

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

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



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

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

For office use only
Submission No:
Receipt Date: 16 April 2019

(Sophia Coulter)

Submitter details

Full Name or Name of Agent (if applicable)

~~Mr/Mrs/Miss/Ms (Full Name)~~ Alexander
Mr. Victor Rabone

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

Address for service of Submitter

P.O. Box 99732 Newmarket Auckland 1149

Telephone: 09 623 6680

Email: bhgc@extra.co.nz

Contact Person: (Name and designation, if applicable)

bravo hotel golf charlie

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 also threatens 36 Owens Rd, Epsom.

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 72

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

Victor Rabone

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

Date

16/4/2019

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 72

bhgc@xtra.co.nz

From: <bhgc@xtra.co.nz>
Date: Tuesday, 16 April 2019 1:22 p.m.
To: <bhgc@xtra.co.nz>
Subject: Re: Southern Cross Submission V. Rabone

From: bhgc@xtra.co.nz
Sent: Tuesday, April 16, 2019 1:14 PM
To: bhgc@xtra.co.nz
Subject: Re: Southern Cross Submission V. Rabone

Submission on Southern Cross Application Plan Change 21

Victor Rabone

16th April 2019

I am a Geotechnical Engineer (BE Civil, GIPENZ, NZGS, B Grade Tunnel Manager, Site Senior Executive, Controlled Substance Licence holder for types 1.1A and 1.1D Hazardous materials, Approved Handler of Class 1.1A and 1.1D) that has worked in the mining industry for over a decade where I have become specialised in the excavation and support of rock.

I must firstly state that I believe it is incorrect to describe the basalt encountered at 149 to 153 Gillies Avenue by Tonkin and Taylor investigation in their August 2018 report as strong, its strength is probably over 100 Mpa. If "New Zealand Geotechnical Society Guidelines: Field descriptions of soil and rock" are followed then the basalt encountered at site should be described as Very Strong to Extremely Strong. The columnar vesicular basalt of the region encountered at site can only be chipped with a geological hammer, or can be broken in some cases by many blows of a geological hammer but no fewer than many, the basalt is therefore Very Strong to Extremely Strong. If a sample is

Submission no 72

however struck along a discontinuity then it is possible to break a sample with less than many blows however this is not the correct method for determining the strength of a sample, an intact (crack free) sample must be used to determine the strength of rock encountered in investigations. Attached is the New Zealand Geotechnical Society Rock field guide sheet.

The excavation and support of a Strong rock versus that of a Very Strong rock is vastly different. Mistaking the strength of a rockmass can mislead one into determining a project to be feasible when it is not. The excavation of strong rock is vastly different from the excavation of soil or even the excavation of moderately strong rock such as Waitemata Group rock. Extremely high energies are required to shift strong rock. The site proposed to be excavated is particularly difficult due to the absence in rock excavation terms of a "free face" in other words the rock is confined like gherkins jammed into a jar but without the option of sticking a fork into one and pulling one out and loosening the rest.

Basalt in the region that has been encountered at the site in question originated from lava flows from the eruption of Mount Eden / Maungawhau 30,000 years ago. The rock is extremely strong, vesicular and columnar jointed as when the lava flows cooled contraction of the rock caused hexagonal columns to form running vertically through the rock mass throughout the deposited lava through the region, this is evidenced at sites such as the lower playing fields at Auckland Grammar school. These vertical columns are tightly packed.

The excavation of the site if this project goes ahead would be very difficult and extremely disruptive to a quiet neighbourhood, it is effectively a quarrying operation in a residential zone. I believe

Submission no 72

that the excavation methods described are disturbingly vague, almost conceptual.

Due to the columnar jointing the rock mass has very little horizontal tensile strength. If excavation occurs columns can displace horizontally like falling dominos wrecking displacement prone structures such as historical brick works and swimming pools that are sited on the same lava flow. One of the only ways of supporting the rock mass is to install an Active type support system (one that transmits force to the rock mass to avoid displacement though pre-stressing the rock mass prior to removing load by excavation), these are usually tensions cable bolts that effectively knit the mass together. Installing support measures necessary to safeguard residential properties will most probably require permission of neighbouring properties to have cable bolts installed under their land otherwise more complicated and expensive support options ARE REQUIRED.

Low explosives excavation of the site may be totally unfeasible, likewise with hydraulic fracturing, and extremely hazardous to residents in their homes during construction from fly rock and uncontrolled deadly jets of high pressure fluids. More details must be given as to the methods of low explosive use and hydraulic fracturing such as independent case studies and details of use such as the:

- *Class of explosives to be used.
- *Maximum instantaneous charge weights.
- *Operating pressures of hydraulic fracturing.

Peak particle velocities at boundaries and residential structures due to blasting would exceed legal limits due to very small distances to neighbouring properties.

Submission no 72

It is highly likely that the use of explosives in the vicinity of residential building under the current health and safety legislation is illegal due to required charge weight initiation and storage versus distances to residential dwellings and vicinity of the public, along with risks of fly rock and uncontrolled outbursts of pressures due to unforeseen ground conditions which are almost impossible to avoid. Persons responsible for the initiation and granting of permission for the initiation of the hazardous substances may be personally liable for fines or imprisonment.

Signed.....*Victor Rabone*.....pVictor Rabone 16th April
2019



I could not remove this page from my submission.

Please look at page 2 of this form.

Before you fill out the attached submission form, you should know:

You need to include your full name, an email address, or an alternative postal address for your submission to be valid. Also provide a contact phone number so we can contact you for hearing schedules (where requested).

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious.
- It discloses no reasonable or relevant case.
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further.
- It contains offensive language.
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Submission no 73

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Ms/Ms(Full Name)

Cheryl Elizabeth Cliffe

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

Address for service of Submitter

1/2 Brightside Rd, Epsom, Auckland 1023

Telephone:

0276040978

Fax/Email:

cherylcliffe@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 73

The reasons for my views are: See attachments (1) Technical submission (2) Personal submission

(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)

15 April 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:

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Submission no 73

character residential housing is inimical to the viability of liveable and thriving residential communities. The loss of a further three heritage homes and their replacement by block-like buildings of utilitarian appearance adversely affects the streetscape and special character of the area. Once heritage homes are lost that part of visual history and built area character are lost forever.

- (vii) Eden-Epsom is a unique environment attracting native bird life, including tuis, native wood pigeon (kereru) as well as rosella parakeets and moreporks to the vicinity of my residence. Increasing commercialisation of the area, loss of space and substantially increased built site coverage together with building height and mass will not only result in a loss of habitat but act as a deterrent to birdlife. Once this special character is lost, it is unlikely to ever be regained. Auckland City as a whole will be poorer for it. These exceptional features make the city and its residential communities more than a collection of buildings.
- (viii) Increased traffic volumes generated by the proposed expansion are of serious concern. During week days on street parking in Brightside Road for residents, visitors and tradespeople is obtainable only by chance when a car happens to move from its parking space. On wet days when nearby schools are in session the entire length of Brightside Road is frequently completely blocked by queued cars attempting to access Owens and Mountain Roads during the early morning school run. The image below taken on Monday, 1st April 2019 from Brightside Rd/Gillies Ave corner illustrates this congestion.



In addition, Gillies Avenue and Owens Road are major arterial roads. With the re-opening of an enlarged Westfield Newmarket Shopping Centre towards the end of 2019, traffic volumes along these roads can be expected to increase significantly beyond those obtained by the two surveys in April 2017 and, especially, March 2018 when Westfield Newmarket was closed. (Flow Transport Specialists Report- Attachment D). The incremental impact of traffic movements generated by the Brightside Hospital re-development on total traffic volume, flow and congestion will therefore be greater than that reported. Safety and avoidance of traffic jams in the area are of major concern.

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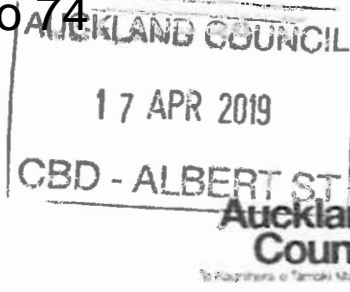
ATTACHMENT -- Reasons for Submission

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 73

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

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



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Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Ms/Ms (Full Name)

CLAIRE MASON

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

Address for service of Submitter

7/59 VICTORIA AVE, REMUERA, AUCKLAND 1050

Telephone:

0210427852

Fax/Email:

cejmason@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)

[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 74

The reasons for my views are:


PLEASE SEE 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)

16/4/19
Date

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Submission no 74

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 74

- (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.

2. In addition, I also have these concerns:

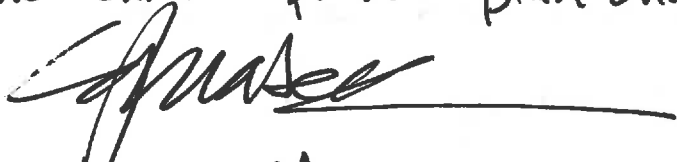
- I grew up at 41 Owens Rd, Epsom and attended Epsom Girls Grammar School. I've always loved living and returning to the area due to its beautiful natural environment at the base of Mt Eden. There are so many beautiful trees and wildlife. When I heard about the proposal to build a 25m tall hospital on my parents' doorstep, I was shocked. To build such a large structure will drastically alter the character of the area, spoil its natural and historical beauty and cause emotional and financial distress for nearby residents.
- I am equally concerned about the extensive works required to build such a large structure, the impact this will have on my parents' and their neighbours' quality of life, and the potential damage to their properties and the environment.
- The disruption this will cause to the surrounding area and the increase in traffic and demand for parking - which is already at its peak - once the hospital is in operation is also a key concern.

We already have a significant hospital complex in our neighbourhood and we do not need another,

Submission no 74
especially at the scale proposed. There must be multiple sites where a facility like this could be built, which have less impact on the surrounding community and infrastructure.

I urge the Council to do its utmost to maintain residential zones and preserve natural and historical environments and direct the applicant to find an alternate location for this venture.

Thank you for considering my submission - I oppose the entire private plan change PC21.



Claire Masor
7/59 Victoria Ave
Remuera
Auckland 1050

Submission no 75

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

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



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

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Auckland Council
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Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

MARGARET PARKER

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

Address for service of Submitter

11 GLENFELL PLACE EPSOM AUCKLAND 1023

Telephone:

09 638 6898

Fax/Email:

margaretparker@
sangjarchitects.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)

PC 21

Or

Property Address

3 BRIGHTSIDE ROAD, 149, 151, 153 GILLIES AVENUE

Or

Map

EPSOM

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 75

The reasons for my views are:

REFER SEPARATE SHEET

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

15 APRIL 2009
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:

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Submission no 75

ATTACHMENT -- Reasons for Submission

1. **I/we oppose** Proposed Plan Change 21 (PC 21-private) for the following reasons:
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 - (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 75

- 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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PROPOSED PLAN CHANGE 21 (PC21-PRIVATE)

1. IN ADDITION WE ALSO HAVE THE FOLLOWING CONCERNS:

- (i) PLAN CHANGE - We do not agree with the proposed plan change to Special Purpose - Healthcare Facility and Hospital Zoning because of the impact it would have on our residential area.
- (ii) BUILDING HEIGHT - The current zoning permits buildings up to 8 metres high. If the zoning is changed to the whole site a building of up to 16 metres and possibly 25 metres could be permitted located 10.000 from the road boundaries. Brightside hospital could be demolished or altered to increase its height to match the height of the new building.

A building of this height and bulk would be highly visible to the neighbours, pedestrians and passing motorists and totally out of place in an area with a Historic Heritage and Special Character Overlay and predominately 2-3 storey residential dwellings. The planting of trees adjacent to it will not reduce its visual impact on the streetscape.

- (iii) EXISTING HOUSES – The sites included in the proposed plan change have a Historic Heritage and Special Character Overlay. We do not agree with the demolition or relocation of these houses or their fences as together they form an integral part of the character of the area, the streetscape and the environment. We do not agree with removal of existing trees from these sites either for the same reasons.
- (iv) TRANSPORT - Gillies Avenue is a busy arterial road with Owens Road and Mountain Road feeding into it. During peak hours in the morning and at night the roads cannot cope with the current volume of traffic because of the schools in the area, infill housing and high density development in the area.

If the proposed hospital is built the volume of traffic and the congestion would increase.

- (v) PARKING - There is already a shortage of parking in the area for students attending local schools and office workers leaving their cars and walking to Newmarket or catching the bus or train to the city. We live nearby and our street has no car parking spaces left by 8.15am on weekdays.

A new hospital would increase the parking problems in the area.

Submission no 75

- (vi) EXCAVATION –We do not agree with blasting of basalt volcanic rock and excavation and removal of excavated material to achieve on site car parking at the lower level of the building.

There will be delays for motorists, cyclists and pedestrians on Gillies Avenue while waiting for blasting to occur and truck movements to and from the site. Dust and noise will inconvenience students in near by schools and neighbours in the vicinity over an extended period.

- (vii) VISUAL EFFECTS - The proposed building will have high visual impact due to its height, bulk and location close to the main arterial road and side roads.

We totally disagree with the statement In LA4 Landscape report that "The visual amenity and quality of the environment surrounding the site will not be adversely affected by the development".

Trees and planting will not screen and reduce the impact of a bulky building between 16 and 25 metres tall located 10 metres from the road boundaries. It will be commercial in appearance and will have a serious adverse impact on the Historic Heritage and Special Character of this residential area.

- (viii) PRECEDENT – If this proposed plan change is approved it is likely to set a precedent for applications for future changes to the Unitary Plan in Auckland. There was much discussion before the Unitary Plan was adopted so there should not be changes to it under any circumstances.

SUMMARY

I DO NOT WISH TO HAVE THE PROVISIONS I HAVE IDENTIFIED AMENDED.

AUCKLAND COUNCIL SHOULD DECLINE THE PROPOSED PLAN CHANGE/ VARIATION IN ITS ENTIRITY FOR THE REASONS INDICATED.

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Aden Leung

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

Address for service of Submitter

1/23 Kipling Ave, Epsom.

Telephone: 021 238 2909 Fax/Email: aden.leung40@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	<u>PC 21</u>
Plan Change/Variation Name	<u>3 Brightside Road, 149, 151 and 153 Gillies Avenue, Epsom</u>

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or
Property Address

Or
Map

Or
Other (specify) The whole plan

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 76

The reasons for my views are:

Please 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)

16/04/19
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 76

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 76

- 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 76

In addition, I also have these concerns:

- 1) One of my main concerns is the basalt rock removal from the sites that Southern Cross Hospital Limited (SCHL) have acquired. I live in a two-story home with a plaster façade that has recently painstakingly been painted in 2018 by me. The removal of the basalt rock will cause vibrations that will flow onto homes close by. Vibrations can cause damage to plaster homes, both internally and externally. Damage done by vibrations are not usually covered by most if not all home insurance policies and it is unlikely that SCHL will take responsibility for the damage if they are working within the limits provided by the plan change. This can be seen when looking at the damage done to homes during the work on the Southern Motorway by NZTA (who worked within vibration limits). No one seems to be taking responsibility for the damage and homeowners are faced with costly remedial work that they cannot afford, without any help from those who have caused the damage. I am highly concerned of being placed in the same position.
- 2) Another concern I have is the noise the construction will incur. The construction period for any building under the proposed plan change will take several years to complete. Heavy machinery will be needed to dig, remove rock etc., construction crews and trucks moving through the site and off and on Gillies Rd. This will all be very noisy, and as my wife and I work at night we sleep during the morning when everyone is getting up. The noise will be a significant disruption to our routine that will continue further than just a few months.
- 3) A further concern of mine is the effect the construction of any building, and the running of the hospital will have on the parking and traffic in the area – especially Kipling Ave and Gillies Rd. I park my car on the street outside my home and at times already, I have difficulty with finding a space. With construction workers needing parking places, on top of the school children and employees who work in the general area needing parking, parking for residents will be significantly even more troublesome.
- 4) Gillies Ave is also a major main road that is used heavily every day. According to the reports submitted by SCHL, the effect on traffic once any new hospital will be built is minimal. However, they have not taken into account the traffic during construction and the effect construction will have on the usage of Gillies Ave, both by pedestrians and cars/public transport. For example blasting of basalt rock to remove it (a method of rock removal that could be used by SCHL) would result in the roads being shut down prior to and after each blast. This seems like a major issue and concern to the users of Gillies Ave, including me. Shutting down Gillies Ave and surrounding side streets will cause an increase of traffic to flow onto other already busy roads such as Manukau Rd. This will cause more delays at peak hours, especially due to the motorway exit from the city being onto Gillies Ave.

