

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Dennis Katsanos  
**Date:** Sunday, 28 January 2024 10:30:18 pm

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The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Dennis Katsanos  
Organisation name:  
Agent's full name:  
Email address: denniskatsanos@gmail.com  
Contact phone number: 021336647  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Property address:  
Map or maps:  
Other provisions:  
The rezoning of the land, in particular the corner of Carrington and Woodward Roads.

The request to increase building heights.

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

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

The reason for my or our views are:

We oppose the rezoning of land for Mixed Business Use, no one has consulted us or discussed what type of business this land may be used for, how people will get in an out, noise, visual and other negative impacts on surrounding properties. Why can't someone come and talk to us and walk us through what is happening as opposed to providing documents that are hundreds of pages long that many people can't understand. The rezoning requires investigation and consultation and with the residents to decide what serves Mt Albert best. The Crown could identify what parks, recreation areas and possible community requirements going forward. Once the land is apartment buildings it's gone.

51.1

The historic house (Penman House) on the corner of Woodward and Carrington Road is an iconic landmark and should be preserved as such for future generations.

51.2

Woodward Road and Carrington roads are already heavily impacted by traffic. It is incredibly hard to get out of your driveway at peak time and adding so many more dwellings along with the rate that Auckland is growing in size will have a drastically negative impact for residents on those streets and the wider community.

51.3

Despite what favourable traffic and infrastructure reports provided may say, the existing roads and infrastructure struggle to handle the volumes at present. The new development will always connect with the old infrastructure and bottle neck. Drains are constantly blocked on Carrington and has an impact on all involved increasing the volume of buildings and housing will just add to an already strained system.

51.4

The Auckland City Council will receive its fees and the developers their profits whilst the residents remain and deal with the fallout.

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

Submission date: 28 January 2024

**Attend a hearing**

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

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Sue Shearer  
**Date:** Monday, 29 January 2024 6:31:08 am  
**Attachments:** [Submission TTC Plan Change 94 dec23\\_20240129062438.618.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sue Shearer

Organisation name:

Agent's full name:

Email address: [sueshearer57@gmail.com](mailto:sueshearer57@gmail.com)

Contact phone number:

Postal address:  
21 Alberta st pt chev  
Point chevalier  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Tree assessment and protection

Property address: 1-139 Carrington Road

Map or maps: All

Other provisions:  
Open space provisions, archaeological / cultural site protection, landscape character, master Planning

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

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

The reason for my or our views are:  
I oppose the specific provisions The plan change documentation provided does not adequately attend to the specific provisions identified

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: See attached submission

Submission date: 29 January 2024

Supporting documents

Submission TTC Plan Change 94 dec23\_20240129062438.618.pdf

**Attend a hearing**

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

**Declaration**

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

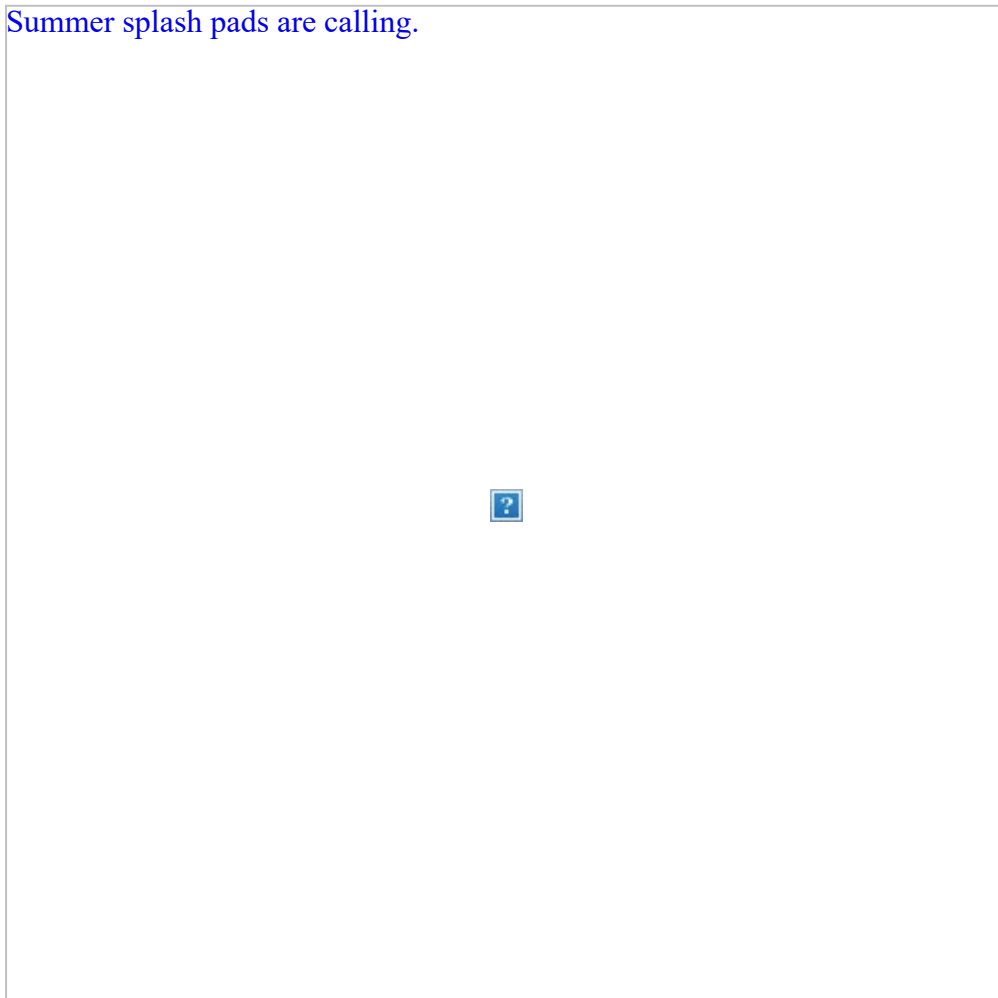
Are you directly affected by an effect of the subject matter of this submission that:

