/Email:

stephaniewatson126@gmail.com

Contact Person: (Name and designation, if applicable)

**Scope of submission**

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

The proposed plan change in its entirety

Or

Property Address

Or

Map

Or

Other (specify)

**Submission**

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

# Submission no 35

The reasons for my views are:

See attachment

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Stacie Swanson  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

2/4/2019  
Date

## Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 35

## ATTACHMENT – Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

# Submission no 35

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.



## Submission no 35

In addition I have these concerns:-

1. I have lived in Shipherds Av off Brightside Rd for 43 years and what I like about the area is the fact that it is a quiet oasis, very central but protected by the Heritage Overlay of the Unitary Plan
2. I am horrified that a large commercial enterprise like this can even be considered for the area. Not only is the plan submitted for the proposed hospital massive in scope and will completely destroy the environment of the whole block Gillies Av to Upper Brightside Rd but I understand that a Hospital Designation would then make it possible in the future for the existing hospital to be demolished as of right and a new building up to 25 metres high be built.
3. The Heritage Overlay of the Unitary Plan means that a neighbour wishing to upgrade a heritage building cannot change the design of the existing front porch and must keep chimneys even though fireplaces are being removed. How does this rule to preserve the heritage look of the area fit with the enormous ugly building planned for the proposed hospital?
4. Gillies Av is already a very busy traffic zone especially in the morning, mid afternoon and early evening. How will it cope with the comings and goings of a 7 day busy hospital with its entrance situated on the stopping lane for the traffic lights? There are already times when delivery vans servicing the existing hospital cause delays and congestion in Brightside Rd - what will it be like with a much larger additional hospital? How will it handle the extended rock blasting and rubbish removal required in the preparation stages?
5. The pedestrian crossing at Owens Rd/ Gillies Av handles, in addition to normal traffic, pupils from six local schools- AGS, EGGS, ANI, Kohia Terrace, Diocesan and St Cuthberts. The increased traffic starting with the blasting/ rock removal stage puts all pedestrians at unacceptable risk.
6. Parking is already a problem as staff and visitors from the existing hospital fill up spaces in Shipherds Av on weekdays. I am a Justice of the Peace and people wishing to use my services already have difficulty parking. If there is a seven day a week hospital this problem will also occur in the weekend when I see a number of people who cannot access service desks etc during the week.
7. When the existing hospital was built a condition for consent was that underground parking would be provided- this was available for a short time but then closed for "safety reasons" compounding the roadside parking problems.
8. We have a plaster house so I am concerned that prolonged continuing blasting to remove basalt rock for the underground car park may damage our house. SCHL was very uncooperative with addressing damage to local houses last time they blasted so I have no confidence that they will take responsibility for new damage.

## Submission no 35

9. SCHL is not a good neighbour. An old rotting duvet was abandoned on the grass verge outside one of their rental properties last year and it was at least six months before it was removed.

This proposal is unacceptable in so many ways it must be refused to ensure the ambience and character of a wonderful heritage area is not destroyed.

# Submission no 36

## Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only

Submission No:

Receipt Date:

### Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

TREVOR RAYMOND WATSON

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

3 SHIPHERDS AVE, EPSOM, AUCKLAND  
1023

Telephone:

09 6315 997

Fax/Email:

TREVOR.WATSON@XTRA.CO.NZ

Contact Person: (Name and designation, if applicable)

### Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

THE PROPOSED PLAN CHANGE IN ITS ENTIRETY

Or

Property Address

Or

Map

Or

Other (specify)

### Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

# Submission no 36

The reasons for my views are:

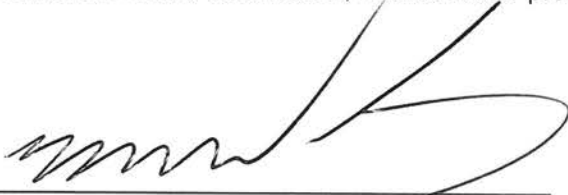
SEE ATTACHMENT 1

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

  
Signature of Submitter  
(or person authorised to sign on behalf of submitter)

2/4/2019  
Date

## Notes to person making submission:

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I could  / could not  gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am  / am not  directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

# Submission no 36

## ATTACHMENT – Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.



# Submission no 36

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
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  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
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- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

## Submission no 36

In addition I have these concerns.

1. I have lived in 3 Shipherds Ave which is 100 metres from Brightside Hospital for 43 years. It has been a quiet street until Brightside Hospital was redeveloped around 20 years ago. Staff park in the street rather than using the onsite parking which was a requirement in the consent of the original development. This causes much congestion.
2. The construction of this extension flies in the face of the principles of the Heritage Overlay of the Unitary Plan. The height, 16 metres, (I understand if they are given dispensation this can increase to 25 metres and they will take full advantage of it) and land area creates a monster building which will be a blot on the character of Epsom. If this is given approval, Southern Cross Healthcare Ltd could eventually redevelop the existing Hospital to the same height and mass as well as purchasing other properties bordering Gillies Ave, Owens Rd, and Brightside Rd, commandeering the whole block. I believe this is what the Plan was to protect.
3. Construction will be fraught, thousand of cubic metres of rock blasting with the potential of damaging local properties. Naturally no one will accept responsibility. Blasting shutdowns in the immediately vicinity will cause disruption to vehicle and pedestrian traffic in Gillies Ave, Owens Rd, and Brightside Rd. Local schools, AGS, EGGS, Normal Intermediate, Diocesan, and St Cuthberts will be affected with pupils using the busy Owens Rd, Gillies Ave intersection.
4. If this proposal goes ahead it will open the floodgates for all of Auckland covered by the Plan.  
This is not what the Auckland City Unitary Plan intended.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

COLIN WIGHTMAN

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

95 OWENS RD, EPSOM

Telephone:

09 623 2285

Fax/Email:

colin@jaysondesigns.co.nz

Contact Person: (Name and designation, if applicable)

**Scope of submission**

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

[Empty box]

Or

Property Address

[Empty box]

Or

Map

[Empty box]

Or

Other (specify)

The entire Plan Change.

**Submission**

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No



# Submission no 37

The reasons for my views are:

See two PDF attachments

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

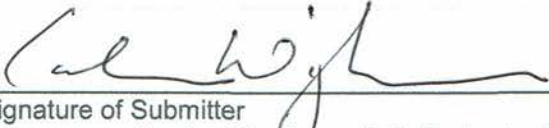
Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Submitter  
(or person authorised to sign on behalf of submitter)

Date 8-4-19.

## Notes to person making submission:

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I could  / could not  gain an advantage in trade competition through this submission.

**If you could gain an advantage in trade competition through this submission please complete the following:**

I am  / am not  directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

# Submission no 37

## ATTACHMENT -- Reasons for Submission

### 1. I oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.

# Submission no 37

- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.
  
- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
  
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
  
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.

# Submission no 37

- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
  
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

Colin Wightman

95 Owens Road, Epsom, Auckland

# Submission no 37

I am requesting that PC21 be declined in its entirety for the technical reasons set out in my other attachment.

I have lived at 95 Owens Road for over 20 years. I love it here and have no wish to move. It is a well established residential area of a type that is slowly being eroded in Auckland by inappropriate development. Now that the AUP has been finalised we should all now be able to plan our lives accordingly knowing what type of development can happen around us.

What is extremely frustrating now is that, having submitted on the AUP with all the work that that involved we as a community are now faced with having to fight once again commercial operators with deep pockets. It's just not fair.

I have noted on the submission form that I will be directly affected so I wish to advise in what way.

## 1. Blasting basalt rock

I live in a concrete block/plaster rendered house. I am concerned that the blasting will damage my house. I know from last time this site was blasted, that those people who did experience damage did not receive any sympathy or adequate compensation so experience tells me it will be no different this time.

## 2. Truck movements to remove blasted rock.

Gillies Avenue is already at chocking point with traffic for large parts of the day. Owens Road is also affected and I often cannot get out of my drive during the worst of it. The truck movements will just make it worse.

## 3. Construction

I have just experienced a development of a similar size close to where I work. That construction was extremely well co-ordinated but we still experienced months of disruption of traffic flows and parking was a nightmare with all the contractors who needed to be on or close to site.

## 4. After Construction

There will be ongoing parking issues as there will just not be enough parking on site to cater for staff, patients, visitors, contractors, delivery trucks etc.

All the above brings me back to my submission that it is not appropriate for a large scale commercial activity (and a Southern Cross Hospital is a commercial activity) to be given approval to operate in a residential area

# Submission no 38

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**From:** Lynn Huhtala <lynn.chris@xtra.co.nz>  
**Sent:** Tuesday, 9 April 2019 5:03 PM  
**To:** Unitary Plan  
**Subject:** Submission re PC21: 3 Brightside Road, 149,151 and 153 Gillies Avenue, Epsom  
**Attachments:** Southern Cross Hospital Submission re PC21.pdf

Good Afternoon,

Please find attached my submission regarding the Southern Cross Hospital application for PC21, regarding 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom.

Could you please acknowledge receipt of this submission?

Thank you,  
Lynn Huhtala  
Mobile: 021-550-510

**Submission on a notified proposal for policy statement or plan change or variation**

Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5



Send your submission to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or post to :

Attn: Planning Technician  
Auckland Council  
Level 24, 135 Albert Street  
Private Bag 92300  
Auckland 1142

For office use only
Submission No:
Receipt Date:

**Submitter details**

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

LYNN MARIE HUHTALA

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

31 GLENFELL PLACE  
EPSOM, AUCKLAND

Telephone:

021 550 510

Fax/Email:

lynn.chris@xtra.co.nz

Contact Person: (Name and designation, if applicable)

**Scope of submission**

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

PC 21

Plan Change/Variation Name

3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

THE PROPOSED PLAN CHANGES IN ITS ENTIRETY

Or

Property Address

Or

Map

Or

Other (specify)

**Submission**

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended

Yes

No

# Submission no 38

The reasons for my views are:

SEE ATTACHED PAGES WITH COMMENTS.

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing

L. Chittala

Signature of Submitter  
(or person authorised to sign on behalf of submitter)

9 APRIL, 2019

Date

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- (a) adversely affects the environment; and
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# Submission no 38

## ATTACHMENT – Reasons for Submission

### 1. I/we oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
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## Submission no 38

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
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- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 38

**Personal Comments by Lynn Huhtala on Proposed Plan Change PC21: 3 Brightside Road, 149,151 and 153 Gillies Avenue, Epsom**

I have lived in the Epsom Eden area for over 10 years. My husband and I live in this area because we love the variety of heritage homes, the trees and the proximity to our local shopping area of Mt Eden Village. This area is a friendly and historical community in the heart of Auckland.

When the Auckland Unitary Plan (AUP) was passed after considerable consultation, I was pleased that this wonderful suburb was designated as residential and that the attributes of our neighbourhood would be protected so that other people could enjoy it in the future.

I am very concerned that a major commercial enterprise such as the proposed Southern Cross Hospital development could come into a residential area that is clearly identified for residential purposes only. The Southern Cross application to change the plan directly challenges this residential area designation and ignores the professional planning and consultation which created the AUP.

If the Southern Cross application is approved, then what is to prevent other residential areas being subject to the same commercial intrusion? Is the AUP not relevant?

Southern Cross could easily locate a new hospital in a commercially zoned area but they have made no effort to pursue this option. Instead they are fixated on their Brightside Hospital location and have stealthily acquired adjacent properties. One wonders if Southern Cross would be so insistent on the Brightside location if competitor Ascot were not located in nearby Mercy Hospital.

The construction of a new Southern Cross Hospital at Brightside would be no ordinary building. A hospital designation for the site would allow Southern Cross to construct a building at least 15 meters high as of right, and potentially up to 25 meters high. Furthermore, the height change would apply to the entire site, including the existing low-level Brightside Hospital. This would be a very large building in anyone's terms.

This is totally unacceptable in a residential area, not to mention a historic neighbourhood with its low-level residences.

The bulk of such a building would be overwhelming and intimidating compared with the scale of the homes in this historic residential neighbourhood. No amount of creative design makes up for the essential truth: this is a disallowed commercial activity in a residentially zoned historic neighbourhood.

Plantings of trees and shrubs as mentioned by Southern Cross are not the answer – trees will not camouflage the potential 25m height. Any trees that exist at the outset of the building could easily be removed at a later date. There are no guarantees that Southern Cross would continue any camouflage landscaping that might be required of it.

The visual report submitted by Southern Cross contains montages which only go to a height of 15M, not to the 25M potential height. This does not represent the true potential visual effect in the neighbourhood.

## Submission no 38

The significant site preparation required for the proposed Southern Cross Hospital would be a major intrusion into the enjoyment of living for the residents and on the ease of travel through the area.

The extremely hard basalt rock on the site would require blasting to remove. How is this to be conducted in a residential area on a site facing onto a major roadway (Gillies Avenue)? The residents face intrusive blasting which they know from the preparation of Brightside Hospital 20 years ago, will involve noise, flying rock and damage to property. Who will be responsible for this and pay for this?

The blasting process requires a stoppage to traffic around the time of the blast (at least 30+ minutes). The traffic chaos that this will cause will be significant. In addition for the vehicular traffic, there is the foot traffic of many of the 2200 girls who attend Epsom Girls Grammar School and foot/bicycle traffic of many of the 2200+ boys from Auckland Grammar School. There are also other schools in the immediate vicinity, such as Kohia Terrace School and Auckland Normal Intermediate School. Many of the students which attend all of these schools are driven to school, which currently creates huge traffic congestion in the mornings and afternoons.