Submission no 77

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
Sent: Wednesday, 17 April 2019 10:15 AM
To: Unitary Plan
Subject: Unitary Plan Publicly Notified Submission - Plan change 21 - Hyun Chi Cho
Attachments: PC21 objection .pdf

Categories:

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Hyun Chi Cho

Organisation name:

Agent's full name: Kenji Cho

Email address: kenjicho@hotmail.com

Contact phone number: 0212959883

Postal address:
168 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:
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, please refer to attachments

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

Submission no 77

Submission date: 17 April 2019

Supporting documents
PC21 objection .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 77

Hyun Chi Cho
kenjicho@hotmail.com
168 Gillies Avenue

Technical Objection:

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.

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- (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.

Furthermore, in addition to these technical issues I/ we have various concerns with this project. Specifically, the risk of “quarrying”. Sustained lengths of excavations within our area would possibly affect our house substantially, given that our house has both a rock wall and plaster exterior. These are grave concerns as it would substantially affect our livelihood and possibly result in the collapse of various components in our house. In addition, I do not

Submission no 77

believe anything up to 25m is appropriate for a largely residential area with houses no more than 8m. This will cause various privacy issues in our area and undermines the very meaning of a residential area. Therefore I seek the following decision by the Council "Decline the proposed plan change/ variation".

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SUMBISSION BY JOHN ALLEN IN OPPOSITION TO A REQUEST FOR A PRIVATE PLAN CHANGE BY SOUTHERN CROSS HOSPITALS LTD IN RELATION TO PLAN CHANGE 21 (PRIVATE).

- 1) I oppose the Private Plan Change (21) for 3 Brightside Road and 149, 151, 153 Gillies Ave sought by Southern Cross Hospitals.

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2) Personal information relevant to this opposing submission:

- I am a consulting civil and structural engineer with the degree of Master of Engineering (1st Class) from the University of Auckland.
- My work on new theories for the limit analysis of plate structures and their mathematical proofs has been published in Philosophical Transactions of the Royal Society, London.
- As structural consultant to Hong Kong and Shanghai Hotels I provided all design and construction review for the towers, sea walls and landscape structures of The Peninsula, Bangkok.
- For the past three years I have been engaged on research work with the University of Auckland on the response of building structures to earthquake motion and large blast impulse at distance.
- I independently hold three patent designs for earthquake resistant structures.
- I designed the building structures and landscaping of 32A Owens Rd, and have lived there since 1995.

Submission no 78

- 3) The development proposed by Southern Cross Hospitals Ltd includes a large scale commercial building to be constructed over three residentially zoned sites, two of which have heritage overlay, and all of which are surrounded by residential properties.
- 4) Southern Cross Hospitals is a limited liability non-profit company who nullify their profits and hence any tax obligations through continued investment in their own healthcare sector. This investment includes their own property development ventures.
- 5) The building block as proposed by Southern Cross, is to a height of 16m above ground/street level, and overlies a proposed basement which would require excavation through solid, continuous basalt rock to a depth of 7m. The compressive strength of this bonded basalt is at least twice that of high strength concrete. Both building and basement would run along most of its eastern street boundary on Gillies Ave.
- 6) Along its western boundary, the building as proposed to a height of at least 16m above existing ground level, would lie only 6m distant from the open living space of its nearest residential property, being our residence at 32A Owens Rd. Its proposed basement would involve excavation through the solid basalt to within 5m distance of our boundary.
- 7) For scale perspective Epsom Girls Grammar School lies to the north of the proposed development. Three of its buildings are located on Gillies Ave; the most prominent being the Raye Freedman Arts Centre which is the most northerly building. At its Northern extreme, the tip of its cantilevered roof is **at 10m above ground/street level. The building's height at its opposite** southern end is 7.5m. The average height of the building is approximately 9m above ground level, and at this height the building is both very prominent and imposing within its landscape. The building proposed by Southern Cross is a 16m high block, being almost twice the height of the Raye Freedman Arts Centre and approximately twice the maximum height permitted for the residentially zoned sites that Southern Cross propose to build over. Figures 15 & 16 in the appended set of figures show, to scale, both the proposed building and the Raye Freedman Arts Centre.
- 8) To the west of the proposed development, buildings at the lower commercial end of Owens Rd, where Owens Rd intersects with Manukau Rd, are typically two and three story office blocks averaging 7m-8m height with a maximum height of 10m for a three story block. Neither these buildings nor any of the buildings at Epsom Girls Grammar School which all overly basalt rock have basement excavations. Buildings of the bulk and height proposed by Southern Cross are found only further north along Manukau Rd in the Newmarket commercial zone.
- 9) The building proposed by Southern Cross is grossly incompatible with both the historical and present character and zoning (recently reinforced and reiterated in the unitary plan) of this neighborhood.

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- 10) To put the proposed development by Southern Cross into a time perspective, similar drawings of the proposed development, but with a reduced width were presented by Southern Cross in a minuted meeting, to Auckland Council 24 July 2014. This meeting was held only two days after the closing date for public submissions on the then proposed Auckland Unitary Plan (AUP). At this meeting Southern Cross disclosed that they had options to purchase the three residentially zoned sites of 149-153 Gillies Ave. Auckland Council advised Southern Cross at this meeting that their proposal was simply not appropriate for this residential zone.
- 11) The AUP subsequently, that is, at a period after this meeting, reinforced the residential zoning of the three sites (149 to 153 Gillies Ave) by designating all of them as single dwelling residential, and further protecting two of the three with heritage overlay.
- 12) Despite this, and despite having had five years to locate more appropriate sites, Southern Cross have purchased the properties on 149 to 153 Gillies Ave and have persisted with their proposal.
- 13) When asked in a meeting with residents whether Southern Cross had considered other sites for their proposed development, Courtney Bennett, the Chief of Property and Development for Southern Cross Hospitals, responded that they had not, and that the idea was novel.
- 14) Southern Cross have now pushed onto a more extreme approach by applying to have the three residential sites, all of which are similarly surrounded by residentially zoned properties, to be rezoned as a Special Purpose Healthcare Facility and Hospital Zone (HFHZ).
- 15) This would enable Southern Cross, a commercial enterprise, to build 25m high multi story blocks in the middle of a residentially zoned neighbourhood with no need for any consideration of, or consultation with, residents.
- 16) **The proposed development adds to Southern Cross' existing facility, to create a large commercial estate.** The impact of this proposed 24 hour / 7 day working estate on the immediate and surrounding residential area would be both considerable and negative in all respects.
- 17) In 1993 my wife and I commissioned residential architects Cook Hitchcock and Sargisson to design our home at 32A Owens Rd, which we moved into in **1995. The building's** materials are all high quality; being solid masonry, cedar joinery, copper spouting, cedar shingles, marble paving. The design is sympathetic with neighboring residences and comprises three buildings with a total floor area of 350m² with ground floors which integrate with and flow onto three courtyards and a swimming pool area. External walls of the ground floor are substantially glazed and transparent. This is evident in the appended set of photographs of 32A Owens Rd.
- 18) The personal effect on ourselves and the effect on our property from **Southern Cross' proposed development would include:**

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- The overbearing and permanent presence of a 16m high commercial building located only 6m distance from our connected and open living spaces
 - Severe depreciation of our property's ambience and market value
 - **Severe impact on our enjoyment of our property's special indoor/outdoor living aspects, which were central to the property's design**
 - Complete loss of our eastern sky scape
 - Complete loss of our morning sun
 - Extensive morning shading and cooling to our outdoor living spaces
 - Severe loss of our privacy and our perceived privacy
 - Inevitable damage to our masonry house structure and concrete pool, from vibrations during proposed excavation through solid basalt to within 3m of our boundary
 - Severe visual impact from the proposed 16m building, to all areas of the property, indoor and outdoor
- 19) The extreme impact of the proposed development on the interior and exterior living spaces of 32A Owens Rd is illustrated in the appended figures and photographs. The figures read in conjunction with the photographs, though extreme, are by no means exhaustive. That is, they can convey only a part of the impact. Each figure is briefly explained. The interior and exterior spaces of 32A Owens Rd are labelled on the figures as:
- KD: Kitchen/Dining (GF)
 - L1: Main Living Room (GF)
 - D: Dining Room (GF)
 - L2: Second Living Room (GF)
 - EG: Entry Gates
 - FD: Front Door
 - G: Garage
 - P: Pool Area
 - RG: Rear Garden
 - RC: Rear Courtyard
 - CC: Central Courtyard
 - O: Office (FF)
 - B1-B4: Bedrooms (FF)
 - G: Gallery (FF)
 - SW: Stair Well
- 20) Effectively every interior and exterior living space of 32A Owens Rd is overlooked, looked into, or looked through from a sweeping range of angles and locations on the first or second floors of the building and link bridge of the proposed development. Reciprocally, the interior and exterior spaces of 32A Owens Rd which could be looked into, would look out in their eastern and

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southern directions to views of nothing but the proposed building and its three story link bridge.

32A Owens Rd would be continuously surrounded and overlooked along its entire eastern and southern boundaries by the proposed development. The development as proposed would result in the complete loss of privacy and ambience currently existing at 32A Owens Rd, the loss of its eastern and southern views, severe shading, and the permanent and inescapable overbearing presence of a large functioning commercial building, grossly out of place with its environment and setting.

21A) Figures

Figure 1: shows the north elevation of 32A Owens Rd inclusive of pool area, relative to the north elevation of the proposed development. The shaded area to the rear of the house is the three story link bridge of the proposed development

Figure 2: shows the plan of the three residential buildings of 32A Owens Rd inclusive of pool area and courtyards, relative to the overlooking first floor plan inclusive of link bridge of the proposed development. Some of the possible view directions from the first floor of the proposed development into the labeled interior and exterior living spaces of 32A Owens Rd are shown.

Figure 3: similar to Figure 2, but here 32A Owens Rd is shown relative to the overlooking second floor plan inclusive of the second floor of the link bridge of the proposed development. Again a limited number of possible view directions from the second floor of the proposed development into the labelled interior and exterior living spaces of 32A Owens Rd are shown.

Figure 4: shows a transverse cross section (referenced as section 1 of Figures 2 and 3) of 32A Owens Rd along with the proposed development. Lines of sight, direct or oblique, from the development into the labelled interior and exterior spaces of 32A Owens Rd are shown.

Figure 5: shows a transverse cross section (referenced as section 2 on figures 2 and 3) of 32A Owens Rd, with lines of sight from the proposed development into further interior and exterior spaces 32A Owens Rd.

Figure 6: shows a longitudinal cross section (referenced as section 3 on Figures 2 and 3) of 32A Owens Rd, with lines of sight from the first and second levels of the link bridge of the proposed development into and through the interior spaces and into the exterior spaces of 32A Owens Rd.

Figure 7: shows a longitudinal cross section (referenced as section 4 on Figures 2 and 3) of the wall enclosed pool area and rear garden space of 32A Owens Rd, with lines of site from the

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first and second levels of the link bridge of the proposed development into the pool and garden area of 32A Owens Rd.

- Figure 8: shows a longitudinal section and elevation of 32A Owens Rd taken through its central courtyard area. This shows the relative position and relative scale of 32A Owens Rd to the west or facing elevation of the proposed development. It also shows the view towards the building from the center of 32A Owens Rd and illustrates the building's grossly overbearing presence.
- Figure 9: similar to Figure 8, shows a longitudinal section and elevation of 32A Owens Rd taken through its central courtyard. The relative position and scale of 32A Owens Rd can here be compared with a longitudinal cross section through the proposed development which includes the proposed depth and extent of excavation through continuous bonded basalt rock as proposed in the development.
- Figure 10: similar to Figure 1 shows the north elevation of 32A Owens Rd along with the north elevation of the proposed development. The existing phoenix palm tree of 149 Gillies Ave, in its current position, has been superimposed onto the Figure. This drawing, inclusive of the superimposed existing phoenix palm, along with Figures 11-14 can be read in conjunction with the appended photographs, inclusive of the tree, to quickly gain a tangible reference of the scale of the proposed development.
- Figures 11-14: show elevations and a cross section of the proposed development. The existing palm tree of 149 Gillies Ave has again been superimposed onto these drawings at its current position and vertical extent (height).
- Figures 15, 16: show an elevation and longitudinal section of the proposed development relative to the Raye Freedman Arts Centre. Both buildings are at the same scale.
- Figure 17: shows 32A Owens Rd relative to the proposed development. The three buildings of 32A Owens Rd, its courtyard, and swimming pool are shown in this figure. As can be seen, 32A Owens Rd is engulfed by the proposed development.
- 21B) Photographs
- Photographs 1A, 1B: views towards the south, of the northern elevation of 32A Owens Rd. It shows the kitchen/dining room to the left, the central courtyard, living room to the right and bedroom 1 over it.

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- Photographs 2A, 2B: views towards the west showing again the central courtyard, garage building and office over it.
- Photographs 3A, 3B: views towards the north showing the second living room and entry gates.
- Photographs 4A, 4B: views towards the east showing the kitchen/dining room and pool/courtyard area beyond.
- Photograph 5: a view from the first floor bedroom 1 towards the east. It looks into the kitchen/dining room and over its roof to the neighbouring sites on Gillies Ave. Included in the photograph is the existing palm tree of 149 Gillies Ave. Figure 11 superimposes, to scale, this palm tree onto the eastern view of the proposed development. The proposed development is of the same height as the palm tree, but runs for 70m along the entire eastern skyline.
- Photograph 6: a view taken from the first floor office again looking into the kitchen/dining room and over its roof to the neighboring sites on Gillies Ave. Again, Figure 11 shows the proposed development view in this direction relative to the palm tree in this photograph.
- Photograph 7: shows a view from the living room to the east.
- Photograph 8: shows a view from the central courtyard to the east. Figure 8 shows the kitchen/dining room in this photograph relative to the proposed development beyond it.
- Photograph 9: shows a view from the entry gates of 32A Owens Rd towards the Gillies Ave sites inclusive of the kitchen/dining room and phoenix palm beyond.
- Photograph 10: shows a view from the kitchen/dining room of 32A Owens Rd toward the eastern neighbouring Gillies Ave sites. Included in this photograph is the pool area of 32A Owens Rd, the wall between 32A Owens Rd and the Gillies Ave properties, and significantly the palm tree of 149 Gillies Ave which is of the same height as the proposed development.
- Photograph 11: shows a view from the pool area of 32A Owens Rd, again to the east and inclusive of the phoenix palm.
- Photograph 12: shows a view taken from the same position as Photograph 11 but towards the south east. This is the oblique direction along which the proposed development would run. Figures 1 and 7 show the three story link bridge of the proposed development which would overlook this area.

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- Photograph 13: shows a view from the laundry or back door of 32A Owens Rd towards the eastern direction of the proposed development. Included in this photograph is the rear garden, boundary walls, and phoenix palm of 149 Gillies Ave which again, being of the same height as the proposed 70m long building serves as a relevant scale reference.
- Photograph 14: shows a view taken from the stairwell of 32A Owens Rd towards the south. Figure 6 shows the proposed three story link bridge relative to the stairwell.
- Photograph 15: shows a view towards the south taken from bedrooms 3 and 4 of 32A Owens Rd. Again, Figure 6 shows the proposed three story link bridge relative to these bedrooms.
- Photograph 16: shows a view to the south of the pool and rear garden area. The proposed building, 16m high, 70m long would run to the left, and the three story link bridge would be directly to the south, both surrounding and overlooking this area from all heights and angles.
- Photograph 17: shows a view towards the north of the pool area. Included in this photo is, to the north of the trees, the balcony of the private neighbouring residence.
- Photographs 18-23: show various views of the interior and exterior spaces of the property, all of which would be overlooked from both the east and south of this proposed development.
- 22) Southern Cross Hospitals Ltd has engaged various consultants to support their application to first re zone the three single dwelling residentially zoned properties of 149 to 151 Gillies Ave and their mixed housing suburban zoned property at 3 Brightside Rd, and second, build a large commercial building of at least 16m height with three story link bridge.
- 23) In their general assessment of neighbourhood character, Motu Design refer to the form and mass of the Raye Freedman Arts Centre at Epsom Girls Grammar **School to be "out of odds" with the surrounding context, but** indicative of variability along Gillies Ave.
- 24) This building lies to the very north of Gillies Ave and on the edge of the Newmarket commercial zone.
- 25) They incorrectly state that the building is around 6m high and hence of the same height as many houses or small medical facilities along Gillies Ave and to the south of the Raye Freedman Centre.
- 26) As I have stated above the Raye Freedman Art Centre varies from 10m height at its most northerly part to 7.5m height at its most southerly, that is, an

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average of around 9m height (I have this information because I was the structural consultant on the Raye Freedman Arts Centre).