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

Yes

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

[Summer splash pads are calling.](#)



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The Tree Council  
Tiakina Rākau • est 1986



## **Submission by The Tree Council on Plan Change 94 Te Auaunga Precinct**

12 December 2023

From: The Tree Council  
Contact: Dr Mels Barton, Secretary  
PO Box 60-203, Titirangi, Auckland 0642  
021 213 7779  
info@thetrecouncil.org.nz

### **Preamble**

Thank you for the opportunity to present The Tree Council's submission on **Plan Change 94 Te Auaunga Precinct**.

This submission is made by The Tree Council, an independent, voluntary organisation, a non-profit incorporated charitable society which has been serving the Auckland community since 1986 in the protection of trees and as advocates for the significant benefits and services that our trees and green spaces provide.

We wish to speak to our submission if that opportunity is provided.

### **Submission**

#### **Introduction**

The Unitec site has long been valued by the local community for its park-like grounds and mature trees. Local people like to visit to walk their dogs, cycle through, picnic, teach their children to drive, go to the gym, grow vegetables and flowers at the Mahi Whenua

Sanctuary garden etc. The site boasted over 2000 trees representing around 200 different species, as surveyed by Unitec landscape architecture staff and students as part of their degree in 2010 -2012 (**Unitec** Institute of Technology. *Unitec's Arboretum*, Advance research magazine, Spring 2013).

In its new iteration as a housing development, it is estimated that around half the trees have been cut down already. This submission by The Tree Council is to put the case for some of the Knoll Open Space to be retained by Unitec to ensure the protection of the trees which make up the landscape context for Building 48, and that a covenant to be placed on the remaining mature trees on the site, to safeguard their botanical, historic and ecological values and ensure future occupants of the houses to be built will be able to enjoy trees of significant grandeur to enrich their lives. It is essential to ensure that the individual trees to be retained are legally protected via covenant or similar to be placed on the LIM of every property before it is sold to private owners, otherwise these trees will be able to be removed incrementally and the overall ecological and amenity value of these public assets for the entire community will be lost.

Our submission is focussed on 7 points:

1. Lack of an arborist's report evaluating the remaining trees and inadequate identification of trees in the Morphem Ecological Assessment
2. Lack of evaluation of the remaining trees against the criteria for scheduling as Notable Trees, as is a legal requirement for all Plan Changes.
3. Lack of tree protection / tree works methodologies
4. Lack of archaeological / cultural site protection
5. Open Space Provisions
6. Landscape character and botanical character around Building 48
7. Lack of a Masterplan to evaluate detailed plans for the open space designs ie. which trees will be retained and a Landscape & Visual Effects Assessment which ignores the role of trees in the internal landscape and amenity of the site.

### **1. Lack of Arborist's Report**

The Morphem Ecological Impact Assessment (A08) contains a map in Appendix 1 that identifies the location of a number of "significant trees". However there is no accompanying table that identifies the species, size, health, condition, or protection (or not) of any of these trees, or any indication of whether the proposed development intends to retain any of them and if so how they will be protected. This is totally inadequate and is not a substitute for an Arboricultural Report compiled by a qualified arborist. This needs to be provided.

The existing list of identified trees in Table I334.6.7.1 of the Wairaka Precinct consent document is totally inadequate as a record of the significant trees on the site. Of the 47 plants listed, 6 are shrubs, 1 is a climber and at least 8 have already been removed.

52.1

**2. Lack of Evaluation of Remaining Trees as Notable Trees**

The documentation provided should include an arborist’s report, compiled by a qualified arborist, evaluating and specifically identifying the remaining trees and assessing them against the Notable Trees criteria for scheduling in the Unitary Plan. We understand that this is a legal requirement for all Plan Changes so that potential Notable Trees are adequately legally protected in perpetuity as part of the Plan Change. Historically all the trees on the site were protected as part of the education zoning and therefore many of those worthy of scheduling were never nominated or evaluated. Many of these significant trees have already been lost as part of the infrastructure works, which were done without public notification or any opportunity to make submissions. This makes it even more important that evaluation of the remaining trees and scheduling of those qualifying is done as part of this Plan Change.