The basalt rock would need to be removed by large trucks. The volume of rock to be removed will require literally thousands of heavy truck movements. Imagine thousands of these truck movements laden with heavy rock in a historic residential area, driving through school children walking to school and on a major vehicular access road (Gillies Avenue). **This is not an experience that any resident of Auckland would expect in a residentially zoned neighbourhood.**

**The site preparation would take several years! This is not a "temporary" event.**

Should the proposed Southern Cross Hospital be constructed, we then would have a large, monolithic building from which business is conducted: this was not planned for in a historic residential neighbourhood (refer AUP).

The traffic and parking impact of a large hospital conducting business in a residential neighbourhood cannot be underestimated. Hundreds of staff will be coming and going at all hours and will require space for parking, as will visitors and patients to the hospital. The hospital parking will inevitably not accommodate everyone. This would result in increased traffic in the residential neighbourhood and increased parking pressures in an already pressured neighbourhood (remember those thousands of students coming and going to school plus commuters using Eden-Epsom as a "park and ride" zone). I can tell you from personal experience that the parking pressures on our street have required us to have cars which are blocking our driveways towed from our street. The proposed hospital will add to these parking pressures. Totally unacceptable.

**I wish to emphatically state that I wish the Southern Cross application for a proposed plan change (PC21) to be denied in its entirety.**

Lynn Huhtala

# Submission no 39

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 8 April 2019 3:31 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Cherie Lovatt  
**Attachments:** ZoneChange\_Technical\_20190408152249.097.pdf; CherieLovatt\_plan change oppostion.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Cherie Lovatt

Organisation name:

Agent's full name:

Email address: lovatt.lovegrove@gmail.com

Contact phone number: 021775143

Postal address:  
8 Liverpool Street  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Oppose the plan change application in its entirety

Property address:

Map or maps:

Other provisions:  
see attached

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
see attached

I or we seek the following decision by council: Decline the plan modification

Submission date: 8 April 2019

# Submission no 39

Supporting documents

ZoneChange\_Technical\_20190408152249.097.pdf

CherieLovatt\_plan change opposition.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 39

## 1. I, Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

## Submission no 39

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
- i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.



## Submission no 39

I oppose the proposed plan change – the site is inappropriate for a busy hospital for many reasons. Firstly I have children that attend school in the area and have genuine concerns for their safety. They walk and bike to school regularly and rock blasting, building and the like will mean heavy machinery is moving in and out of the area on a daily basis for many years which puts children at risk.

The area around Owens Rd/Gillies Avenue is already very busy with traffic and parking congestion and the construction of a new hospital would make this worse. I understand that the proposed excavation and building process would be around 5 years. 2-3 years of this timeframe is due to the requirements of the underground car park, which will require 2-3 years of solid basalt rock blasting. I don't understand how Southern Cross, given this factor alone, can consider the site suitable?

Also our family dentist, Doctor and other amenities are in and around the local area where we live. Getting to them through the existing traffic can be difficult and the proposed hospital works would make this even harder. It is a residential area and should remain that way.

The noise and vibration that the greater community will suffer is unacceptable and would not be necessary on a suitable site. Choosing a suitable location in the correct zone under the unitary plan would speed the process build up and incur fewer costs, which must make alternative sites more viable for Southern Cross? In the proposed location it totally ignores the 'liveable communities' ethos of the unitary plan. The plan change should not be possible just because it is a commercial organisation with more spending power than the residents of the local area.

# Submission no 40

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 10:31 AM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Digby Draper

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Digby Draper

Organisation name:

Agent's full name:

Email address: digbydraperdd@gmail.com

Contact phone number: 021 799999

Postal address:  
PO Box 29017  
Auckland 1344  
Epsom  
Auckland 1344

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Property address: 3 Brightside Road, 149, 151, and 153 Gillies Ave, Epsom

Map or maps:

Other provisions:  
Establishment of a hospital

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I wish to decline it in its entirety as indicated.

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 40

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 41

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 1:31 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Jan Hughes

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Jan Hughes

Organisation name:

Agent's full name:

Email address: trevorjanhughes@gmail.com

Contact phone number: 0210484563

Postal address:  
17 Albury Avenue  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:  
The entire plan change

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
See attachments

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 41

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? No

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

No

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 42

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 10:01 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Heather Golder  
**Attachments:** Brightside Road submission.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Heather Golder

Organisation name:

Agent's full name: Heather Golder

Email address: hgolder@xtra.co.nz

Contact phone number: 09 630 6525

Postal address:  
45 St Leonards Road  
Mt Eden  
Auckland 1024

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
PC 21

Property address: 3 Brightside Road and 149, 151 and 153 Gillies Avenue, Epsom

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I do not want the provisions amended because I want them declined in total. Please refer to my supporting document.

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 42

Supporting documents  
Brightside Road submission.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 42

## **1. Importance of the AUP objectives and Policies on Urban Growth and Built Heritage and Character**

We think this proposal conflicts with the following aspects of the AUP and we call on the Auckland Council to pay greater attention to these:

Urban Growth

B2.2. Urban growth and form

B2.2.2 Policies

(g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;

B2.4. Residential growth

B2.4.2 Policies

Residential intensification

(4) Provide for lower residential intensity in areas:

(d) where there is a suburban area with an existing neighbourhood character.

(10) Require non-residential activities to be of a scale and form that are in keeping with the existing and planned built character of the area.

### **Built heritage and character**

Designs by man have links with nature

B5.1. Issues

(1) Auckland's distinctive historic heritage is integral to the region's identity and important for economic, social, and cultural wellbeing.

(2) Historic heritage needs active stewardship to protect it from inappropriate subdivision, use and development.

(3) Areas with special character should be identified so their particular values can be maintained and enhanced.

B5.3. Special character

B5.3.1. Objectives

(1) Historic heritage values of identified special character areas are protected from inappropriate subdivision, use and development.

(2) The character and amenity values of identified special character areas are maintained and enhanced.