- 27) **This height is why the Raye Freedman Arts Centre looks 'out of odds' with the surrounding context** even with its surrounding context being the edge of the Newmarket commercial zone.
- 28) There are no buildings of the height or form (block) of the Raye Freedman Arts Centre (and adjoining classroom and technology block) to the south of it along Gillies Ave.
- 29) However, as shown in Figures 15 and 16, the building block proposed by Southern Cross on 149-153 Gillies Ave would dwarf the Raye Freedman Arts Centre.
- 30) In their specific assessment of residential properties, Motu Design (5.7, p29) again incorrectly, state that immediate neighbours to the proposed **development are located only along the northern "side" of the proposed development** and, (if this was correct), this would mean that the proposed development would be located to the south of all residential neighbours, and hence shading to properties would not be considered a problem.
- 31) The statement that adjoining properties lie only to the northern side of the proposed development is not correct.
- 32) In the same section 5.7 (p32) Motu Design contradict themselves, where they state that 32A Owens Rd has its southern boundary facing the existing hospital site and its eastern boundary facing the proposed hospital expansion site.
- 33) This statement is correct. The entire southern and eastern boundaries of 32A Owens Rd run along the internal L-shaped boundary of the proposed development. That is, 32A Owens Rd lies to both the north and west of the proposal.
- 34) The 70m long, 16m high building as proposed, lies to the east of 32A Owens Rd. Its presence would visually dominate, overlook, and block all morning sun and have severe shading and cooling effects on 32A Owens Rd.
- 35) Further, Motu Design focus on a small, high cathedral window located on the east side of 32A Owens Rd. This is shown on our attached Photograph 16. **The photograph used in Motu Design's report has been uploaded from a now obsolete google photo.**
- 36) Motu Design use this window to establish that only the eastern pool area of 32A Owens Rd, running immediately adjacent to 149 Gillies Ave, will be affected by this proposal.
- 37) They (Motu Design) further state that not only will a good standard of residential amenity be maintained towards 32A Owens Rd but that the **proposed development "is likely to benefit this property."**

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- 38) To swallow this counter-reality nonsense, the reader would need to have no grasp of the situation.
- 39) LA4 Landscape Architects, as engaged by Southern Cross Hospitals Ltd, consider the effects of the proposed development on the existing environment in their visual effects assessment.
- 40) In their section 5.10 they consider a visual catchment and viewing audience. Here they define the visual catchment as the physical area that would be exposed **to visual changes associated with "a permitted development"**.
- 41) Significantly they state that with frontages along two roads, the development has high visual exposure to those travelling along Gillies Ave, Brightside Rd, and Shepherds Ave. That is, high visual exposure to passing pedestrians and motorists.
- 42) **"Beyond here" (that is in other localities and directions)** LA4 then consider 11 locations (viewpoints) looking towards the proposed development. These **locations selected to capture and "fairly" represent the range of public view** towards the proposed site.
- 43) **Again in their words, "the analysis from the viewpoints is representative of the potential views from the most effected surrounding properties and roads"**.
- 44) 32A Owens Rd, the most immediate neighbour to the development proposed by Southern Cross Hospitals Limited, is not included in the viewpoint assessment and is not referred to in any of the text in the LA4 report.
- 45) However, the 16m high, 70m long building proposed by Southern Cross is located only 6m off the eastern boundary of 32A Owens Rd and runs along its entire eastern boundary.
- 46) 32A Owens Rd immediately bounds the proposed development along its (32A Owens Rd) entire southern and eastern boundaries.
- 47) 32A Owens Rd is engulfed (surrounded and overlooked) by the proposed 70m long, 16m high building proposed along its entire eastern boundary and the three story, 32m long, link bridge running parallel with its entire southern boundary.
- 48) **This is well illustrated in LA4's own bulk diagrams, which have here been enlarged (so that they can be read without assistance) on Figure 17.**
- 49) The LA4 report concludes that visual effects from the proposed development will be *"minor"* in the context of the existing landscape and visual environment.
- 50) In section 5.20 of their report, LA4 list a seven point scale taken from the NZILA Best Practice Guide.
- 51) The word minor is **used only in the "low effect" category, defined here as meaning that "awareness of the proposal would not have a marked effect on the overall quality of the scene or create any significant adverse effects."**

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- 52) This clearly does not apply to 32A Owens Rd, where the effect of the **proposed development on it would be an “extreme effect”, again defined in the LA4 report as:**

Extreme Effect

The proposal is completely at odds with the surrounding area and dominates the scene to an extreme degree.

The proposal very significantly affects and entirely changes the character of the surrounding area. The proposal causes extreme adverse effects that cannot be avoided, remedied or mitigated.

(p. 13)

- 53) Again, this fact is clearly illustrated by the attached figures and photographs of 32A Owens Rd and the proposed development.
- 54) SFH Consultants (Stephen Havill, planner) as engaged by Southern Cross Hospitals to support their application, draws on the reports by Motu Design and LA4 Landscape Architect and adds to them.
- 55) **Again 32A Owens Rd, the hospital site’s nearest and potentially most effected neighbour is not referred to in the text of the SFH report.**
- 56) As with the Motu Design report, the SFH report, repeats, incorrectly, that neighbouring properties lie only to the north of the proposed development and hence will not be affected.
- 57) Extracts of statements made in the SFH report on the effect of the proposed development on neighbouring properties include:

Height

SCHL have been cognisant of the resultant potential effects on residential character and amenity, and these reasons underpin their decisions to purchase the Gillies Avenue properties, firstly 151 and 153, and then subsequently 149 as well. The location of the subject sites relative to adjoining residential properties and the transport network limit the potential for effects, because the adjoining properties are to the north, and the public roads and SCHL properties are to the east, south and west. ***The increased height is significantly screened from the wider surrounding area by the large mature vegetation onsite and in the surrounding properties and streets.***

(p. 49)

Height in Relation to Boundary (“HIRB”)

The Urban Design and Visual Effects Reports agree that the HIRB controls will manage the scale of built form in relation to external boundaries ***ensuring taller areas of built form are located further away from boundaries and retain a reasonable level of sunlight and daylight access to adjacent sites.***

(p. 49)

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Shading

We consider that the access to sunlight and daylight for adjacent properties is maintained to a reasonable extent and the shading of the street is generally masked by vegetation and trees. The Urban Design and Visual Effects Assessment Reports agree. ***We therefore consider the potential shading effects will be minor.***

(p. 51)

Visual Privacy

The visual privacy effects from development enabled by the zone change will be from windows at upper levels of a building that is taller than that permitted within the current zone. The potential effects of visual privacy are mitigated by the location and design of windows, the retention of tall trees which provide visual screening and obscuring of direct views, and the increased yard setback from boundaries. Moreover, the users of the hospital are unlikely to use windows or balconies in the similar way that residents or hotel users would. Additionally, the internal arrangement of the hospital can be such that the upper level is a surgical level, where occupants (staff and patients) are not capable of looking down onto adjacent properties in a way or to an extent that would compromise visual privacy. The visual privacy effects are unlikely to be as great as that associated with a two-storey building or the boarding houses. ***We are therefore of the opinion that the potential effects of visual privacy will be minor.***

(p. 51)

Dominance

The visual dominance effects are larger than what would occur generally within the single house or mixed housing suburban zone. This is a result of the larger bulkier buildings enabled by the HFH zone. However, we consider the dominance effects are mitigated by the increased setbacks from the boundaries, compliance with HIRB controls to residential boundaries, the separation provided by SFH Consultants AEE – Brightside & Gillies Jan 2019 52 both Gillies Avenue and Brightside Roads, and the articulation, modulation, materials and high-quality design of the hospital building itself. These factors would act to break up the building bulk, reduce its blankness, ***we consider this would mitigate the potential visual dominance effects to an extent that is minor.***

(p. 51, 52)

Visual Landscape Effects

Development permitted under the H25 provisions would be visible from various locations in the surrounding urban environment due to the height, form and scale greater than currently existing within the site. Development within the site would however have

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minimal adverse landscape and visual effects and could be readily accommodated in this location.

In my opinion the standards, provisions and assessment criteria within the H25 SPHZ will *protect the surrounding residential area and minimise potential adverse effects of overshadowing, visual dominance and loss of visual privacy on adjacent properties while maintaining a high standard of amenity.*

I conclude that the visual effects will be minor in the context of the existing landscape and visual environment for the reasons identified. The visual amenity and quality of the environment surrounding the site will not be SFH Consultants AEE – Brightside & Gillies Jan 2019 57 adversely affected by development permitted by the H25 provisions” (p. 56, 57)

Urban Design

In addition, the additional controls from the protected trees and volcanic viewshafts, as well as the site shape, orientation and character of the site enables development to occur in a manner and form SFH Consultants AEE – Brightside & Gillies Jan 2019 59 *that will integrate into the residential environment.* (p. 58, 59)

Conclusion

Overall, it is our opinion that the proposed zone change will result in an increase in the scale and intensity of development enabled at the subject site and this will generate increased adverse character and amenity related effects for the public realm and adjacent properties. *However, these effects have been demonstrated within the range of expert reports to be of a minor extent and appropriate having regard to the particular locational context.* (p. 61)

- 58) All of the three reports referred to above, and commissioned by Southern Cross Hospitals Ltd, state that the effects of the proposed development on neighbouring properties would be *minor*.
- 59) Clearly these reports are not including in their assessments, the hospital’s most immediate neighbour, 32A Owens Rd.
- 60) The effect of the development proposed by Southern Cross Hospitals Limited on its most immediate and adjoining neighbour, 32A Owens Rd, would be extreme, and would directly destroy the living environment of 32A Owens Rd.