52.1

**3. Lack of Tree Protection / Tree Works Methodologies**

The documentation states that the retention of trees on the site will “counterbalance the increased residential density and built scale of development” (Open Space Framework, Appendix 4), while not providing for any process that will ensure the retention and legal protection of any of the trees other than those already legally protected as Notable Trees.

The applicant must provide a tree protection / tree works methodology compiled by a qualified arborist designed to ensure that there are no short or long term adverse effects upon retained trees and that there is a legal process implemented as part of the Plan Change by which all retained trees will be protected in perpetuity. This should include:

- a. scheduling as Notable Trees those evaluated as qualifying against the criteria;
- b. covenanting;
- c. zoning as Open Space, Significant Ecological Area or riparian margin.

52.2

**4. Lack of Archaeological / Cultural Site Protection**

The Mahi Whenua Sanctuary Gardens is a significant cultural site. Maori gardening implements have been discovered in this area. It is thought to have been continuously gardened from pre-European times. One of these implements is set into the floor of the Marae Pukenga building 171 on the Unitec site. We note that this site is identified as culturally and archaeologically significant in Attachment A11 Archaeological Assessment (R11/3134), however no mention is made of these implements whatsoever. This appears to be a significant omission that needs to be rectified and the protection of the site where they were found prioritised accordingly. We expect this area to be retained and protected and zoned as Open Space. This needs to be made clear.

52.3



## 5. Open Space Provisions

### Referring to A 05. Open Space Assessment

2.3 We note the increase and redistribution of open space proposed from 3.6ha to 5.2ha, but also note that this is only achieved by purchase and rezoning of existing open space from Unitec Te Pukenga which decreases the open space ratio for that institution. Of particular concern are 2 existing open space areas currently part of the Unitec campus. One is the Knoll Open Space adjacent and contiguous as a landscape context to Building 48, and the other is the Sanctuary Garden area to the south of the Te Auaunga Access Park that is home to a very highly valued community garden.

52.4

### Northern Open Space

3.3-3.12 There is only one reference to the existing trees within these clauses. The trees are a very strong component of the visual character of the Unitec Building 1 frontage. Clause 3.10 states that “Trees and the existing open space layout can be modified and enhanced, while retaining landscape features of value to the amenity of the open space.” AO4 pg 23 shows 6 trees retained, but there are other significant trees in this area which should be retained.

52.5

**Recommendation:** That the applicant be required to retain all the significant trees in this area, as determined by a qualified arborist.

### Central Open Space

3.20 Landscaping: There is no detail provided as to the design of this space with reference to the sentence “There is opportunity for enhancement with planting of trees and other vegetation at an appropriate scale to support the recreational use and amenity offered by the large open space area.”. As this area has been a sports field with no tree plantings, it would be appropriate to know what the character and location of the proposed planting would be like.

52.6

**Recommendation:** That the applicant be required to provide a landscape plan for this open space area as part of the plan change documentation.

### Te Auaunga Access Park

3.28 Visibility. No mention is made of the adjacent Mahi Whenua Sanctuary Gardens. It seems appropriate to acknowledge and describe the relationship between the Te Auaunga Access Park and the Mahi Whenua Sanctuary Gardens. These highly valued community gardens are utilised by multiple families in the surrounding community and archaeological evidence (see above) suggests that it has been continuously gardened since pre-European times.

52.7

The Mahi Whenua Sanctuary Gardens are shown as part of the Waiohua – Tamaki Rōpū Lots. Why is it not identified as being as Open Space, which we understood had already been agreed with Auckland Council?

52.7

### Knoll Open Space

3.34 **Character.** A strong characteristic of this open space is its relationship to Unitec’s Building 48, built in 1896. The building, used for teaching by the School of Architecture has no heritage classification but has strong heritage value nevertheless. Building 48 was the Māori Mental Health unit in the psychiatric hospital era. The Knoll Open Space constitutes the landscape grounds of Building 48. It sits on the ridge with treed lawns rolling down to the north and west of the building to the Spine Road. The Open Space Assessment describes the Notable protected trees appropriately, but neglects to describe that they, and the other trees adjacent relate inherently to the building. As such they should be retained as part of the Unitec campus and continue to be protected as part of the educational precinct around Building 48.

52.8

### South Open Space

3.47 This clause states that the open space area has no stormwater function.

3.48 This clause states that about a third of the land comprises an artificial high amenity stormwater pond, that clearly has a stormwater function. These clauses seem contradictory. The heavy clay soil in this area does render parts of it wet and boggy in winter. Perhaps these clauses could be amended to give clarity.

52.9

There is no indication whether these areas of proposed Open Space will be vested / zoned as such in the Unitary Plan. This needs to be done. It would ensure that remaining trees within these areas would be legally protected, providing they survive the development process. This will indicate whether there is in fact additional Open Space being provided by this development or whether existing education land open space is simply being repurposed and counted twice as serving both educational and residential purposes. This is disingenuous.