# Submission no 42

## 2. Personal comments about the proposed plan change

1. I have lived in Eden Epsom for the last 22 years.
2. I was originally drawn to the area because of the many trees and extensive gardens characterising the area and I think it is important that a central city suburb retains its green space. In my view, this is one of the major factors that makes Auckland a “liveable city”.
3. Council’s main job is to uphold the residential zoning of the former District Plan and the provisions of the newly implemented Auckland Unitary Plan. I feel strongly that residents are entitled to rely on the residential zonings to protect the environment we expect in such areas. Why have plans if they are going to be ignored?
4. I know that the current hospital was only granted discretionary consent for limited activity (in recognition of the area as a character residential neighbourhood). This does not change my view in the least.
5. I have read the material presented by Southern Cross in their application and I do not agree with it. The proposed plan change represents a significant and unjustified departure from the high level objectives of the AUP. The zone would permit building that is wholly not in keeping with the residential character of this area.
6. The grant of Southern Cross’s plan change request would create a very dangerous precedent throughout Auckland.
7. The residential site is not suitable for a major hospital and could readily be established in areas that are appropriately zoned for this sort of activity under the AUP.
8. I support the submission of the Eden Epsom Residential Protection Society in its opposition to this plan change proposal.
9. Myself and members of my family drive through this area many times a day, and we do not want to be exposed to possible risk given the extent of blasting work that will occur. I also have a son who attends Auckland Grammar School and passes by the area on foot twice a day, and given the huge number of school students who do pass the area twice a day, it is a risk that is not justified.

# Submission no 43

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 2:16 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Jennifer Lim  
**Attachments:** Technical submission ideas \_20190409141106.579.pdf; Jans SCHL submission.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Jennifer Lim

Organisation name: N/A

Agent's full name: N/A

Email address: janlim1979@gmail.com

Contact phone number: 027 666 2100

Postal address:  
1/15 Shipherds Ave  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:  
The Entire Plan Change

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
see attachments

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 43

Supporting documents

Technical submission ideas \_20190409141106.579.pdf

Jans SCHL submission.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 43

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and

# Submission no 43

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 43

Reasons against construction of hospital.

1. It does not comply with Unitary Plan which is a residential "heritage" area. The building will be totally out of character in regards to it's modern architecture as well as the fact it will be 5 storeys high. A commercial business operating 24/7 definitely does not fit into a residential area.
2. The increased traffic is a major concern. We have some quite a few schools within this vicinity, some of which are huge ie Auckland Boys Grammar, Epsom Girls, St Peters, Diocesan School, Kohia Terrace, Auckland Intermediate to name some. This will impact immensely on the safety of the children as well as exacerbate traffic on major roads that are already congested. People already use Brightside (which has a bend which almost everyone cuts) as a detour to avoid traffic. Even now when we go to work the traffic heading for the motorway queues right down to and past Owens Road/Gillies Avenue intersection let alone having hospital entrances on Gillies Avenue.
3. Increased Brightside Hospital staff parking on the residential streets. Brightside Hospital staff are already parking on Shiphers Avenue/Brightside everyday. Imagine the number of staff in a 5 storey hospital.
4. I understand that there could be possibly be 2-3 years of blasting. When the current Brightside Hospital was built they had to close the roads off when blasting occurred. Not only does it disrupt traffic but there is also the safety aspect of the public - mainly the thousands of students. Blasting also caused damage to houses.
5. With the new massive new Westfield due for completion this year that would definitely create more traffic in the vicinity.
6. We have a housing shortage in Auckland and yet a corporation like Southern Cross has bought more residential houses in the area to knock them down.
7. We already have great existing hospitals in the area ie Mercy and Ascot. Surely there would be a more suitable site for Southern Cross to build not right in middle of a well established family residential area.

# Submission no 44

---

**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 5:31 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - John William STEWART  
**Attachments:** technical-submission-ideas (4).pdf; Eden Epsom submission\_20190409171348.867.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: John William STEWART

Organisation name:

Agent's full name:

Email address: johnwstewart@xtra.co.nz

Contact phone number: 021 770 271

Postal address:  
5 Omana Avenue  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
The proposal in its entirety.

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I oppose the Private Plan Change PC21 in full. Please refer to my attachments.

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 44

Supporting documents  
technical-submission-ideas (4).pdf  
Eden Epsom submission\_20190409171348.867.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 44

## ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
  - (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
  - (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
  - (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
  - (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
  - (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
  - (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
  - (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and

# Submission no 44

purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 44

1

**Addendum to submission by John William Stewart**

**Mobile number 021 770 271**

**Address: 5 Omana Ave, Epsom, Auckland**

**I OPPOSE THE PRIVATE PLAN CHANGE PC 21 IN FULL**

SUBMISSION IN OPPOSITION TO PLAN CHANGE 21

I have lived in this area of Epsom for 40 years. It is notable for the number and quality of heritage and period homes and for the flora, fauna and native and exotic trees throughout the suburb. Epsom was settled early in Auckland's development and many of the original homes have been preserved and maintained giving the suburb the particular ambience that has been recognised in the Unitary Plan.

There are three heritage homes on the subject site which will be lost in an area which is known and cherished for its character homes and gardens. The Unitary Plan recognised the unique residential qualities of Epsom and was careful to preserve those qualities by the residential zoning throughout the suburb.

I am very concerned that the application for a plan change is made in respect of a major commercial development, measured by any criteria, in a long established residential area which was recognised and zoned as such in the Unitary Plan.

SCHL has owned and operated the existing hospital facilities for many years. One has to question why it did not submit to the Council in the Unitary Plan process and why it now expects to be granted a plan change which is completely contrary to the zoning provided for in the Unitary Plan. The granting of such a plan change would be totally to the advantage of SCHL and completely contrary and detrimental to the interests of local residents and the wider community.

Granting the Plan Change would permit buildings of very significant and disproportionate bulk and scale of up to 25 meters in height and this within an existing residential area with height limits of 8 meters.

A building of these dimensions would constitute a visual intrusion of unacceptable bulk and create privacy issues across a large area of low profile residential homes.

I disagree strongly with the statement at paragraph 4.8 of the SFH Consultants Limited report filed with the application, that:

*While development enabled under the SPHZ exceeds the height and intensity anticipated in the existing residential zones , in terms of the visual bulk and massing, the height, bulk and form within the context of the existing vegetated environs and mitigating effects resulting from them, will maintain and be generally in keeping with the character and amenity values of the surrounding residential neighbourhood.*

It is my strongly expressed view that this statement is not in accord with the reality of the proposed building and that to suggest that the vegetation, trees and rock walls will somehow mitigate what is proposed by the plan change is a self serving statement that fails to put the intended building in perspective and acknowledge its real impact on an area of special residential character.

## EXCAVATION

I understand that SCHL propose to provide parking for the development by the excavation of the subject site to a depth of seven meters. As is the case with much of the Eden Epsom area the ground is predominantly volcanic lava rock which is resistant to normal excavation methods and will need a major blasting program over a prolonged period to achieve the planned objective.

I understand that the proposed excavation is likely to take in excess of two years. This will result in a totally unacceptable legal nuisance to surrounding property owners and to the wider community as this intrusive process proceeds. I further understand that the removal of the resulting debris will involve thousands of heavy vehicle movements and this within meters of the exceptionally busy intersection of Gillies Avenue and Owens Road.