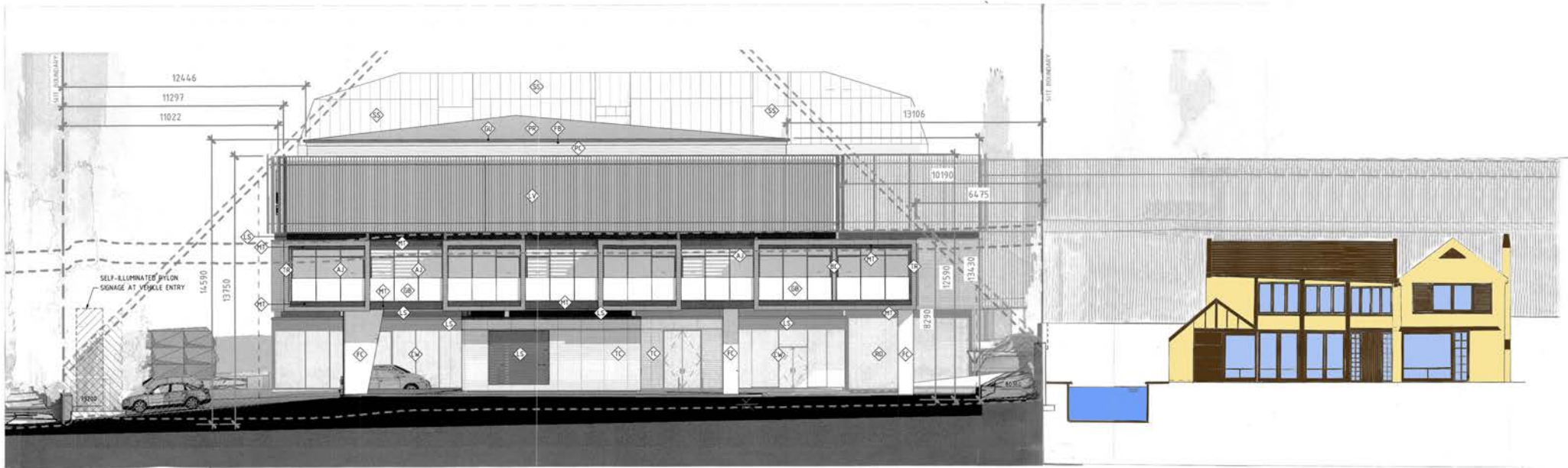


FIGURE 1



FIGURE 2

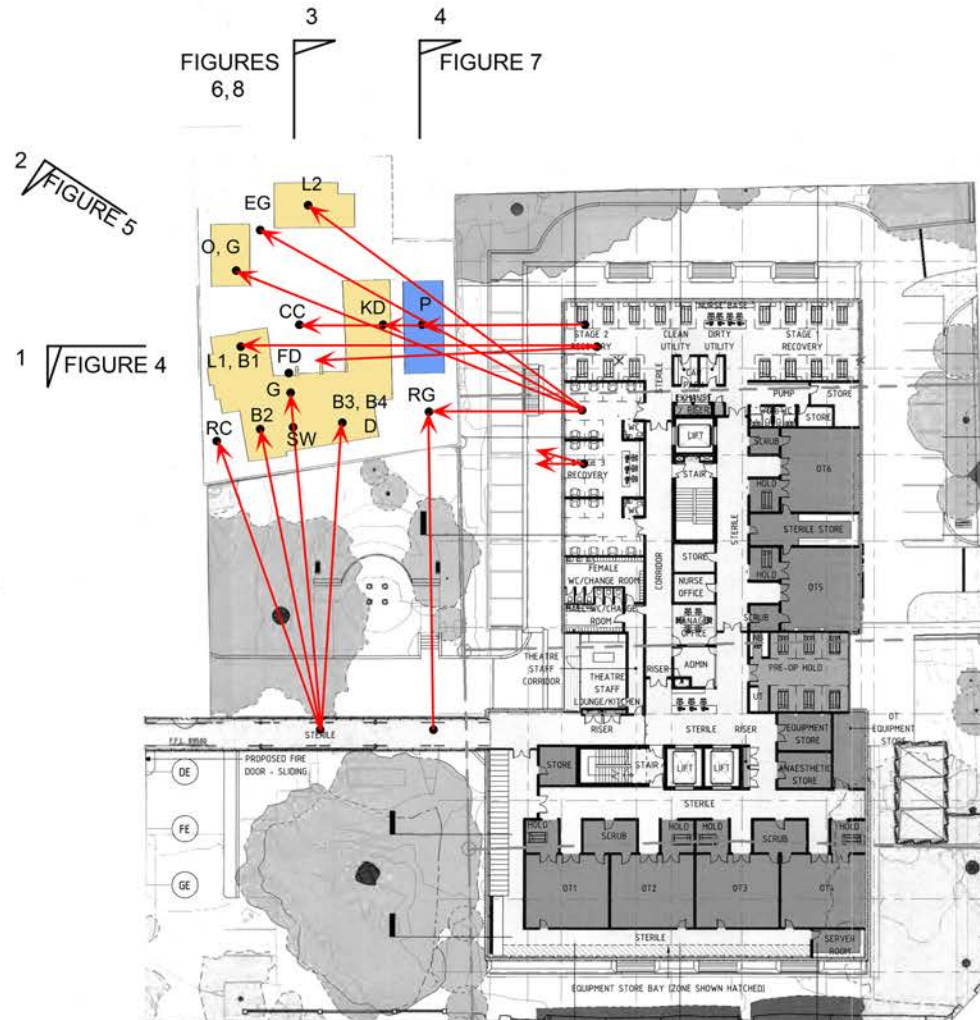


FIGURE 3

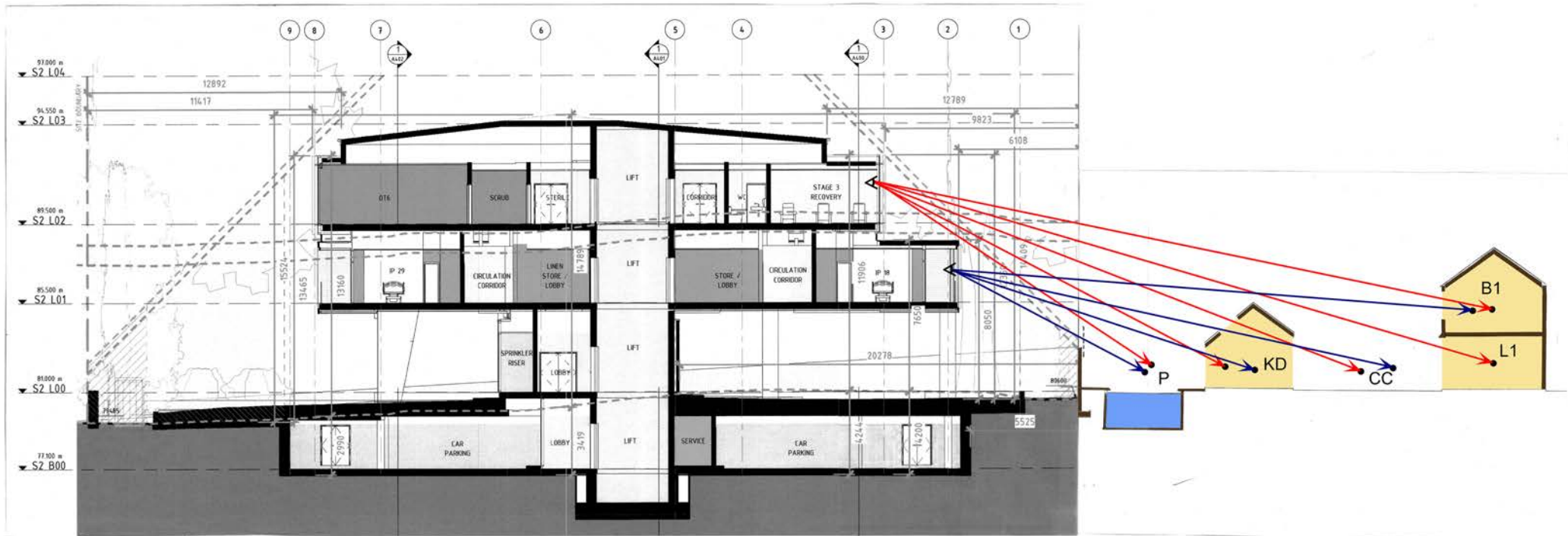


FIGURE 4

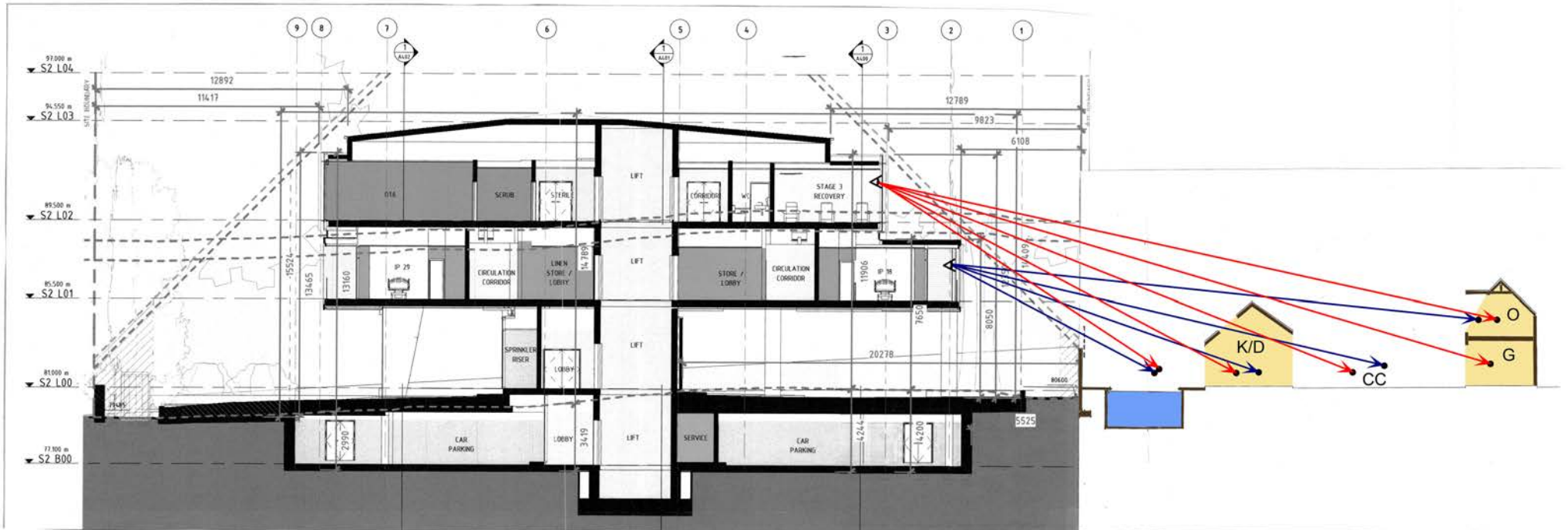


FIGURE 5

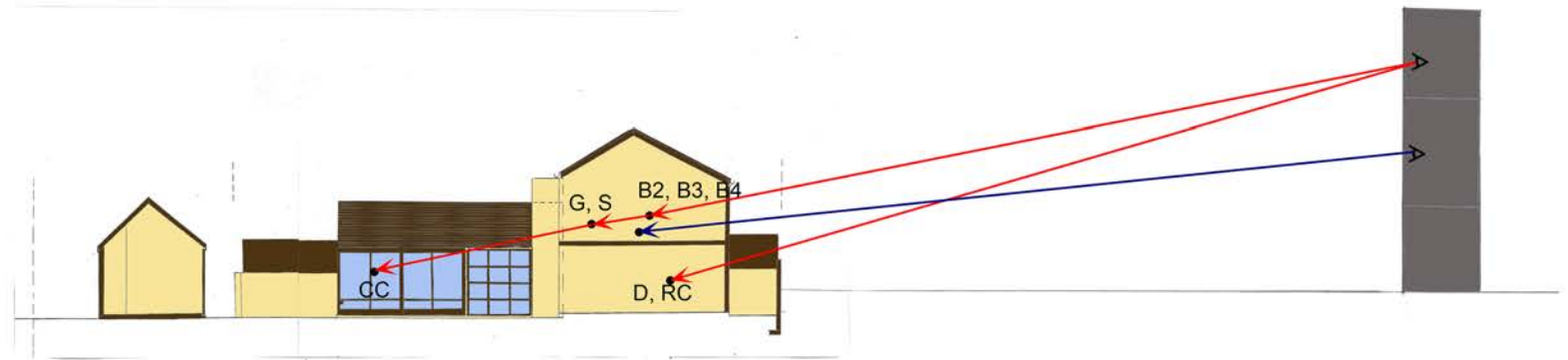


FIGURE 6

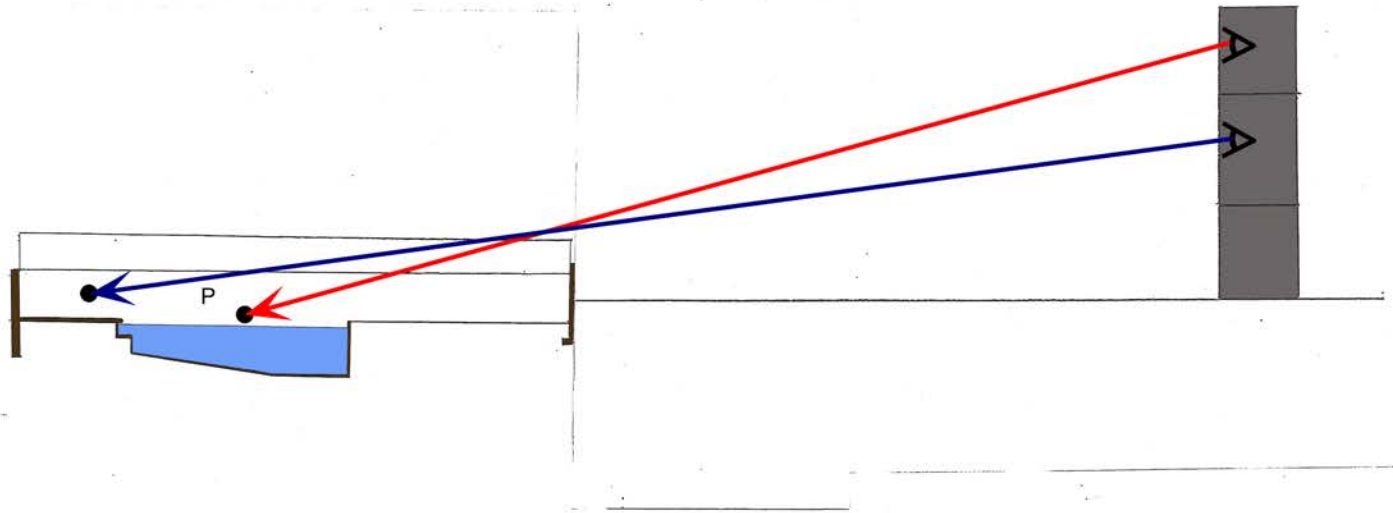


FIGURE 7

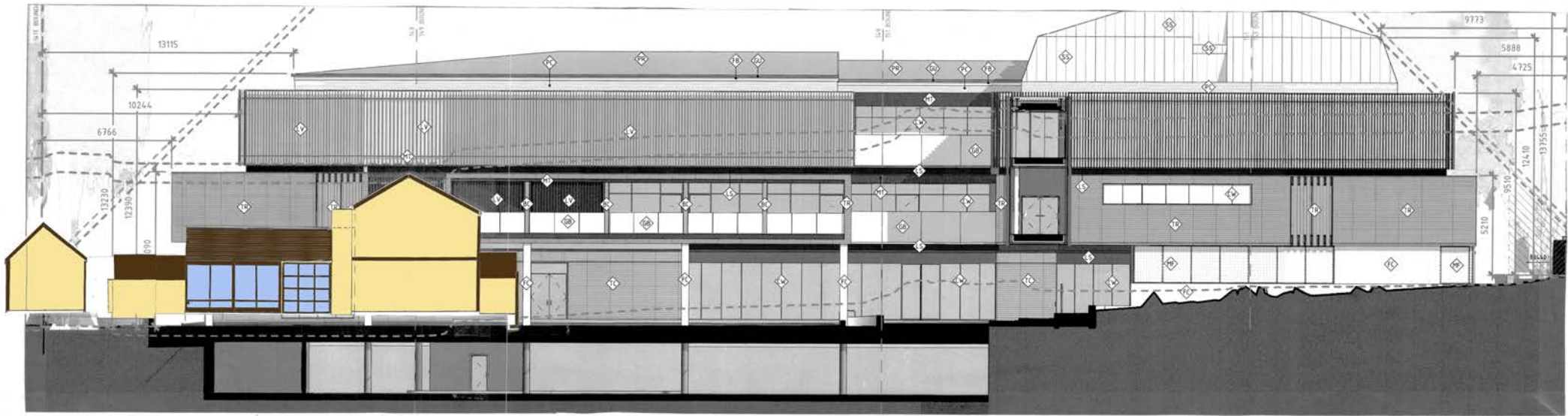


FIGURE 8

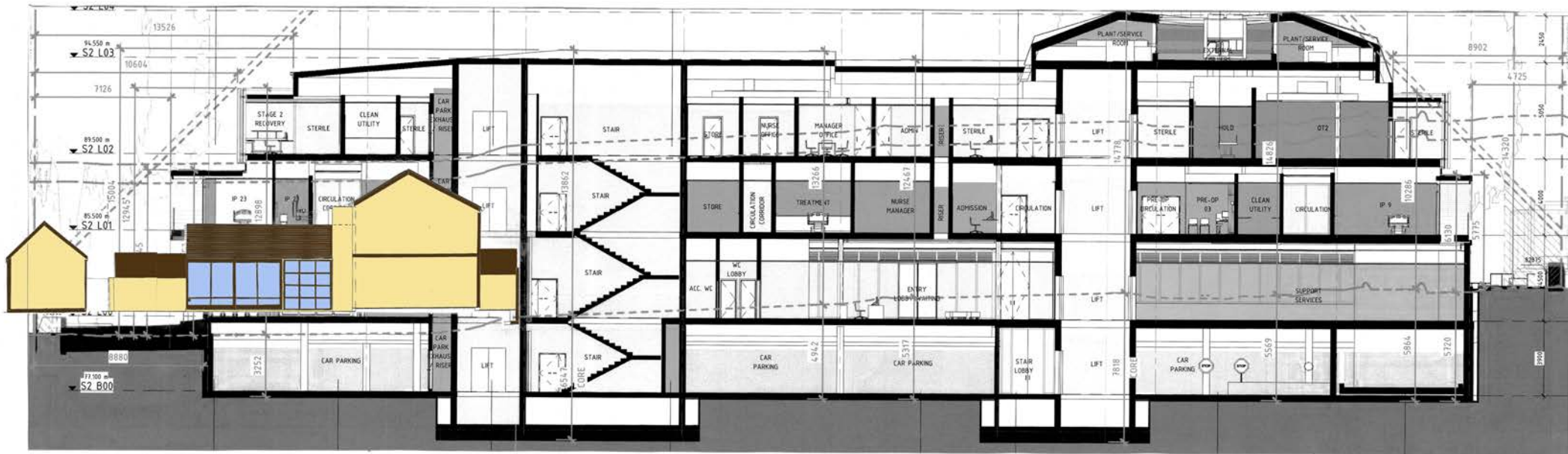


FIGURE 9