52.10

### 6. Landscape and botanical character around Building 48

The open space around Building 48 is a particularly significant area of landscape and botanical value. The treed rolling landscape has elevation, views and grandeur when considered in combination with the building. It is also a hot spot of botanical variety with a wide range of both mature native and exotic trees, planted around the time the building was completed in 1896. This makes them over 120 years old. Of particular note are the scheduled ginkgo, coral trees and jacaranda, but also the rare Japanese tan oak and grove of large natives.

52.11

**Recommendation:**

That the notable trees around Building 48 remain as part of the Unitec campus, connected to their *raison d'être*. This would require moving the plan change boundary by 20m to the north of Building 48 to include the notable scheduled *Erythrina crista-galli* (coral tree), *Ginkgo biloba* (ginkgo), and 40m to the west of Building 48 to include the notable scheduled *Jacaranda mimosifolia* (jacaranda) and the stand of 120 year old natives including puriri, pohutukawa, totara and rimu.

52.11

Additionally, a covenant should be required to ensure the trees are retained in perpetuity.

**7. Masterplan and Landscape & Visual Effects Assessment**

The documentation lacks a masterplan to enable the public to evaluate detailed plans for the open space designs ie. which trees will be retained.

52.12

The Landscape and Visual Effects Assessment prepared by Boffa Miskell, focused almost exclusively on the visual effects of the proposed development from public viewing positions looking into the site. There is very little comment on the amenity provided by the existing mature trees, most of which are not protected. Instead, the Landscape and Visual Effects Assessment relies on new planting and urban design to provide landscape amenity. The report acknowledges that there are Notable Trees on site, but it is not made clear whether the bulk and location drawings have included these trees in the concept plans. In the earlier master planning documents prepared by Boffa Miskell, "high amenity trees" and existing urban ngahere is identified, but the more recent Landscape and Visual Effects Assessment hardly mentions existing trees apart from Scheduled/Notable Trees and the cluster of trees around Building 48 that fall into a green space. They mention that "some trees will be removed" but this is as far as the report goes.

Whilst we acknowledge that most of the mature trees on site no longer have legal protection, from a landscape planning and visual effects perspective, integration of at least some of these trees into the urban design should be considered.

**Conclusions:**

Our submission limits its scope to insisting that that level of intensification proposed demands balancing with generous open space and large scale vegetation ie. trees.

The Council rightly requires the open space plan to be documented, for the amenity and health of the thousands of people who will come to live in the precinct. However it is noted that this is achieved by removing the open space areas from Unitec campus. Using an old expression - this seems like robbing Peter to pay Paul. Has a calculation of the remaining open space been done for the Unitec campus to ensure it remains sufficient for student and

staff wellbeing? Or is the open space counted for both zones, therefore a kind of double-dipping exercise?

The value of the remaining trees in the precinct is enormous. Amenity, ecology, water management, pollution control and visual character values make mature trees valuable assets in establishing a new development. However the documentation provided is totally inadequate in even identifying the existing trees, let alone evaluating their quality, health and value and identifying how they will be retained and protected.

The track record of the development activities thus far have taken a 'tabula rasa' approach, with tree removal being undertaken wherever conflict arises, without alternative design solutions being considered in order to retain trees. Therefore we have no confidence that this will not continue to be the approach taken, unless the trees are individually identified for retention and given legal protection via either scheduling or covenant, or retained within Open Space provisions as part of the Plan Change. There needs to be a clear plan for how works will be undertaken without damaging the health of retained trees. This is missing.

The trees around Building 48, the Mana Whenua Sanctuary Garden trees and vegetation and the trees in front of Building 1 are all vital green infrastructure on the site and of high value for the residents of Auckland as a whole, not just for this development, as their Notable status demonstrates

The Tree Council considers it imperative that these public tree assets are identified, evaluated and permanently protected and looks for assurance of this protection within the precinct documentation, which is missing at present.

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Greta van der Star  
**Date:** Monday, 29 January 2024 4:31:02 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Greta van der Star

Organisation name:

Agent's full name:

Email address: gretavanderstar@gmail.com

Contact phone number:

Postal address:  
0604

Auckland 0604

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

##### **My submission relates to**

Rule or rules:  
Sanctuary Mahi Whenua

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We think Sabctuary Mahiwhenua should remain as a public space.

53.1

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown as an open space area as I understand this area was to be preserved through the sale and

purchase agreement between Unitec and the Crown in 2018.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: preserve some 7000 square metres occupied by the Sanctuary Mahi Whenua gardens and food forest.

Submission date: 29 January 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Kate battersby  
**Date:** Monday, 29 January 2024 7:16:02 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Kate battersby  
Organisation name: Mahi whenua Gardens  
Agent's full name:  
Email address: katefbattersby@icloud.com  
Contact phone number:  
Postal address:

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

##### **My submission relates to**

Rule or rules:  
Property address: 1-139 Carrington Road  
Map or maps:  
Other provisions:

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

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

The reason for my or our views are:

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve. Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space. At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018.