I believe that the blasting will involve having to divert traffic from the surrounding roads for periods at and prior to each blasting event. This would cause unacceptable disruption to traffic on Gillies Avenue which is a main transport artery for the Auckland region.

## TRAFFIC

Traffic concerns are twofold. Firstly the construction traffic. I have mentioned the heavy vehicle movements which will be generated by the removal of the excavation spoil. In addition there will be the further traffic on and offsite to transport building materials and products, concrete and machinery. Again, all this within a short distance of the Gillies Avenue, Owens Road intersection.

Secondly, once the site is developed there is the traffic that will be generated by the working hospital. This will include hospital workers, doctors, and other medical personnel, patients and

# Submission no 44

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visitors to the site. Brightside Road is a quiet residential street which is not suitable for further traffic such as would be generated by the planned development.

Gillies Avenue is one of the busiest arterial roads in the central Auckland region. It is a major thoroughfare to and from the City and the Auckland suburbs to the south and west of the city. Any activity which would impact on the traffic flows so close to the major intersection with Owens Road would cause unacceptable disruption to the orderly flow of traffic on this important regional road.

Flow Transportation Specialists observes in its Executive Summary that:

*".....potential traffic effects of any future development under the Special Purposes - Healthcare Facilities and Hospital Zone, can be managed appropriately with the identified planning controls.....and mitigation measures can be imposed as a condition of consent.*

The summary then states that measures could include a Staff Travel Plan to encourage Hospital Staff to travel by more sustainable travel modes.

Of itself this statement acknowledges that there will be issues and then suggests that they can be dealt with by encouraging staff to act in ways which may not be in their own interests. These types of conditions may be fine in theory but are seen as impractical and impossible to enforce. Simply put, they are not practical and no answer to the very real traffic issues that are raised by this Plan Change application.

I find it difficult to comprehend that a traffic planning specialist can conclude, on the evidence available, that the traffic affects of the Plan Change are no more than minor and are considered acceptable.

## GENERAL

Having perused the reports submitted by the SCHL Consultants I am left with the opinion that many of the observations are self serving and trite and do little to analyse the real issues raised by the Plan Change application in an objective manner. I do not accept that the Plan Change proposal is of a minor nature. In my opinion it is a serious intrusion into the very basis of the Unitary Plan and should be rejected in its entirety.

## ALTERNATIVE

I would question what alternative sites have been considered by SCHL for the development of further hospital facilities. The Unitary Plan provides for hospital zones in various parts of Auckland and one would have thought that SCHL would have made a thorough investigation of those areas before attempting to proceed with a Plan Change in a dedicated long established residential area.

## CONCLUSION

In my opinion, the change to the Unitary Plan sought by SCHL is inappropriate and beyond the scope of acceptable planning principles. To permit the Plan Change sought would be to make an unacceptable exemption to the Unitary Plan and result in a serious and unwarranted invasion of the public's right to rely on the protections embodied in the Unitary Plan.

# Submission no 45

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 9:01 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Michelle Adams  
**Attachments:** MA submission.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Michelle Adams

Organisation name:

Agent's full name:

Email address: m.adams@auckland.ac.nz

Contact phone number: 021 2304923

Postal address:  
6 Brightside Rd  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
The plan change in its entirety

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I want it opposed in full. Please see my attached documentation

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 45

Supporting documents  
MA submission.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 45

Michelle Adams  
6 Brightside Road  
Auckland  
1023

I oppose in full the plan change PC 21 notified on the 21<sup>st</sup> of March 2019

I would like to detail my personal objections.

- 1 Fundamental to my opposition is the incongruity of the proposal with the Auckland Unitary Plan which is a vital document to allow us to build a cohesive vibrant city with employment opportunities and high-quality living in safe communities. When I say *safe* I don't just mean personal physical safety though this is important. There are many other aspects to safety which include but are not limited to regulatory safety, financial safety psychological safety and cultural safety. The granting of this application will challenge our community on many of these levels.
- 2 I first moved to the area in 1987 and have permanently resided here since 1996. My sons have all attended local schools and my youngest is currently still a student at Auckland Boys Grammar. My husband and I bought and developed our current property with particular attention to the surrounding neighbourhood. We relied on the former district plan and the current Auckland Unitary Plan to give us the confidence to take on significant financial risk to do this. Overturning these planning regulations will severely undermine our financial security. There are many people in this situation.
- 3 As a direct neighbour of Brightside hospital, I experience on a daily basis the impact of living beside a commercial property.  
Examples of this are -
  - various delivery/rubbish trucks accessing the property, complete with disruptive reversing warning beeps. Often, they idle curb side whilst making a delivery
  - visitors to our home are unable to find a park anywhere around the block as they are taken up by some hospital personnel.
  - Some personnel at the hospital are collected by car at the end of a shift. It is not uncommon to have several cars parked along the yellow lines and across our road entrances as they wait. Just this week I found a gentleman asleep at the driver's wheel of his car which was parked in our drive way and I had to wake him up to enter my property. He said he was waiting for his wife to finish her shift.
  - On occasion those people waiting in the late evening will get out of their cars and converse in groups (usually men). Their voices travel and when I am alone in the house I am conscious of rechecking my security.
  - Sometimes the basketball hoop attached to our stepped back garage (inside our property) is used by those waiting to collect hospital personnel

# Submission no 45

- Often the morning visiting medical staff will park outside our house (in preference to parking onsite), on the yellow lines whilst they make a short visit to the hospital.
- The hospital lights remain on 24/7. This light spill has necessitated increased curtaining in the bedrooms facing the hospital.

These daily occurrences are not what I expect to enjoy as part of a community. There is a lack of respect for the residential nature of the area and insidious erosion of my neighbourhood which we are expected to accommodate because of the nature of the existing intrusion. This would not be tolerated in similarly zoned community. A commercial enterprise in our midst is incongruent with a thriving liveable community. Any expansion will only further exacerbate this.

- 4 The physical safety of the neighbourhood is being challenged. There is significant risk during any construction phase. We have been shown indicative plans which have been assessed by a qualified and respected geologist (Mr Stuart Rabone) which estimate excavation of 40, 000 tonnes of basalt. This will require blasting and/or rock breaking over several years and associated truck movements that have been estimated to be in excess of 9000.

The previous smaller excavation in 1998 took at least 18 months and you will have been made aware in other submissions of damage and danger from 'fly rock' that was thought to be mitigatable but transpired wasn't. You will have also been made aware of the 1000's of school children that walk, cycle and now scooter these this area who will have to negotiate risk from the reported excavation, construction traffic, road closure and increased congestion. The location couldn't be more central to this activity.