FIGURE 10

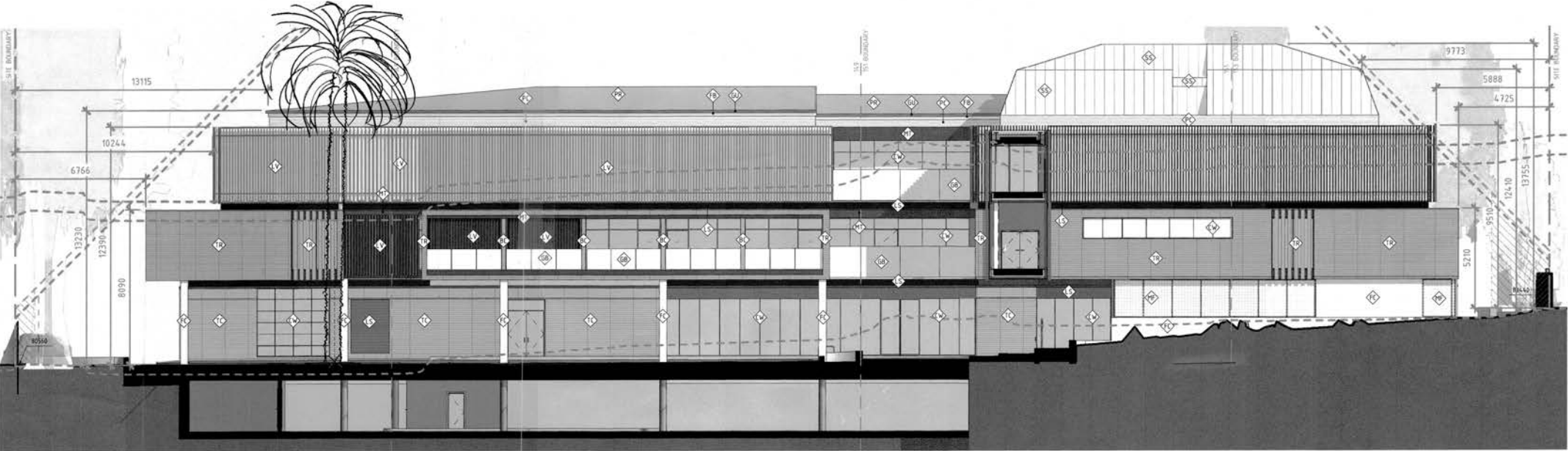


FIGURE 11

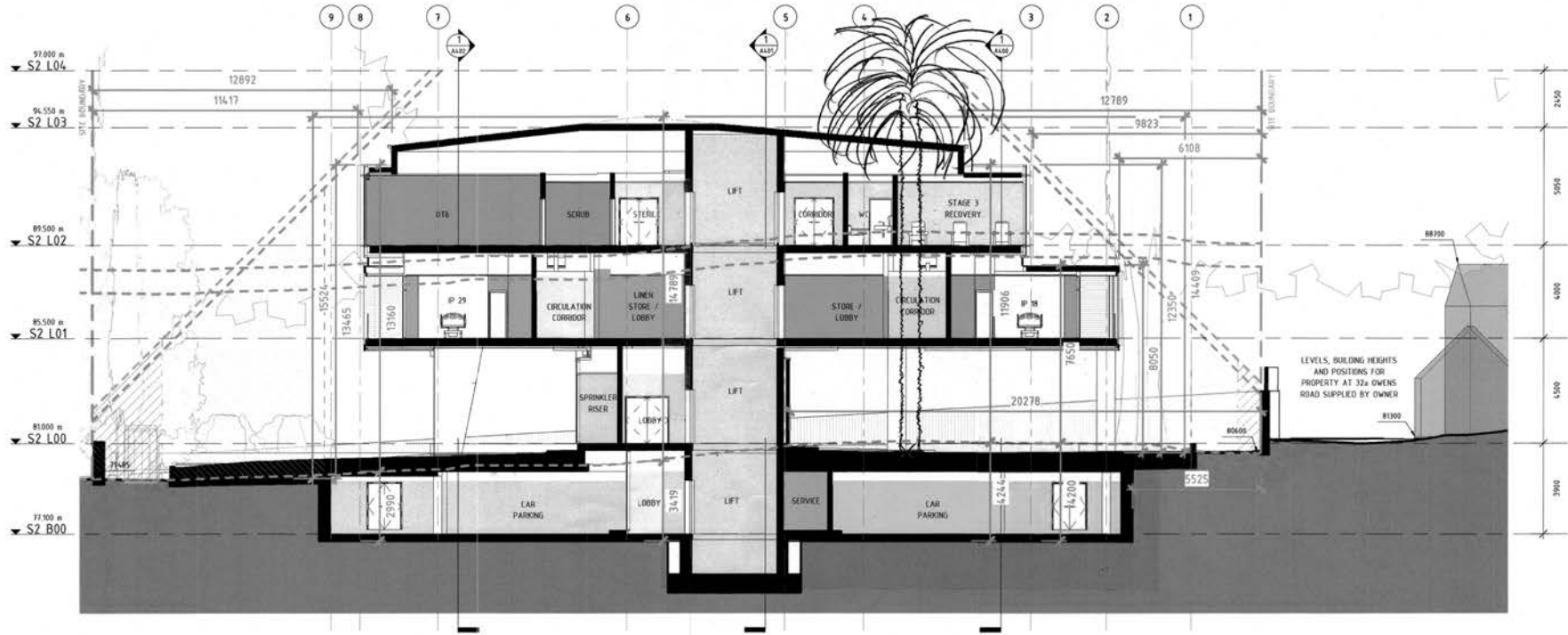


FIGURE 12

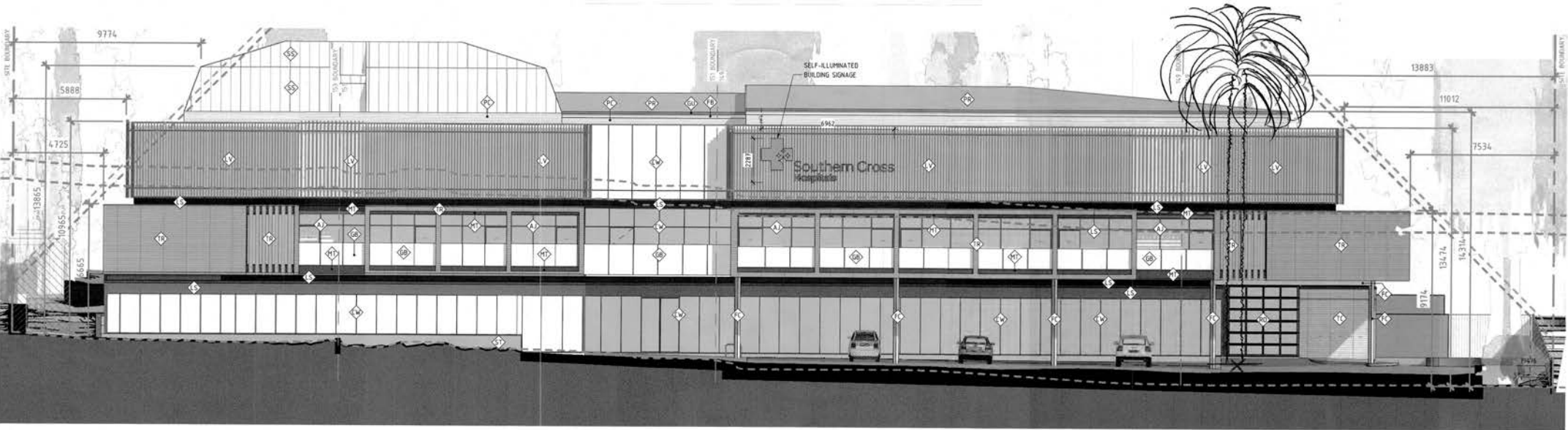


FIGURE 13

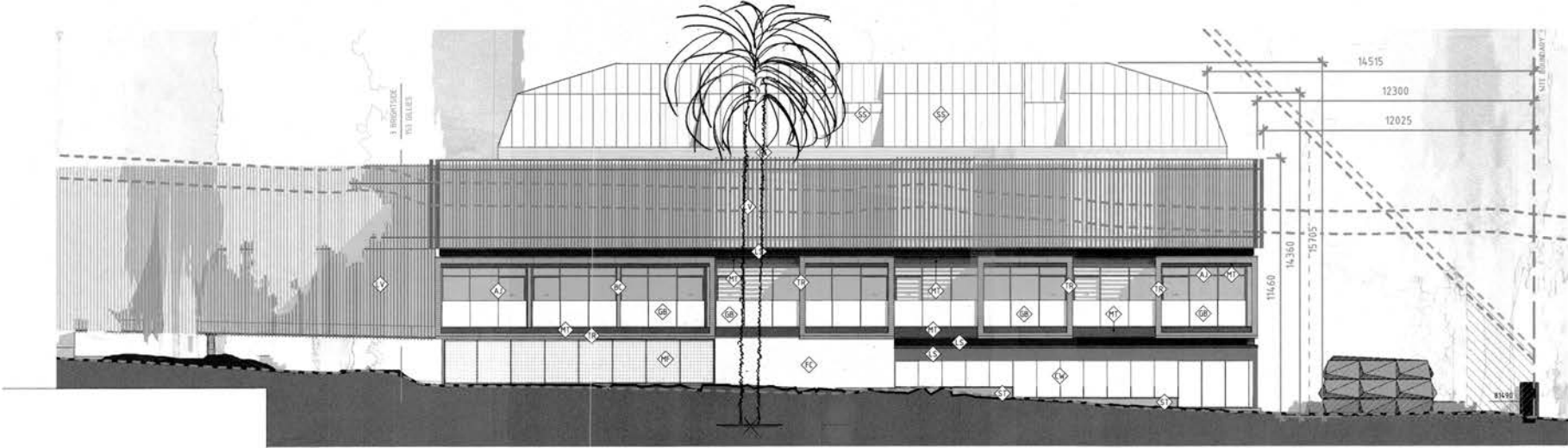
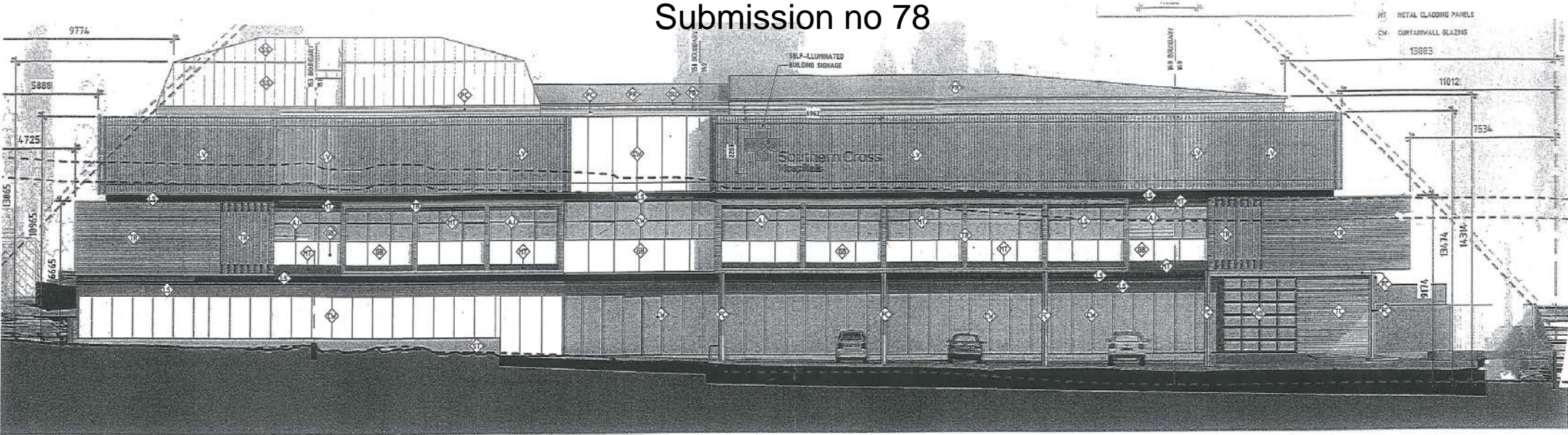


FIGURE 14



2 EXTERNAL ELEVATION - EAST
A110 1:100

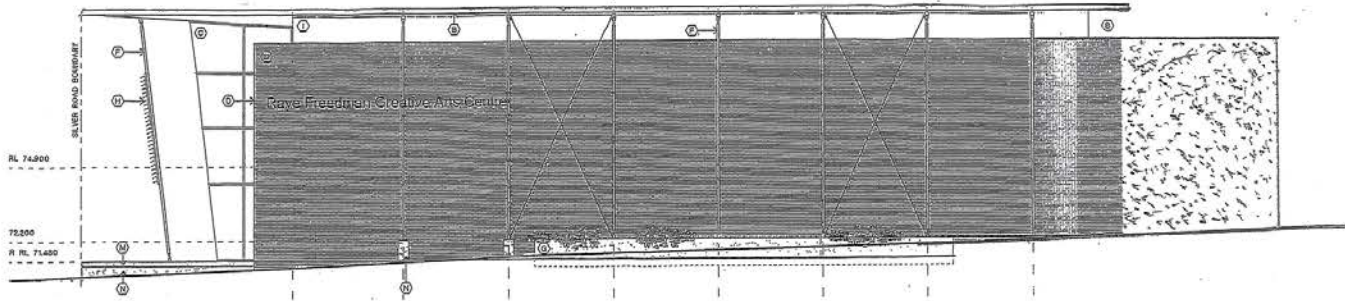


FIGURE 15

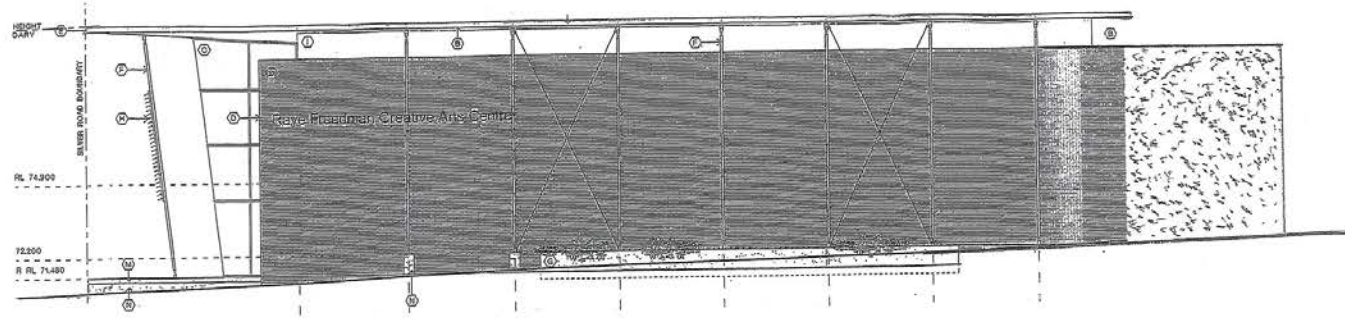
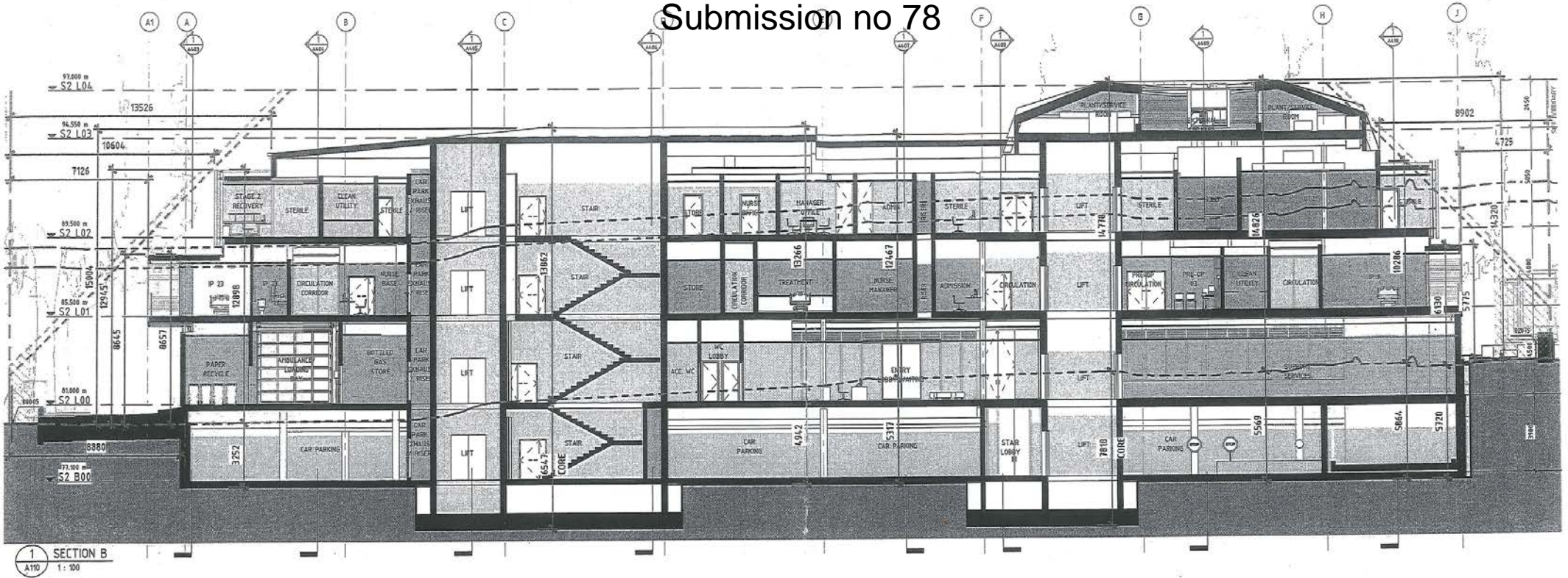