54.1

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

Submission date: 29 January 2024



**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Kate Lowe  
**Date:** Monday, 29 January 2024 7:46:05 pm  
**Attachments:** [Condition 25 Sanctuary Gardens.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Kate Lowe

Organisation name:

Agent's full name:

Email address: [katelowe.nz@gmail.com](mailto:katelowe.nz@gmail.com)

Contact phone number:

Postal address:  
13 Phyllis Street  
Mount Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:  
Open Spaces - specific to the Sanctuary Mahi Whenua.

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

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

The reason for my or our views are:  
Open Space:

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown

as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018.

Clause 25.4 of the “Agreement varying agreement for sale and purchase in Wairaka Precinct” between Unitec and the Crown, March 2018. This agreement was to preserve some 7000 square metres occupied by the Sanctuary Mahi Whenua gardens and food forest.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: To include the Sanctuary Mahi Whenua gardens within the open space within the plan.

55.1

Submission date: 29 January 2024

Supporting documents  
Condition 25 Sanctuary Gardens.pdf

**Attend a hearing**

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

**Declaration**

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

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

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

No

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**\*25.4 Community gardens**

- (a) *The purchaser acknowledges the cultural and historical significance of the gardens and fruit forest (occupying up to 7000 square metres) **# 55** (Community Gardens) currently situated on part of what will become Lot 4 following the Subdivision and agrees to consult with Unitec, Iwi and Kaumatua in agreeing and documenting an arrangement for the ongoing use and preservation of those gardens.*
- (b) *To assist the purchaser in respect of the matters set out in clause 25.4(a), following the date that this agreement is unconditional:*
- (i) *the vendor will provide written notice to the Sanctuary Community Gardens Mahi Whenua Incorporated (Society) (being the current occupiers of the Community Gardens) that*

HAR9080.17.152

*Per AS*

*the vendor will transfer ownership of the property including the Community Gardens on Lot 4 to the purchaser on the settlement date; and*

- (ii) *the purchaser and vendor will work collaboratively with other interested groups (including Iwi and Kaumatua) in relation to the proposed arrangements for the Community Gardens in order to:*
- (A) *have formal documentation finalised before settlement; and*
- (B) *agree plans to preserve the Community Gardens and demonstrate the cultural links with other sites within the Vendor's Adjacent Land and wider environs that commemorate early occupation by Maori (notably the spring Te Puna, the Marae on the Vendor's Adjacent Land, and the landing site of the waka Mataatua).*

- (c) *the purchaser recognises that the gardens to be preserved may serve multiple purposes, such as enjoyment and recreation for residents and the wider community; provision of food to residents; source of future archaeological study; and possible use as an education resource by the vendor."*

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Fiona Lascelles  
**Date:** Tuesday, 30 January 2024 9:30:20 am

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The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Fiona Lascelles

Organisation name:

Agent's full name: Fiona Lascelles

Email address: f.m.lascelles@gmail.com

Contact phone number:

Postal address:

54 Fir Street  
Waterview  
Auckland 1026

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

##### My submission relates to

Rule or rules:

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Open Space:

56.1

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens

and food forest is based is not one of these identified open space areas. I expected it to be shown as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018.

Clause 25.4 of the “Agreement varying agreement for sale and purchase in Wairaka Precinct” between Unitec and the Crown, March 2018. This agreement was to preserve some 7000 square metres occupied by the Sanctuary Mahi Whenua gardens and food forest.

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

Submission date: 30 January 2024

**Attend a hearing**

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

**Declaration**

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

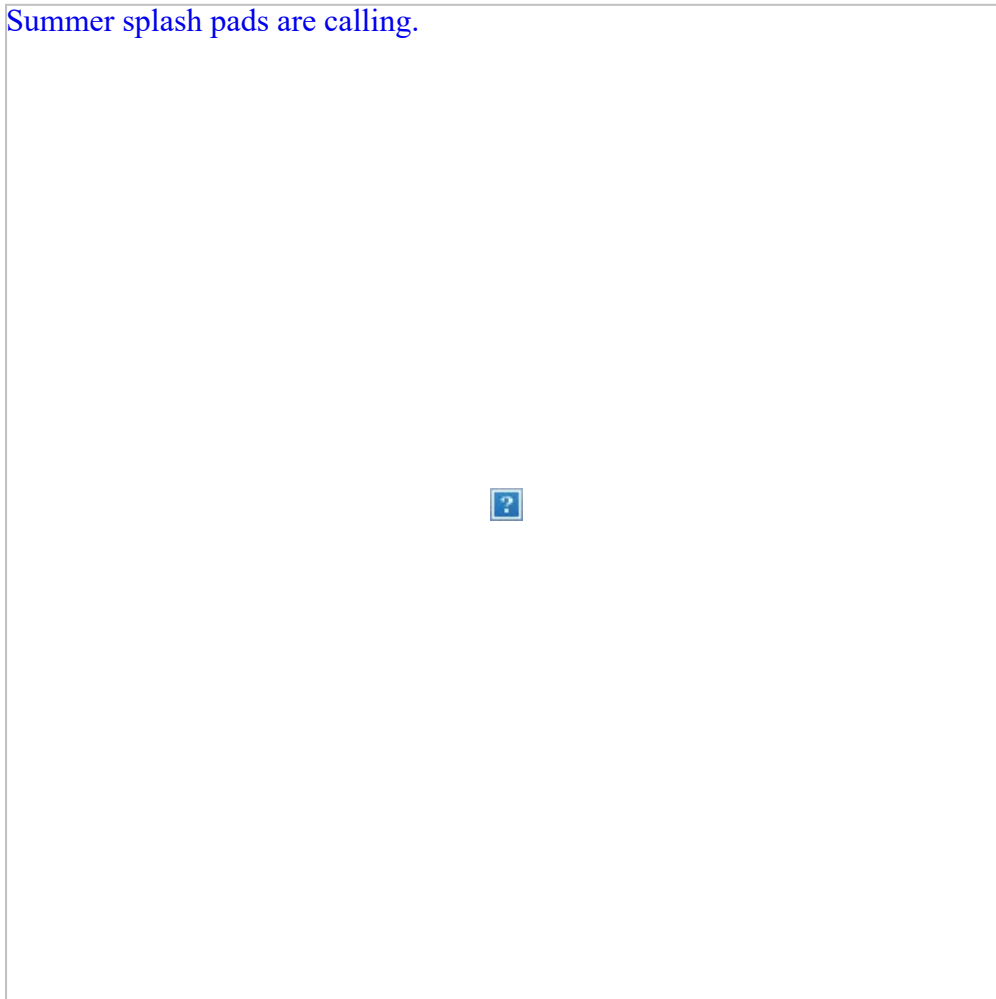
Are you directly affected by an effect of the subject matter of this submission that:

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

Yes

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

[Summer splash pads are calling.](#)



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Springleigh Residents Association  
12, Harbutt Ave  
Mt Albert  
Attn. Hiltrud Gröger (spokesperson)

Submission to Auckland Council: Proposed Plan Change 94 – Wairaka/Te Auaunga Precinct, private plan change by the Ministry of HUD

***Introduction***

The submission and the evidence statements to be presented are on behalf of the Springleigh Residents Association. Members of Springleigh RA live in close association along Te Auaunga/Oakley Creek. Springleigh RA has been a ‘further submitter’ on previous rezoning attempts of the Wairaka Precinct.

This submission was prepared by Hiltrud Gröger (spokesperson). I hold an MSc in Physical Geography from Auckland University. I obtained Unitec’s Certificate in Horticultural Services that includes landscape design. I hold qualifications in Tikanga from Te Wananga o Aotearoa (Mangere).

**Springleigh RA opposes the application for private Plan Change 94 by the Ministry of Housing and Developed.**

**SRA requests that the application is declined.**

**We wish to be heard in support of this submission.**

**Scope of submission**

**1. 9 serious faults with the RMA 91 considerations and planning report**

**Requests**

**2. The Assessment of Environmental Effects is flawed as follows;**

*Inadequate evidence due to the failure to follow established guidelines*

*Economic assessment was not notified*

*Social Impact Assessment is missing*

*Amenity value effects of rezoning have not been assessed*

*Negligence of ACC while processing Wairaka Precinct application*

*SH Waterview connection takes priority*

*HUD does not clarify role in land development*

*Re-litigation of previous rezoning (2018) and re-litigation of Springleigh RA’s further submission*

**Request**

**3. Notification of Plan Change 94 is incomplete on important RMA91 matters**

*Local Board consultation lacks basic understanding of the proposal*

**Requests**

**4. Drop-in sessions: HUD did not consult as required**

**Requests**

**5. B-MU zone considerations are contrary to AUP**

**Requests**

**6. SEA Oakley Creek and Marine SEA are a matter of national importance**

**Requests**

**7. Tower buildings (Height Area 1 – Additional Heights) remove AUP zoning provisions**

*Supporting documentation is arbitrary*

*The amenity value of surrounding reserves / parks, precinct and neighbourhoods is destroyed*

*Visual effects of tower buildings are severely understated in AEE*

*Some major negative environmental effects identified by SRA members*

**Requests**

**8. 'Mason Clinic' and Plan Change 75 are separate from PC94**

**9. non-notification of future resource consents corrupts RMA91 process**

**10. Minimal Maori 'expression' without tikanga**

**Requests**

**11. Landscape and Visual assessment must follow AC guidelines and Waka Kotahi standards for LV AEE**

*Landscape and Visual Assessment insufficient for RMA91 process*

*Mitigation of adverse Landscape Effects is entirely avoided*

*LV AEE Methodology and AC LV AEE Guidelines are not followed to a professional standard*

*AC guidelines 'Landscape and Visual Effects' consist of two parts*

*Physical parameters for the assessment of landscape that must be included in LV AEE:*

*LV AEE is not good RMA91 practice and does not support the application*

*Trivial c123 responses undermine already limited LV AEE*

*'landmark' and 'gateway' considerations are poorly explained*

*Citywide, wider urban landscape, wider visual environment matters are not assessed in LV AEE*

*Inadequate technical information results in landscape effects not being addressed*

**12. Further landscape considerations**

*Character of the landscape as an 'evolved landscape' as opposed to 'open space'*