- 5 There are also very real psychological risks particularly from the excavation phase but also beyond. Vulnerable residents include a wide range of people including those at close quarters whether owner occupier or tenants, the elderly and the young, particularly those that are confined to home for long periods. The risk is not just to immediate residents though but again the huge population of school students who traverse the area are at real risk during what are formative years. It is entirely plausible that study and examinations are affected to the extent that future opportunities are reduced. This area is an engine room of education and aspiration.
- 6 I don't believe a construction phase requiring the level of 'quarrying' indicated can be considered temporary particularly as the physical and psychological effects can be long lasting. It should not be considered transient and mitigatable. It is well known to local residents that the property opposite the previous excavation in 1998 suffered cracks and roofing damage which was never finally admitted to by the construction company (8 Brightside Road). Over the last few years an extensive renovation has revealed the extent of this damage. Equally, you don't need any more evidence that the psychological impact is lasting than

# Submission no 45

the content of the submissions you will receive from residents that were present during the last building phase.

Examples of the potential impact of noise/disruption during the lengthy building process for me are –

- a. My freedom to enter and leave my property at will during blasting or when trucks are onsite to collect rocks or deliver building supplies.
  - b. The impact on my mental health by living beside a commercial building site, that I did not choose to live beside and which will go on for an extensive period. I have previously experienced living beside a residential property that was developed over 2 years. The ongoing disruption caused by contractors and subcontractors through vehicle movements, onsite noise activity and a general disregard for neighbouring properties became increasingly distressing and difficult to tolerate. The proposed building will be far in excess of this. The unitary plan is meant to give confidence as to what developments are likely occur in your community.
  - c. The traffic congestion which will impact my ability to leave and enter my property. I regularly work from home and require a quiet environment to concentrate.
  - d. Our children have significant exams during the year and are often at home for the purpose of study. Their ability to focus will be impacted.
  - e. Our basketball hoop is used regularly by our children and their friends during study breaks both for social and physical exercise purposes. Any infringement on this activity is not in keeping with encouraging our youth towards mental and physical health.
- 7 Cultural safety is relevant to us all, it is more than ever in the forefront of decision making. We have a duty to protect our own culture and our heritage for ourselves and our future 'selves'. The Auckland Unitary Plan recognises this and includes it in its high-level objectives. This application is a full assault on our cultural safety. It is diametrically opposite to the tenants of the AUP and is reflective of an applicant who disregards the basis on which the plan was promulgated. The proposal should be declined on this basis alone.

Points to note here include-

- We have a large puriri tree in our garden (protected by the highest Council order). Native birds frequent it. They regularly fly between a nearby Totara tree in Shipherds Ave and the Queensland Kauri on Owens road. Additionally, this year for the first time we have had a Tui nesting in a tree on the berm immediately adjacent to our garage. The disruption and noise of building and blasting will undoubtedly negatively impact the bird life.
- 8 The Eden Epsom residential Protection Society has employed expert help in enabling residents to oppose this proposal. I am fortunate to be party to this assistance. The following details objections on the basis of the objectives and policies of the Auckland Unitary Plan which I support in full

# Submission no 45

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of

# Submission no 45

low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

## Submission no 45

Brightside hospital already presents a challenge to our community. Please listen to our concerns. They are not presented idly. The character of this community has been recognised as having huge importance to Auckland. Please protect our past and our future. The community believe the original consent granted to develop Brightside hospital was a mistake, please don't compound this by granting an extension to this activity.

Thank you.

# Submission no 46

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 8:46 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Philip Chong  
**Attachments:** Southern Cross1.pdf; Southern Cross.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Philip Chong

Organisation name:

Agent's full name: Virginia Chong

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Contact phone number: 0274982726

Postal address:  
29 Shipherds Avenue  
Epsom  
Auckland 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:  
The entire Plan Change

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
See Attachment

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

# Submission no 46

Supporting documents  
Southern Cross1.pdf  
Southern Cross.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.



# Submission no 46

## ATTACHMENT -- Reasons for Submission

### 1. I/we oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.



## Submission no 46

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 46

## **ATTACHMENT-Reasons for Submission.**

The present building was constructed with strict limitations as to the supply of parking and to its size and surroundings under the old district plan.

The new district plan has now come into force and has designated this area as a heritage area. Southern Cross belonging to this area had the opportunity to make submissions to this unitary plan in its planning stages in case it wanted to expand on the present activities. For whatever reason it chose not to do so.

I would like it investigated and answered whether Southern Cross purchased any of the properties 149, 151, and 153 Gillies Avenue BEFORE the new unitary plan became final. If so their intentions to not reveal their intentions to expand before they acquired all the properties was deliberate and underhanded.

I have heard that a large building has been or about to be constructed in Bracken Avenue, Epsom much against the will of the surrounding neighbours. When the neighbours objected to the Council they were told that the building complied with the current town plan and so there was nothing they could do about it.

If the area in which the current Brightside hospital exists along with the properties it has now purchased has been designated a Heritage area after public consultations and submissions, in the new district plan THIS AREA SHOULD REMAIN SO. The law applies in BOTH directions.

During the building of the current Brightside Hospital, despite inspections done by Tonkin and Taylor of the surrounding buildings, damage occurred to surrounding dwellings and Brightside Hospital; and its consultants blamed it on the weather pattern. How is it that there was no damage for decades and by some coincidence occurred after the blasting was carried out. Down the road is Epsom Girls Grammar School with its newly constructed brick walls facing Gillies Avenue. If blasting vibrations were to be on the same vein of rock as these buildings cracks could occur disrupting a major learning institution.

There has been no study and in fact no mention to the inconvenience to the ingress and egress inconvenience to the residents of Shiphers Avenue. Prior to the latest Brightside Hospital being built this was a moderately quiet street but is now fully parked out. I have also noted that pupils sometimes bring cars to school for whatever reason. The staff and the patients and visitors should not be allowed to monopolise all the surrounding parking areas all day every day. My inspections of the surrounding streets which I have also photographed show spaces in between the parked cars. These spaces in the photograph are there because of driveway and no parking yellow lines. If the yellow lines were removed the parking in the pictures would be more intensive.

Southern Cross Hospital have mentioned the various facilities that now exist in the area.

Such as all the schools in the area. These are required for the education of the surrounding residential population. These buildings have been present in the area for a LONG time and as such using this argument to justify the building of such a large building is not a valid argument.

Southern Cross is a commercial organisation serving the New Zealand and can be seen to be a commercial enterprise which can be located anywhere on commercial land where the area is better suited for a building of this size and for their proposed traffic movements and requirements.

Noise pollution is also a factor with the hum of the air conditioning. Deliveries by trucks late at night and in the early hours of the morning with associated "beeping" when they are in reverse gear is also a noise factor.

The argument to reduce the amount of traffic and parking generated by the hospital staff by encouraging them to use public transport is a VERY weak argument. The hospital does NOT have any control over their staff's use of private vehicles.