FIGURE 16

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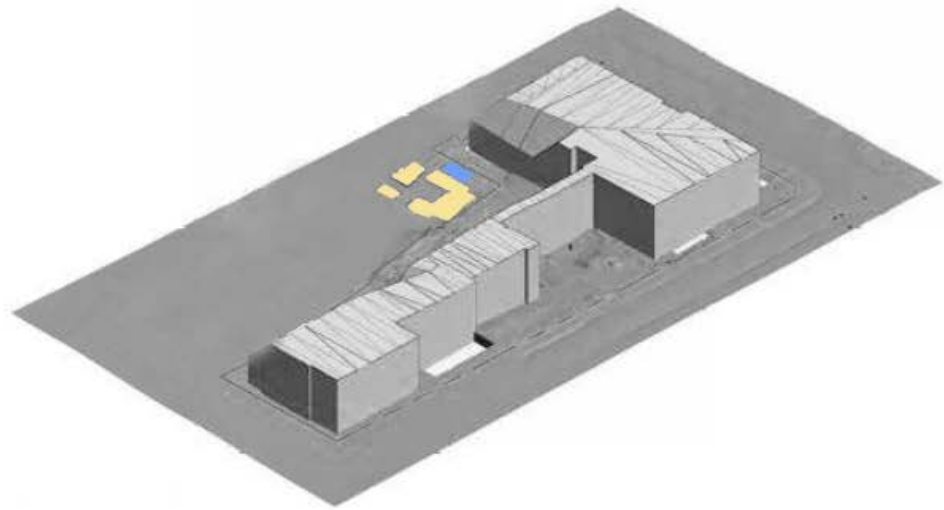
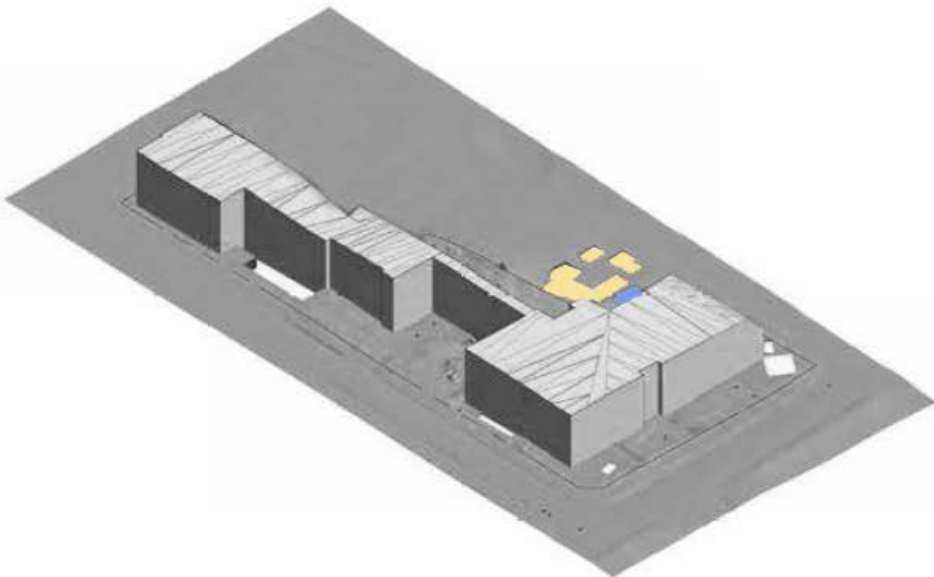
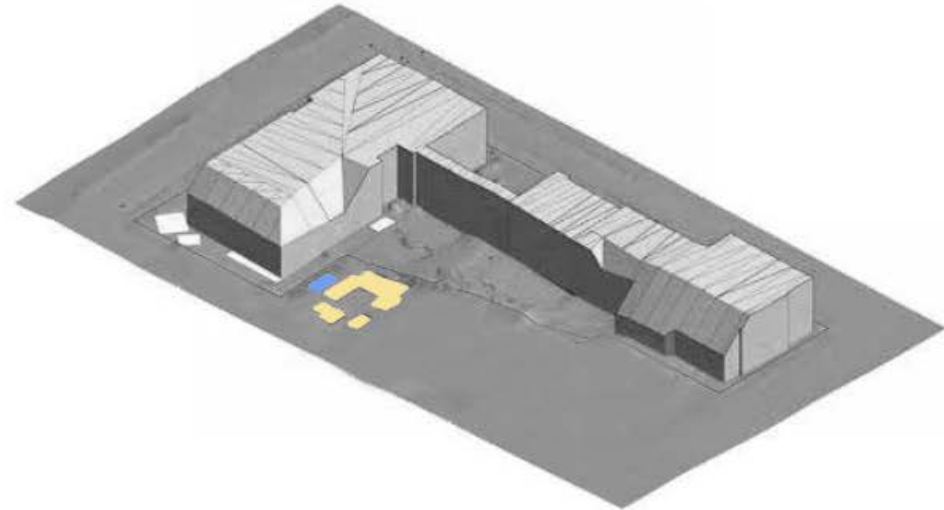
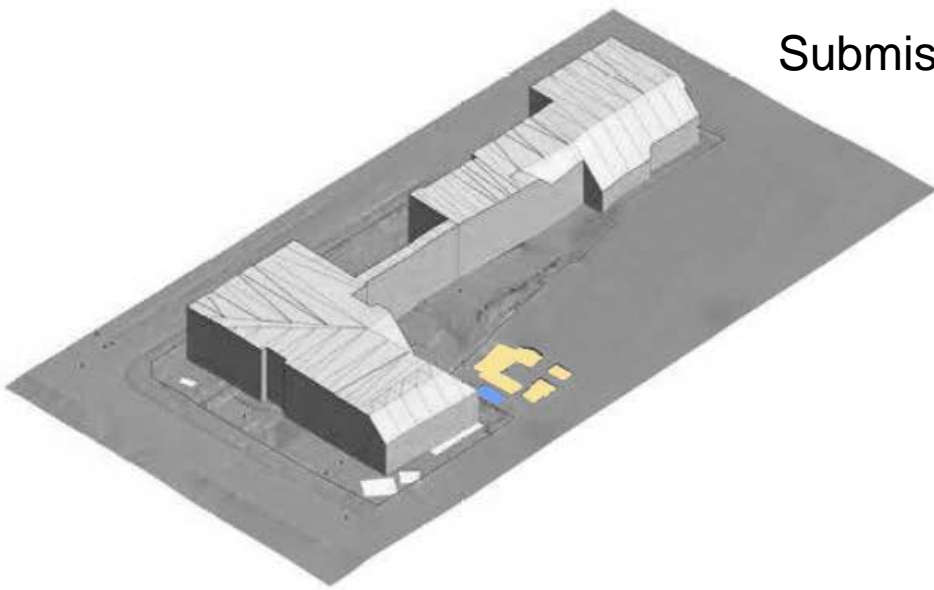


FIGURE 17

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PHOTOGRAPH 1A

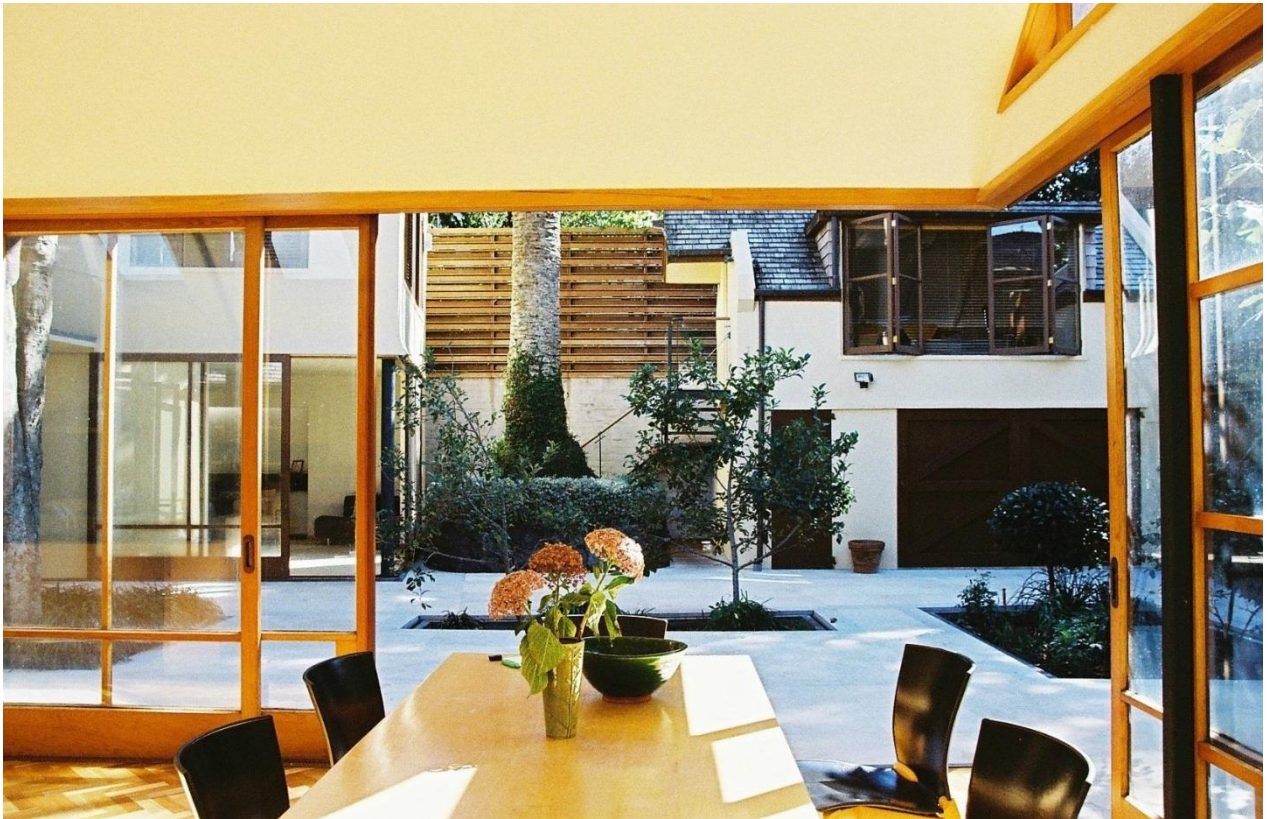


PHOTOGRAPH 1B

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PHOTOGRAPH 2A



PHOTOGRAPH 2B

Submission no 78



PHOTOGRAPH 3A



PHOTOGRAPH 3B

Submission no 78



PHOTOGRAPH 4A



PHOTOGRAPH 4B

Submission no 78



PHOTOGRAPH 5



PHOTOGRAPH 6

Submission no 78



PHOTOGRAPH 7



PHOTOGRAPH 8

Submission no 78

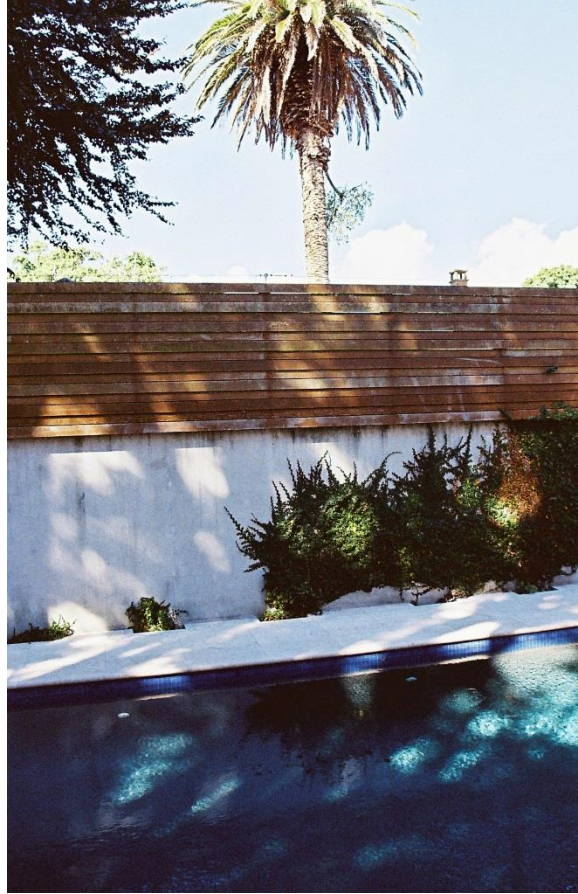


PHOTOGRAPH 9



PHOTOGRAPH 10

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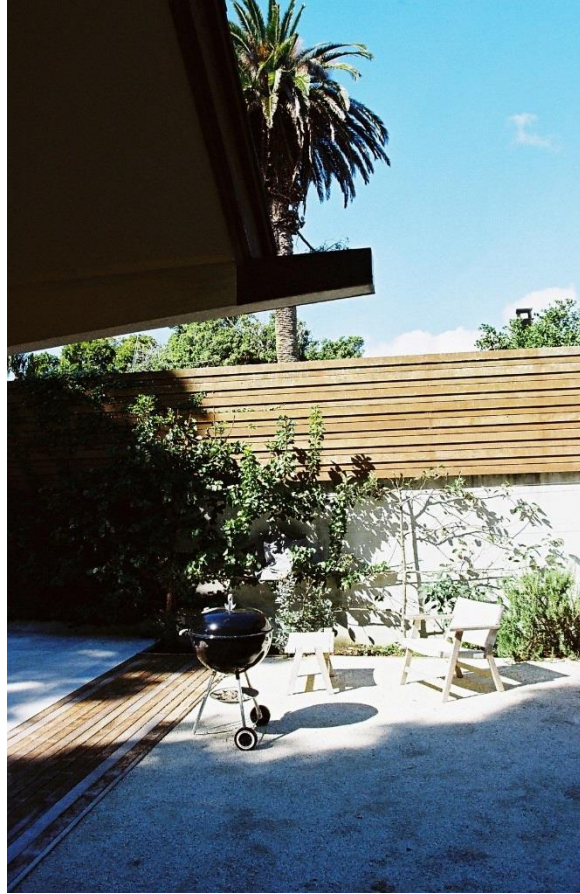


PHOTOGRAPH 11



PHOTOGRAPH 12

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PHOTOGRAPH 13



PHOTOGRAPH 14

Submission no 78



PHOTOGRAPH 15



PHOTOGRAPH 16

Submission no 78



PHOTOGRAPH 17



PHOTOGRAPH 18

Submission no 78



PHOTOGRAPH 19



PHOTOGRAPH 20

Submission no 78



PHOTOGRAPH 21



PHOTOGRAPH 22



PHOTOGRAPH 23

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Anthony Penrose Randerson

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

Address for service of Submitter

7 Shiphards Ave, Epsom, Auckland 1023

Telephone:

09/6387235

Fax/Email:

tonyranderson@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)

[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 79

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

Al Henderson

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

Date

1 April 2019

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 79

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 79

- (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 79

PERSONAL SUBMISSION

1. My wife and I purchased our property in Shipherds Avenue, some 25 years ago and have lived here ever since.
2. We were attracted to this area because of its settled residential character of one to two storey dwellings and the high level of amenity deriving from the many trees and extensive gardens characterising the area.
3. We relied on the residential zoning and were dismayed when Southern Cross proceeded with its existing hospital despite very strong opposition from many local residents including ourselves in 1996 and 1997. This resulted in the removal of the beautiful old Owens homestead and two character bungalows.
4. During the extended two to three year period of construction, there was substantial disruption to residents – noise, dust, trucks, blasting and vibration. All of which is incompatible with a quiet residential neighbourhood. These effects would be multiplied many times over with the latest proposal.
5. There have been other adverse effects for us, notably traffic and parking. Brightside Road is used as a “rat-run” to avoid the Owens Road lights. At peak hours, traffic banks up from the corner of Owens Road and Brightside Road and blocks exit from Shipherds Avenue into Brightside Road. The uncontrolled intersection at Owens Road and Mountain Road has become a nightmare at rush hour and is extremely congested.
6. From about 6.30am during week days, Shipherds Ave and Brightside Road fill up with parked cars. I am aware a traffic survey to be presented will show that substantial numbers of these cars are associated with Brightside hospital staff. That accords with my own observations. This gives rise to serious inconvenience on a regular basis – blocking driveways, motorists moving rubbish bins so they can park where they wish and loss of convenient parking for our guests.
7. It is obvious that an expanded hospital will exacerbate the present disruption and inconvenience to an unacceptable level.

Submission no 79

8. I have read the extensive material presented by Southern Cross. Even on their own assessment (which I do not accept) it is plain that the plan change (and their intended development) represents a major extension of the existing hospital which by its bulk, scale and height will be completely out of keeping with the residential character of this area.
9. It would also represent a wholly unjustified intrusion of commercial activity into the area which is not contemplated by the recently completed Unitary Plan. This has confirmed the residential zonings for the subject site and applied a special character overlay to the Gillies Ave sites at 149, 151 and 153. The loss of the dwellings on those sites would only add to the loss already caused by Southern Cross.
10. Southern Cross have done their best to point to small instances of non-residential buildings (such as Epsom Girls Grammar) but nothing compares to what they want for this site.
11. Residents are entitled to rely on the residential zonings to protect the environment we expect in such areas. The grant of their plan change request would destroy those values, the integrity of the AUP, and would create a very dangerous precedent throughout Auckland.
12. Put simply, the subject 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.