*The NW of the precinct is characterized by a rare and significant spring*

*LV AEE effects on SEA Oakley Creek and Marine SEA not assessed as required by PC78*

*'Requested amendment' relating to landscape differs on important RMA91 matters from LV AEE (but not limited to):*

*Applicant does not provide all their evidence in amenity value of the SEA Oakley Creek Conditions of SH20 Waterview connection are sketchily addressed*

*Mitigation of adverse Landscape Effects on SEA Oakley Creek and Marine SEA is not considered*

*Point 11 of LV AEE, matters raised by Springleigh RA*

### **13. Requests relating to LV AEE and landscape considerations that must be addressed**

### **14. Ecological Assessment lacks basic understanding of ecological effects and does not result in positive development outcomes**

*Flawed Ecological AEE and cl23 requests are weighted towards the applicant*

*The assessment of Significant Ecological Area is contrary to AUP*

*The SEA Oakley Creek and Marine SEA are a matter of national importance*

*The effects on the NW wetland must be assessed*

*The insufficient Desktop review does not follow guidelines*

*Site investigations are inadequate and do not inform the Ecological AEE*

*Anecdotal ecological assessments consist of a string of inadequacies*

### **15. Further negative ecological effects of the Ecological AEE occur locally and regionally**

*The ecological effects on terrestrial ecology are far reaching*

*The ecological effects on freshwater and marine environment are not assessed*

*The ecological baseline must be established following Waka Kotahi guidelines*

*The likely future natural environment of the Wairaka / Te Auaunga precinct is a major aspect of the proposal that has not been assessed*

*Trivial native forest considerations of Ecological AEE devalue urban ecology*

*Kanuka / Manuka are significant in forest succession*

*Ecological Context, Connectivity and Habitat are important to Wairaka Precinct and surrounding zones*

*Construction effects require impact management for birds*

*The future regional resource consent has major negative impacts on precinct and surroundings*

*High-rise and high-density buildings have shading and rain shadow effects on ecology*

*The removal of graduated heights has edge effects on vegetation of SEA Oakley Creek and Marine SEA*

*Changes to Groundwater cause the loss of SEA Vegetation*

*The loss of ecotone sequence of the SEA Oakley Creek and Marine SEA is caused by the proposed loss of vegetation*

*Mature Oak trees have a positive effect on amenity and avifauna*

*The proposal causes the loss of riparian margin and ecological buffer*

*Extensive riparian revegetation in the SEA Oakley Creek and ecological corridor including but not limited to 'nurse crop' experience major negative impact*

*Effects on freshwater ecology affect threatened freshwater species of regional and national*

*The native bat is threatened in its' habitat*

*Auckland Council has fails to consider matters of biodiversity  
Protection is removed from trees*

**Requests**

**16. The Urban Design Assessment does not promote positive urban design outcomes, UD duplicates LV AEE**

*Negligence of Auckland Council results in urban design matters not being addressed  
Citywide design matters are not adequately addressed  
The change from suburban character to urban character is a matter at the centre of the proposal  
Urban design AEE is confused about SEA Oakley Creek and Marine SEA*

**Requests**

**17. The Heritage Impact Assessment fails to manage historic effects on the wider Wairaka / Te Auaunga Precinct**

*The heritage of the proposal is important and included in RMA91 Part2  
The Wairaka / Te Auaunga Precinct displays special heritage character  
The '6 Mitigating Factors' of HIA avoid the requirement to mitigate historic heritage effects  
'Requested amendment' that have not been assessed as part of HIA*

**Requests:**

**18. The Open Space Assessment is selective and requests public responsibility**

*The Open Space Assessment fails to address the provision and management of open space  
Public responsibility for 'Open Space' of the Wairaka Precinct is contrary to RMA91 and was not notified*

**Request**

**19. The Archaeological Assessment does not propose mitigation, ignores accidental discovery**

**Request**

**20. Stormwater Management Plan, Stormwater Design, Flood hazard management, and overland flow path must be assessed for B-MU zone and tower buildings**

*The operative SMP is not acceptable for the proposed rezoning, SMP creates unsafe communities  
The stormwater design as required by Stormwater NDC and AC Future Development Strategy is not provided  
The use of floodable design features and flood hazard managements is not considered  
Overland flow paths are not included in the proposal as required by Stormwater NDC and 'Making space for water.'*

**Request**

**21. The 2023 Integrated Transport Assessment is severely deficient and not admissible to RMA91 process**

**Request**

**22. The 'amendments requested' are contrary to planning report and AEE**

*Proposed 'amendments requested' are flawed and a major change to application and AEE Requests  
Springleigh RA attempts to address some 'amendments requested.'*

**Decision sought****Reasons for the decision sought (but not limited to):****1. 9 serious faults with the RMA91 considerations and planning report**

1.1 The planning report is not consistent with the 'amendments requested.' Springleigh RA has reasons to believe that the planning report does not disclose all evidence. The proposal is contrary to Part 2 of the RMA91, and contrary to sound resource management practice. The proposal is contrary to the provisions of AUP for private plan change.