# Submission no 46

Assessment Methodology. No mention has been made of the intersection with Brightside Road and Shiphers Avenue.

Mention has been made of the traffic flows along Owens Road, Brightside Road and Gillies Avenue. No mention has been made about the disruption that will ensue with the large amount amount of truck movements on traffic flow. Also when blasting occurs, traffic flow is also disruptive. This should NOT be allowed in a Residential Heritage area.

I would also like to point out about the visual impact on the area.

In the montage where the new structure is supposed to occupy, shows it as 16metres in height. I believe if this area is rezoned for hospital use then that will allow them to develop up to 25metres in height. Who is to say that although Southern cross Hospitals are at present mentioning 16 metres in height will not even develop higher in the future. No montage has been demonstrated for this height. Also it would be very helpful to show the impact of the blockage of the sunlight and the subsequent increase in shadowing at various times of the day at 16 and 25 metres in height.

Southern Cross Hospitals are using the Mercy Hospital as an example of why they should be allowed to develop their present height further. The Mercy Hospital has been there for a very long time. The new unitary plan was developed to prevent further intensification of the area and ruining the Heritage visual effect. Giving Southern Cross Hospital permission to intensify on these arguments will be an open door for Southern Cross Hospital and other organisations to similarly develop making a mockery of the new Unitary plan.

## Philip Chong

Philip Chong  
29 Shiphers Avenue,  
Epsom,  
Auckland 1023  
New Zealand

Email Philip.chong29@gmail.com

Phone (9) 630-6641 0274982726

# Submission no 47

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Monday, 8 April 2019 8:31 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Tobias Lorimer  
**Attachments:** submission TL.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Tobias Lorimer

Organisation name:

Agent's full name:

Email address: tobiaslorimer@gmail.com

Contact phone number:

Postal address:  
6 Brightside Road  
Epsom  
Auckland 1023

## Submission details

**This is a submission to:**

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

**My submission relates to**

Rule or rules:  
The plan in full

Property address:

Map or maps:

Other provisions:

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:  
I wish to oppose the plan in its entirety. Please see my attachment

I or we seek the following decision by council: Decline the plan modification

Submission date: 8 April 2019

# Submission no 47

Supporting documents  
submission TL.pdf

## **Attend a hearing**

Do you wish to be heard in support of your submission? No

## **Declaration**

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 47

Tobias Lorimer  
6 Brightside Road  
Epsom  
1023

I fully oppose the plan change, PC 21, notified on 21/3/19

1. I have been a resident of Mount Eden and Epsom all my life. I started my schooling at Mount Eden Normal School and finished at Auckland Grammar School, I am now a student in my 4th year at Auckland University and live at 6 Brightside Road, Epsom. I have walked and cycled to school through Mount Eden and Epsom the whole of my academic life.
2. The local schools themselves have been my extended community in my growing years including academic, sporting and cultural. Their environment and that of the area is of a rich residential and family neighbourhood. The '*walk*' to school has been the beginning and end of my day and a huge part of my social learning. It is anticipatory during the morning and reflective in the afternoon. It has been 'informed' by the environment that I have been privileged to enjoy. That is open, safe and residential in nature. I have recently learnt through reading about this threat that the area was planted out by the Owens family and the Gillies family in the late 1800's and the uniqueness of this has been further recognised by the Council as having a distinct pattern with linked pockets designated a Significant Ecological Areas (SEA). The protection of this spaciousness matters to me.
3. I knew little of the Auckland Unitary Plan (AUP) while it was being formed but I have learnt much in the last year. I am grateful that the consensus it represents has given protection to the Eden Epsom residential zones and my submission here is that it must be defended at all cost to preserve the way of life so cherished. This is not an area for commercial scale development. I have attached my objections on the basis of the AUP below.
4. I am told by long standing neighbours that the last project at 3 Brightside Road required explosives for 2 years. The new site is even more likely to cause safety risks to the school and university community who regularly traverse these streets because it is closer to the route students take and to Gillies Avenue. Also, the disruption to multiple schools in terms of education, exam timetables and study that a blasting schedule that I am told might exceed two years to me is extremely distressing. I cannot imagine how I would have studied through this and I would be extremely distressed if this had altered my future choices in life through disturbed schooling.
5. I remained concerned as I am still directly affected. I am due to progress to Masters study and will be resident in 6 Brightside Road during their time with much of my work taking place from home. The effects of a 3-5 year building phase especially if

# Submission no 47

there is rock breaking are unimaginable and I don't think realistic to live through. This will not just affect my study and that of other students but many other residents who rely on the expectation that commercial buildings will not be erected in their neighbourhood e.g. mothers with small babies and children, shift workers who need to sleep in the day, retired citizens who reside at home through the working week. Residents rely on Council zoning when they make choices about where they live and the current zoning should be upheld.

6. The fact that the company applying to overturn the zone own hospital facilities seems irrelevant to me, I doubt any other commercial business of which this is just one example, would even attempt this application. In fact, if you take the emotion out of the proposal by removing the words 'health' and 'hospital' then we wouldn't even be where we are, it would be dead in the water. This should be seen as commercial aspiration not a public health initiative.
7. A private hospital doesn't add to my community; I would have no access in the event of emergency and have no private healthcare so it is a closed shop. I would still go to Auckland Hospital which is only 12 minutes away by bike or about 6 minutes in a car. Less in an ambulance.
8. I have looked at the reports that try to justify the application. Ernst Young make the point for Southern Cross that they need to provide cover for Aucklanders in the central Auckland area in their report commissioned by Southern Cross partly from an equity of access. They already have sites in central Auckland and there is a large private hospital on Mountain Road less than a kilometer away (Mercy Hospital). If they were genuinely concerned about equity of access they would build in West Auckland where there are no significant private facilities. We don't build public hospitals within 800m of each other so I question the equity of access argument, this looks much more like commercial competition.
9. The properties at 151 and 153 have demolition orders protecting them but I would also like to make an appeal on the demolition of 149 Gillies Avenue. In the midst of a housing crisis it seems counter intuitive to knock down a residence where about 40 people live, some who have been there for >5 years when residential land is a scarce resource. Hospitals on the other hand can be built in areas not suitable for residential development and which is provided for in the AUP.
10. I am aware and have read the submission of the Eden Epsom Residential Protection Society which I fully support. I am also party to the technical opposition relating to the AUP plan which I attach and support.

Please record my submission as in full opposition to the proposed plan change, with preservation of the residential properties 149, 151 and 153 Gillies Avenue.



# Submission no 47

Opposition on basis of the objectives of the AUP.

**1. I oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay

## Submission no 47

which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.

- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.
- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iv. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.