Tony Randerson

April 2019

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Glenda Dorothy Randerson

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

Address for service of Submitter

7 Shiphards Ave, Epsom, Auckland

Telephone:

09 6387235

Fax/Email:

glendaranderson@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)

[Empty box]

Or

Property Address

[Empty box]

Or

Map

[Empty box]

Or

Other (specify)

All of the above 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 80

The reasons for my views are:

(See attached sheet)

(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 30/3/19

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 80

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 80

- (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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 - 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
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 - 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 80

From: Xtra glendaranderson@xtra.co.nz
Subject: Submission
Date: 31 March 2019 at 3:29 PM
To: glenda randerson glendaranderson@xtra.co.nz, Tony Randerson tonyranderson@xtra.co.nz

My husband and I have lived at 7 Shipherds Ave for 25 years and have witnessed the continuing stewardship of the residential nature of this neighbourhood as people purchase and invest time and resources on careful renovation of valuable character houses. The gardens continue to mature and provide pleasure to all who pass through and live in this neighbourhood.

If the AUP Zoning that has recognised the value of this area to our city is altered solely for the benefit of a large commercial (NOT public) hospital enterprise then what protection could any such area of Auckland rely on? An operation on the scale SCH are planning is totally out of keeping for this site.

I am also very concerned about the immense amount of excavation required for the proposed underground car park. We experienced the difficulties involved in rock excavation and removal in this volcanic field of Mt Eden when building our home 25 years ago.

I greatly fear the risks involved in excavating the massive amount of basalt rock to the depth required for this car park: 2 to 3 years of quarrying and the hundreds of truck movements required would be an immense imposition on this area. Thousands of cars and school children would be forced to pass within metres of this site.

Our street and all surrounding streets are at total capacity for car parking every week day right now. In our experience the present hospital generates a percentage of this pressure as there never seems to be sufficient parking onsite for what is required. This situation would surely be aggravated by the scale of the SCH proposal.



Sent from my iPad

Submission no 81

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

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



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

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

For office use only Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(FULL Name)

Ellen Margaret Majurey

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

Address for service of Submitter

13 SHEPHERDS AVENUE EPSOM AUCKLAND 1023

Telephone:

6389441

Fax/Email:

e.majurey@tra.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)

Or

Property Address

Or

Map

Or

Other (specify) I oppose 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 81

The reasons for my views are: My family have lived in this area for 20 years.
The prospect of a larger hospital being built would change the area
which has always been well sought after. Traffic and parking for the
existing hospital has increased so much in the last years I hate to
think what it would be like during construction and after. (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

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

17/04/19.
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 81

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 81

- (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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 - 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 82

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Savita Mistry and VINODBHAI MANGURSHA MISTRY & MUKESH MISTRY

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

Address for service of Submitter

144 GILLIES AVENUE, EPSOM AUCKLAND

Telephone:

021 726 722

Fax/Email:

Vinod@giftwrapping.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)

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 82

The reasons for my views are: SEE ATTACHED DOCUMENTS

(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

V. M. J. Smith 4-4-2019
Signature of Submitter Date
(or person authorised to sign on behalf of submitter)

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Submission no 82

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.
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Submission no 82

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.
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Submission no 82

Mr. Vinod Bhai Mangubhai Mistry and Mrs Savita Mistry

144 Gillies Avenue, Epsom, Auckland

021 726 722

In addition we also have these concerns:-

1. My wife and I have owned the property at 144 Gillies Avenue for 25 years.
2. When we bought, the home was villa but we later developed the property and have been living here for the last 18 months.
3. When we decided to develop we had no idea the Southern Cross had acquired near sites on Gillies Avenue and that they had plan for a major expansion at the existing hospital.
4. Once we became aware of what was proposed, we were horrified at the scale of the scale of the plan.
5. Our property is on southern corner of Kipling Avenue and Gillies Avenue. We have extensive view of the hospital site from our bed rooms upstairs on the Gillies Avenue side and from our deck on the northwest corner of the house. See attached photographs.
6. Our house is directly across from hospital and we will be directly affected by the new hospital proposed on Gillies Avenue. We also have views up Brightside road towards Mt. Eden itself. We have seen photomontages showing the bulk of the development up to 15 meters that would be available under the new hospital zone. It is clear that we would be looking directly at the new building and that the existing tree would not be effective to screen the view of the building.
7. At present the houses opposite us on Gillies Avenue are screened by the trees because they are consistent with the height of houses permitted under existing residential zoning. All that would change if this plan change is approved.
8. We are concerned about the visual effects of the proposal. Instead of pleasant residential area with substantial trees, we would be looking directly at a very unattractive commercial type of building which would be completely out of keeping with the existing character of the area.
9. We have been informed that it will be necessary to excavate vasalt to a depth of 7 meters to provide a carpark. If blasting is needed and we understand it is quickest method, we are very worried about the nuisance this will cause - dust

Submission no 82

noise and vibration. If our property is damaged, how will be compensated? Not to mention the disruption caused by street closure and construction over period of up to three years.

10. Another concern we have is traffic and parking issues. Kipling Avenue becomes filled with parked cars from early hours of morning. We notice Southern Cross staff parking in the street from about 6:30 am each week days.
11. My wife and I work and our vehicle crossing is on Kipling Avenue. Cars are often parked across on driveway and complaints to Auckland Transport have not been effective to stop this recurring. (see photographs)
12. Particularly at rush hours, cars are trying to turn from Kipling Avenue on to Gillies Avenue (turning right or left) have great difficulty. Traffic queues up at least halfway down Kipling Avenue. This makes difficult for us to exit our driveway.
13. And Gillies Avenue, traffic banks up to in the morning from Gillies Avenue Lights all the way south to Epsom Avenue. In the evening, traffic heading south on Gillies Avenue is very heavy in the rush hours.
14. Our concern is that access in to and out of the Gillies Avenue site for the hospital will be very difficult and potentially dangerous. The additional traffic associated with hospital will only make it matter worse.
15. Another worries is the safety of the many secondary school children attending school in the area such as Epsom girls grammar and Auckland Boys Grammar. Large numbers of children walk past our property every day and we are concern that an accident may happen. I have seen children running across the road at Kipling Avenue to avoid traffic and it is only a matter of time before a serious injury occurs.
16. When we redeveloped our property we expected the residential zonings to remain to pressures existing characters. If this proposal is allowed the residential nature of the area will change forever and will create a very dangerous precedent.

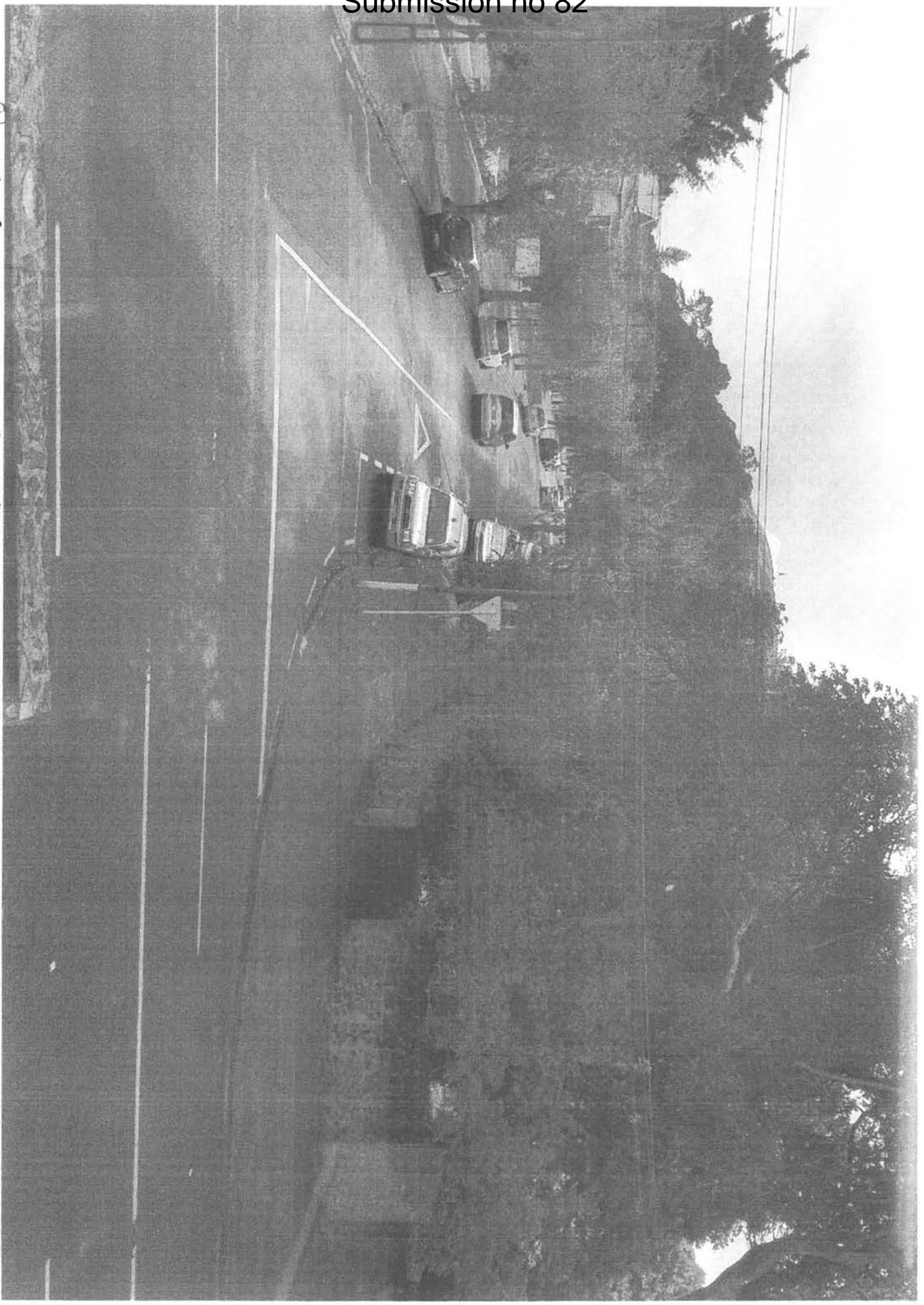
(7) From 144 GILLES AVENUE DEOR



(2) TAKEAW FROM 144 GILLES AVENUE DECK



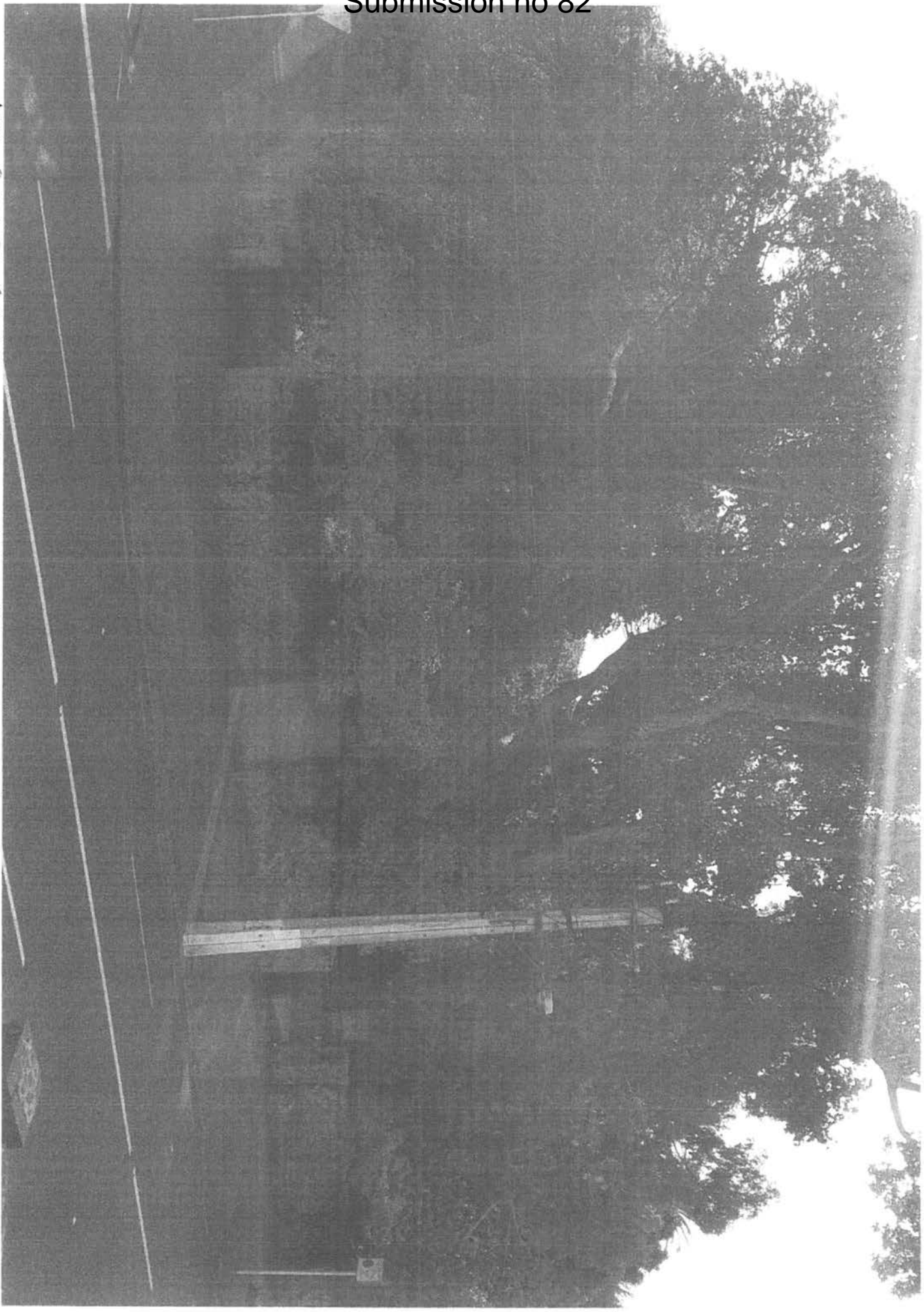
(1) 144 GILLOES AVENUE - TAKEN FROM THIRD FLOOR LOOKING TOWARDS BLUESIDE ROAD



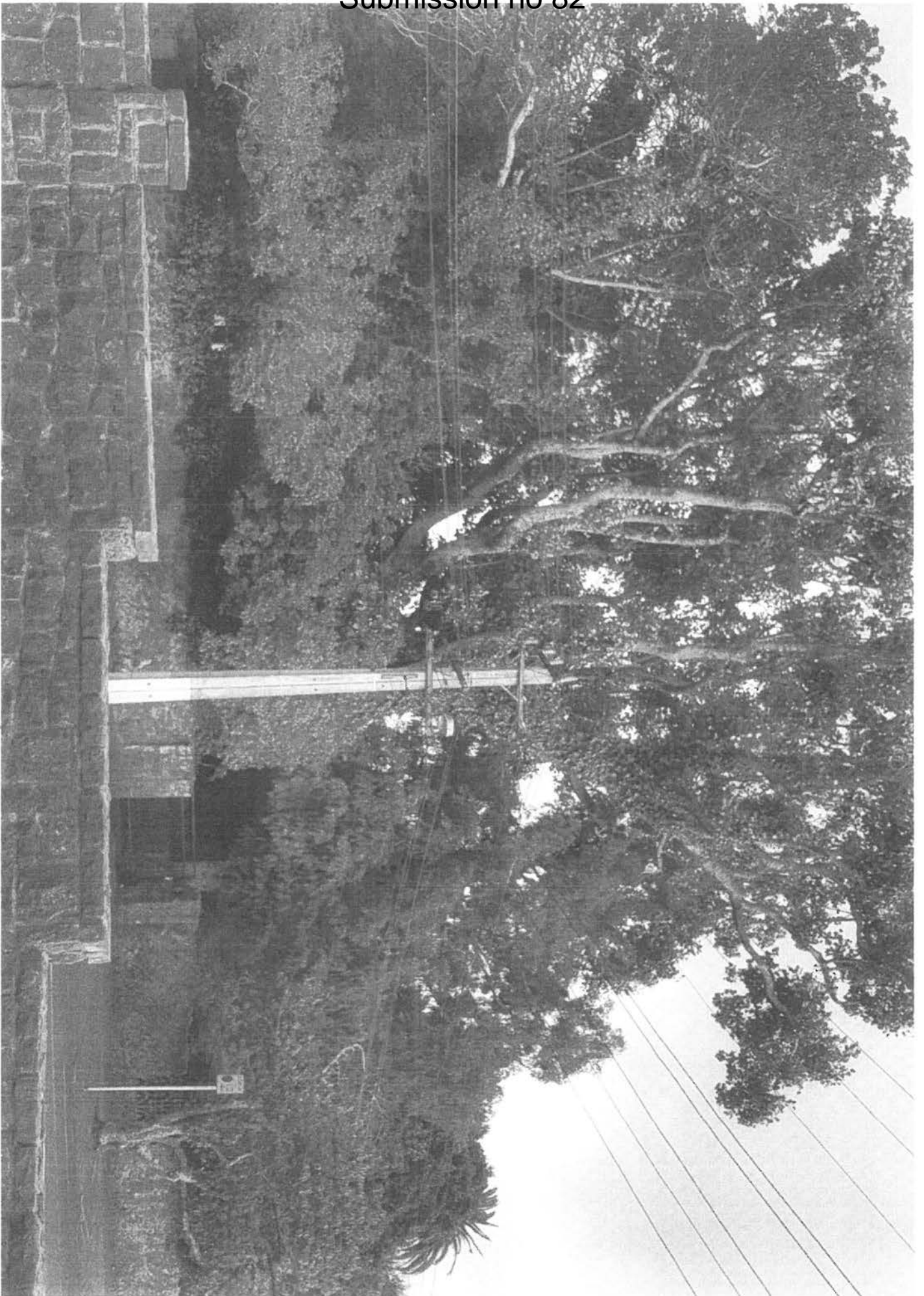
01 146 GILLES AVENUE
TAKEN FROM THIRD FLOOR
LOOKING DOWN TOWARDS
BRIGHTSIDE ROAD