# Submission no 48

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**From:** UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz  
**Sent:** Tuesday, 9 April 2019 11:16 PM  
**To:** Unitary Plan  
**Subject:** Unitary Plan Publicly Notified Submission - Plan change 21 - Vanita Mani Dutt  
**Attachments:** Technical submission ideas \_20190409230222.535.pdf

The following customer has submitted a Unitary Plan online submission.

## Contact details

Full name of submitter: Vanita Mani Dutt

Organisation name:

Agent's full name:

Email address: vanitamd@gmail.com

Contact phone number: 0211186949

Postal address:  
20 Epsom Ave  
Epsom  
Epsom 1023

## Submission details

### This is a submission to:

Plan modification number: Plan change 21

Plan modification name: PC 21 (Private): 3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom

### My submission relates to

Rule or rules:  
Plan change 21

Property address: 3 Brightside Road, 149, 151 and 153 Gillies Avenue Epsom

Map or maps: The Entire Plan Change

### Other provisions:

My concerns for this development are: I have enjoyed living in this quiet residential area, with many Public Amenities for 30 plus years, and would like to continue to live here with my sons and their families for many more. I can only do this if the area remains residential. We need more homes not businesses in this area. We have many schools and many families wishing to live here. This is an established residential suburb that remained so, under the unitary plan changes. Southern Cross had the opportunity to make submissions before the unitary plans were finalized. They did not do so. Therefore they should plan their development in a commercial zoned area. This is a private not public venture. A private 24/7 hour hospital is not in the public interest! The proposal to remove special character homes is not a consented activity. Increasing traffic is a huge concern. Our roads are already busy with motorway and school traffic. GILLIES Ave would be one of the busiest roads in Auckland. Peak hours there are queues on many nearby roads. I can only envision chaos if development goes ahead. Everyone who uses Gillies Ave on a daily basis will be affected in some way. The size and position of the proposed buildings will not blend in with the surrounding landscape. A visual intrusion to nearby homes and their privacy. Regards Vanita Dutt 20 Epsom Avenue Epsom Ak 1023 Also See Attachment - Technical Submission

# Submission no 48

Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I wish to decline the application in its entirety as indicated.

I or we seek the following decision by council: Decline the plan modification

Submission date: 9 April 2019

Supporting documents

Technical submission ideas \_20190409230222.535.pdf

## Attend a hearing

Do you wish to be heard in support of your submission? Yes

Would you consider presenting a joint case at a hearing if others have made a similar submission? Yes

## Declaration

Could you gain an advantage in trade competition through this submission? No

Are you directly affected by an effect of the subject matter of this submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

Yes

I accept by taking part in this public submission process that my submission (including personal details, names and addresses) will be made public.

# Submission no 48

## ATTACHMENT -- Reasons for Submission

### 1. I/we oppose Proposed Plan Change 21 (PC 21-private) for the following reasons:

- (a) The proposed plan change has failed to implement the basic direction, objectives and policies of the Auckland Regional Policy Statement (RPS) set out in Chapters B1 & B2. In particular the plan change has undermined the relationship within the intended compact urban form of Auckland between residential, historic, heritage and special character protection and urban intensification development initiatives as outlined in the RPS.
- (b) While medical facilities are recognised as part of the social infrastructure of Auckland, their location relies on following the spatial objectives of the Special Purpose-Healthcare Facility and Hospital Zone. The subject site does not achieve those objectives or policies.
- (c) The Special Purpose – Healthcare Facility and Hospital Zone (the “Hospital Zone”) is inappropriate for the subject sites because the sites and their locality do not meet the zone description, objectives or policies found in Chapter H25.1, .2 or .3. Overall the location and scale of the built outcome derived from PC21 undermines the integrity of the Hospital Zone.
- (d) The subject site lies within an established area of residential zoned land with the Gillies Ave part of the site covered by an overlay which seeks to retain and manage the special character values of this part of Epsom, integrated as it is with the eastern side of Mt Eden. The purpose of the overlay is described in Chapter D18 of the AUP. PC 21 undermines the integrity of the Special Character Overlay by introducing a land use which is contrary in all respects to the heritage and special character purpose of the overlay.
- (e) PC 21 has potential adverse effects on neighbouring properties and the locality arising from the potential intensity of development, the incompatibility of built form relationships contemplated by PC 21, the proposed reduction in required parking for the private hospital and the requirement for blasting to achieve underground parking. Together, these actual and cumulative adverse effects confirm that the locality of PC 21 is unsuitable.
- (f) Adverse effects from PC 21 also include the undermining and degradation of the residential and character heritage environment of the subject site and its vicinity as well as the urban amenity considered and protected by the integration of the Single House Zone and the Special Character Overlay in this location.
- (g) The urban form depicted by the operative land use zone pattern covering the subject site and the surrounding neighbourhood firmly indicates the intention of low scale residential development consistent with the Special Character Overlay which covers part of the subject site and the neighbourhood. PC 21 is contrary to the integrity and purpose of the operative land use pattern and urban design outcomes represented by the operative land use zones.
- (h) PC 21 incorporates three special character residential buildings which front Gillies Avenue. These dwellings are included for the purpose of demolition and removal to allow the expansion of the private hospital facilities. The loss of these special character dwellings is inconsistent with the purpose of the Special Character Overlay specifically placed over this part of Gillies Avenue and the adjoining hinterland to the west for the

# Submission no 48

purpose of heritage protection imposed through the RPS and implemented through the Special Character area provisions of the AUP district plan provisions.

- (i) PC 21 has failed to protect the substantial trees over the subject area which contribute important landscape and vegetation amenity to the neighbourhood and is recognized in the Special Character Overlay.
  
- (j) Overall, PC21 has failed to provide the necessary justification required under s.32 of the Act to create the extent of change and modification to the operative planning provisions covering the subject area and the adjoining neighbourhood. In particular –
  - i. the evaluation of the objectives of PC 21 to achieve the purpose of the Act is inadequate,
  - ii. the appropriateness of PC 21 to achieve the relevant objectives having examined alternatives, assessed the efficiency and effectiveness of the proposal to achieve those objectives is not provided , and
  - iii. the summary of the reasons for deciding on PC 21 as the correct course of action does not follow the instruction of s32 RMA, and
  - iiii. it has not been demonstrated that the objectives of the applicant cannot be met in appropriately zoned areas of the City.
  
- (k) The serious failure to address the requirements of s.32 RMA has fundamentally flawed the ability for PC 21 to be considered and assessed under the Act.
  
- (l) Accordingly, the failure to meet the requirements of s.32 RMA confirms that PC 21 is contrary to the purpose of the Act as set out in Part 2, in particular, it does not provide for the sustainable management of the urban environment of the subject site and the neighbourhood required by s5 RMA. For these reasons PC 21 fails to meet the purpose of the Act and accordingly cannot proceed.