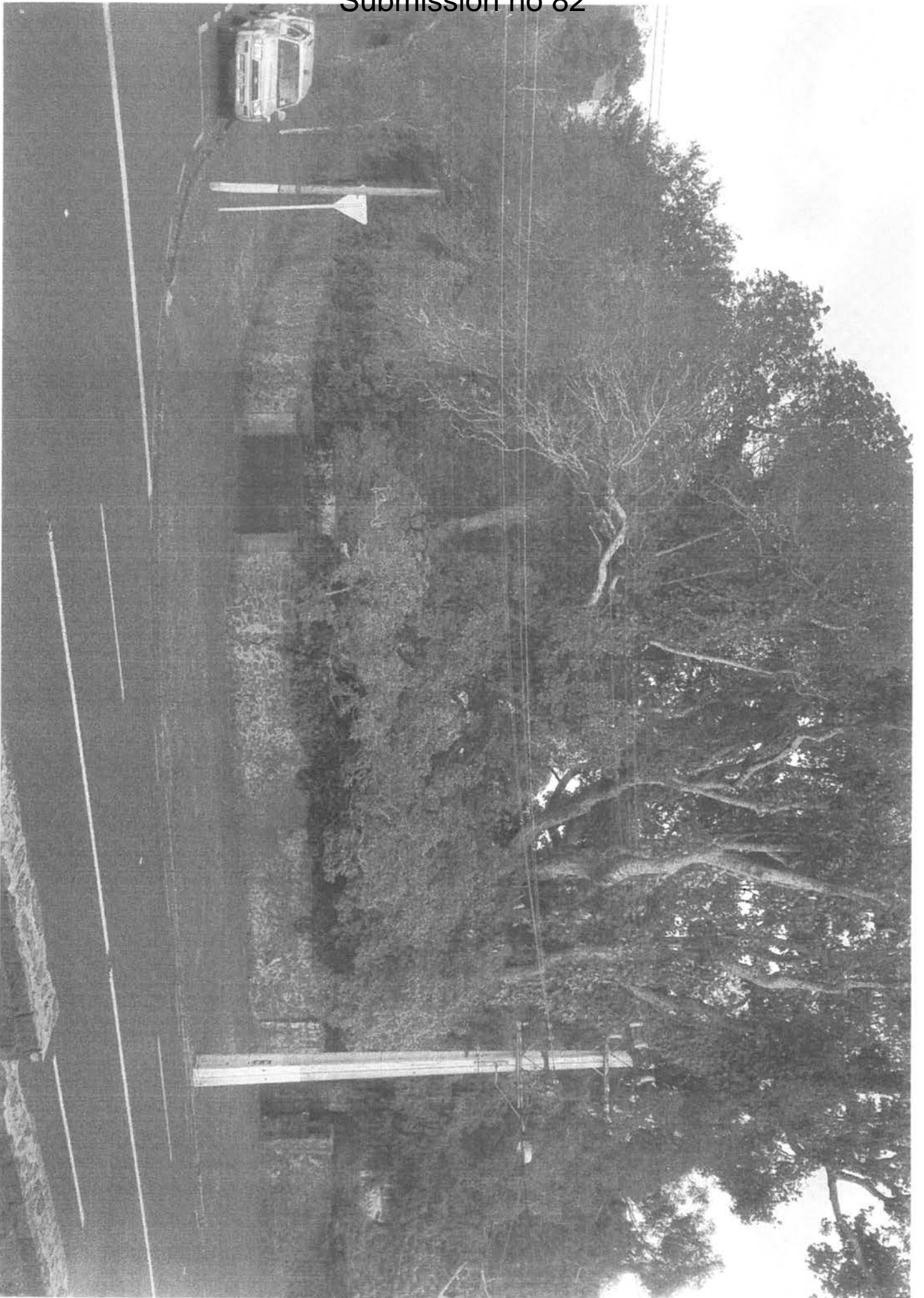


144 GILCHES AVENUE TAKEN FROM THIRD EYE LOOKING AT END OF GILCHES & BRIDGINS



TAKEN FROM DIRT OF 1400 GILCHRIST AV. TOWARDS PAPERLESS BUILDING











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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

CHRISTINA LUCAS

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

Address for service of Submitter

8 SHIPHEROS AVE
EPSOM

Telephone:

021637511

Fax/Email:

lucas.clan@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)



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 83

The reasons for my views are:

see attached sheet

(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

Chukas

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

4/4/2019

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 83

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 83

- (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 on a notified proposal for policy statement or plan change or variation

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



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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)

PAUL RAYMOND LUCAS

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

Address for service of Submitter

8 SHIPHERDS AVE
EPSOM

Telephone:

021488467

Fax/Email:

paul.lucas@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)

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 84

The reasons for my views are:

(see attached sheet)

(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 4/4/2019

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 84

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 84

- (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 on a notified proposal for policy statement or plan change or variation

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



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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)

GORDON MCKENDRY

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

Address for service of Submitter

3 SHEPHERDS CLOSE
EPSOM, AK 1023

Telephone:

021-977-632

Fax/Email:

Gordon@geomac.io.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 85

The reasons for my views are:

EXPLAINED IN THE 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

14 APRIL 2019

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:

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(a) adversely affects the environment; and

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

Submission no 85

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 85

- (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 85

2. In addition, I also have these concerns:

I have been a resident and a rate payer at 3 Shipherds CLOSE, (off Shipherds Avenue) for approximately 16 years.

During that time I have seen a peaceful, leafy, quiet cul de sac become a parking lot for staff for the Brightside Hospital being part of the Southern Cross Medical Group. It has become so bad over the past 5 years, that it is now impossible for visitors, trades people and residents to access daily parking on our street.

Initially there were few vehicles parked on Shipherds Avenue reflecting a normal Epsom suburb. This was a motivating factor in our purchase of the property as our children were younger and attending local schools. They were able to grow up, walk to local schools without fear of being run over or feel scared of the potential dangers the current collective of vehicles poses.

I now have grandchildren visiting and staying who will not be able to grow and have the same safe Kiwi growing experience due to the current parking crisis.

There is currently an extreme overload of daily parking in the immediate environs of Shipherds Avenue, Brightside Road and surrounding streets. Other objectors will have provided detailed and substantiated statistics to support my narrative.

For Southern Cross to apply to extend the hospital and to ask for exemptions for fewer parking spaces is not in keeping with local planning requirements reflecting the integrity of the Epsom area.

It has been well documented that Southern Cross have failed to comply with Auckland City Councils requirements from their original building. An application to now increase the size of the hospital and a request to have less parking spaces than planning standards require reflects their contempt for neighbours and the Epsom environment. They have consistently failed to meet the legal requirements placed on them for the original build and that is sufficient evidence that they have no intention of doing so in this case.

The traffic loading in the surrounding area is already over peak especially around school hours as there are upwards of 4 schools in close proximity to the hospital. Buses and private vehicles along with peak hour work traffic have jammed the streets already and in conjunction with growing vehicle movements any expansion of the hospital will only result in further disruption and dangers to school children and residents.

Compounded with the lack of resident only parking restrictions in the area it will only exacerbate the situation further which is unacceptable hence my objection to **any** expansion of the Brightside Hospital owned by the Southern Cross Group.

Gordon McKendry
3 Shipherds CLOSE
Epsom
Auckland. 1023

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms (Full Name)

Anne Marie Callinan

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

Address for service of Submitter

2 Shiphards Ave Epsom

Telephone:

021 403 592

Fax/Email:

anne.callinan@simpson-

Contact Person: (Name and designation, if applicable)

grierson.com

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)

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 86

The reasons for my views are: AS 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


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

16/04/2019
Date

Notes to person making submission:

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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 86

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 86

- (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 86

1. In addition, I/we also have these concerns :

- (i) We have lived in this area for 15 years. What we really like about the area is the trees and the historic nature of the neighbourhood.
- (ii) 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. It seems wrong that a company with lots of money acts against the community and challenges an agreed on City plan immediately. This is clear case of a large corporate using its extensive financial resources against residents.
- (iii) I am worried that if this proposal can take place here, then it can take place anywhere around Auckland residential zones. This makes Auckland no different than many other big cities, just a mess with no real concern for “liveable communities” based around quality residential environments. Epsom and this area in particular has historic significance. Changing this part of the city changes the visual street scape and the history of the city.
- (iv) There is allot of commercial activity in the area. There is no need to add an additional major commercial activity in the middle of a residential area?
- (v) Increasing traffic is a very serious concern for me because the area is already at peak traffic load! There is no parking in the area now. Adding additional pressure will hurt traffic flow and negatively affect the community. I think it will place the many school students who cross on and around Brightside & Owens Rd at significant risk. The Council should look at the Brightside/Owens intersection at peak times to understand how dangerous this would become.
- (vi) The prospect of a 24/7 hospital operation of the scale that could be built under the proposal is completely contrary to any concept about quality residential amenity. There are several hospitals in the immediate area. There is no need for another in this vicinity, where other facilities are available.
- (vii) I am very concerned about the prospect of further loss of heritage homes. Three 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 because it is a historical precinct. The area has a long history related to Auckland City and Epsom.
- (viii) Auckland has a housing shortage. Inner city suburbs like Eden-Epsom are not exempt from this. The proposal is removing housing, including a large boarding house which provides for a wide range of people. In fact, the existing hospital could relocate and make available even more necessary housing within a preferred inner-city residential area with good public transport and other social services.
- (ix) My house is built on a rock foundation and has rock walls around the boundary. This is all potentially at risk of damage from continuous excavation/blasting for a prolonged period of time to establish a very substantial basement to proposed new structures. “Quarrying”, which is what excavation is over 2 – 3 years duration, within a residential

Submission no 86

area is never a good idea because it will create a vast amount of noise pollution, dust and waste.

- (x) I do not understand how the council could reasonable decide that 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. Effectively this will establish a large commercial island within a large low-profile residential precinct. A large building will visually affect all the views around Mt Eden and further reduce the amenity value of the area for many residents.

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Richard Scott Poole

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

Address for service of Submitter

2 Shiphards Ave Epsom

Telephone:

021 606 001

Fax/Email:

ricks9poolez.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)

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 87

The reasons for my views are:

As 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

Rick Lowe

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

16/04/2019

Date

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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 87

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 87

- (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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- (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.
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Submission no 87

1. In addition, I/we also have these concerns:

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- (ii) 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. It seems wrong that a company with lots of money acts against the community and challenges an agreed on City plan immediately. This is clear case of a large corporate using its extensive financial resources against residents.
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- (iv) There is allot of commercial activity in the area. There is no need to add an additional major commercial activity in the middle of a residential area?
- (v) Increasing traffic is a very serious concern for me because the area is already at peak traffic load! There is no parking in the area now. Adding additional pressure will hurt traffic flow and negatively affect the community. I think it will place the many school students who cross on and around Brightside & Owens Rd at significant risk. The Council should look at the Brightside/Owens intersection at peak times to understand how dangerous this would become.
- (vi) The prospect of a 24/7 hospital operation of the scale that could be built under the proposal is completely contrary to any concept about quality residential amenity. There are several hospitals in the immediate area. There is no need for another in this vicinity, where other facilities are available.
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- (viii) Auckland has a housing shortage. Inner city suburbs like Eden-Epsom are not exempt from this. The proposal is removing housing, including a large boarding house which provides for a wide range of people. In fact, the existing hospital could relocate and make available even more necessary housing within a preferred inner-city residential area with good public transport and other social services.
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Submission no 87

area is never a good idea because it will create a vast amount of noise pollution, dust and waste.

- (x) I do not understand how the council could reasonable decide that 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. Effectively this will establish a large commercial island within a large low-profile residential precinct. A large building will visually affect all the views around Mt Eden and further reduce the amenity value of the area for many residents.

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mr. Nicholas Allen

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

Address for service of Submitter

32A Owens Road, Epsom

Telephone:

021 630104

Fax/Email:

nickallen111@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)

PC - 21

Or

Property Address

Or

Map

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 88

The reasons for my views are:

please 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

Nicholas Allen

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

16 / 04 / 19
Date

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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 88

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 88

- (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,
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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
 - 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 88

SUBMISSION BY NICHOLAS ALLEN IN OPPOSITION TO A REQUEST FOR A PRIVATE PLAN CHANGE BY SOUTHERN CROSS HOSPITALS LTD IN RELATION TO PLAN CHANGE 21 (PRIVATE).

1. I oppose the Private Plan Change for 3 Brightside Road and rezoning of 149, 151, 153 Gillies Ave sought by Southern Cross Hospitals. My parents reside at 32a Owens Road, which adjoins the proposed Southern Cross (SX) hospital site on the entire southern and eastern boundary. This has been my family home for over 20 years, and although I have lived and studied in Wellington for the last four years, I return home regularly, spending around five months of the year at 32a Owens Road.
2. The Plan Change which would allow for extensive and notably non-compliant commercial expansion into an almost strictly residential environment would be significantly detrimental on all fronts to the integrity of the neighbourhood community, and also our private life at home. I believe it to be a blatant disregard for the privacy, and right to quiet enjoyment of the residents of this area.
3. Southern Cross has acknowledged the potential risk to surrounding properties during consultation when the issue of excavation and blasting to a depth of 7m was raised.
4. Southern Cross management proposed that they would survey affected properties before and after excavation, and, negotiate with residents as to repair. I believe it greatly unjust that Southern Cross is able to embark on work which, they themselves have acknowledged, threatens the integrity of surrounding properties, so long as they agree to *negotiate* compensation for any damage they might cause. I see the recklessness of Southern Cross as having the potential of creating immeasurable and undue nuisance for the members of the neighbourhood and without any justification other than their own commercial gain.
5. The proposed development includes the construction of a 16-metre building along the eastern boundary of 32a Owens Road. The development would greatly impact on my family's enjoyment of the property due to a significant loss of privacy, indoor and outdoor, and sunlight, not to mention the fact the instalment of a 16-metre structure would dramatically and irreversibly alter the nature and character of a neighbourhood where no structure is greater than two stories. The impact on our property has not been given due consideration in the AEE (2019). The statement in the AEE that there are trees on the western boundary of 149 Gillies Ave that would screen the proposed building is incorrect.
6. Such consequences would be in direct contention with the Healthcare Facility and Hospital Zone Unitary Plan, which includes in its objectives provisions, the adverse effects of hospital and healthcare activities, buildings and infrastructure, and accessory buildings on adjacent areas are to be avoided. This is the reason hospitals have been recognised as non-complying activity in all residential zones, under the AUP, in the first place.

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

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



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

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

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name)

Mary Bernadette Crosby

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

Address for service of Submitter

13/53 Bellevue Rd, Mt Eden

Telephone:

0277528399

Fax/Email:

marybernadettecrosby@auckland.council.govt.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

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 89

The reasons for my views are:

please 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

Mary Crook-Lately
Signature of Submitter
(of person authorised to sign on behalf of submitter)

16/4/19
Date

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

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Submission no 89

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 89

- (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.