1.2 The planning report does not describe the rezoning proposal and its' effects as required under RMA91. Community submitters must make assumptions about the proposed activities and their activity status. The notification of the proposal and the general planning report fail to state that SEA Oakley Creek and Marine SEA are subject to private PC94, tower building requirements, boundary setbacks, but not limited to.

1.3 The application lacks the necessary detail for the extent of rezoning sought, especially in areas where RMA91 consents will be required. The application requests non-notification of future RMA91 process. Equal access to the RMA91 process for community submitters is not guaranteed.

1.4 As the regional authority, AC does not consider matters of s30 of RMA91. It does not provide or request adequate evidence under cl23 as required by the body that has administration over the SEA Oakley Creek/Te Auaunga and the Oakley Creek Inlet Marine SEA. AC must provide advocacy in matters of AUP. Proposed activities must integrate with the wider regulatory and planning requirements

1.5 The Planning report refers at times to a 'brownfield' (e.g. p31) and at times to 'greenfields development' (e.g. p32). The applicants' experts are confused whether this is 'brownfield' or 'greenfield' development. Both terms are not clearly defined.

1.6 The planning report arbitrarily applies geographical terms. E.g. it uses 'flyovers', 'two elevated roading flyovers', 'Waterview interchange', 'Te Auaunga pedestrian/cycle bridge' (could this be Te Piringa Bridge?), among a number of random terms that indicate poor understanding of the precinct and its' surroundings. Te Auaunga/Oakley Creek is termed 'Te Auaunga waterway' a name SRA has not encountered before, and with 'waterway' not being defined by RMA91

1.7 Informal terms such as 'Block F' confuse submitters.

1.8 Rezoning is proposed for 'Business - Mixed Use' with different adverse effects from operative zoning, and different adverse effects from residential zoning. In addition, exemptions from proposed zoning are sought by the applicant.

1.9 The s32 report is arbitrary unless amendments to precinct provisions are proposed, environmental effects on SEA Oakley Creek and Marine SEA are fully assessed, matters of s30 are addressed.

**Request Provide additional information for Planning Report**

1. A table of activities and activity status of the proposal is necessary to understand 'requested amendments', rezoning process, district and regional consents
2. A topographic map of the proposal and its' surrounding zones with the sub precincts and proposed rezoning, showing the contour lines mentioned in the planning report, landscape elements, etc. including those of the SEA Oakley Creek and Marine SEA.
3. The applicant must provide an AEE that addresses all effects under s104 and s30. General Overview of some effects raised by SRA members (but not limited to) , it is applicant's responsibility to address all effects of the proposal:

57.1

<b>Process and Regulatory</b>	methods, timeframes, information, and consultation rezoning aims and objective existing plans/strategies, history of the 2015 rezoning robustness of cost/benefits assessment inadequate AEE negligence of AC in RMA91 process 'Requested amendments' required future consents tower buildings stormwater management plan
<b>Property</b>	resource consent required for tower buildings risk assessment of high-rise towers compliance with district plan standards and regional plan standards set out in AUP building heights exceed B-MU
<b>Social effects</b>	community severance change of character of Pt Chevalier and Mt Albert change of historic landscape of Wairaka / Te Auaunga Precinct reduced quality of shared path, viewing platform, picnic area by Waterfall in the SEA Oakley Creek community consultation re-litigation of effects of previous rezoning (2015)
<b>Amenity effects</b>	light, height, noise, dust, visual effect, and mitigation on the zones surrounding the proposal Connection of parks/ reserves, shared paths Building height Skyline

<b>Transport</b>	<p>Shared path, SEA Oakley Creek and Marine Reserve  effects on the Springleigh Block with change in transport patterns  Access to Wairaka / TeAuaunga Precinct  alternative design  Western Road</p>
<b>SEA Oakley Creek</b>	<p>matters of national significance, SEA Overlay  loss of outstanding landscape  Loss of naturalness  loss of biodiversity, native flora, and fauna  loss of plant associations, ecosystem, habitat  effects on revegetation and habitat creation  loss of historic/archeological/cultural sites  reduced quality of shared path  riparian margin  effects of removal of '45° angle recess'  tower piling, tower effects</p>
<b>Marine Reserve</b>	<p>effects of soil erosion, increased sedimentation, unsettling of  sedimentation  native flora and fauna  tower piling, tower effects</p>
<b>Cultural</b>	<p>heritage of Te Auaunga/Oakley Creek,  Maori gardens, Ahi ka  Heritage and culturally significant sites  historic stone walls  Star Mill heritage and walk  archaeology, tikanga</p>

## **2. The Assessment of Environmental Effects is flawed as follows:**

2.1 The assessment of environmental effects is part of the formal RMA91 process. It must predict consequences of the rezoning proposal prior to the decision. The proposal must avoid negative effects and must address alternatives. Mitigation must be proposed. 'Amendments requested' suggest the opposite.

2.2 The AEE does not meet the requirements for a private plan change and does not ensure a robust RMA91 process. The application and AEE are different from other major applications such as those prepared by Waka Kotahi. HUD and Waka Kotahi are both Central Government organisations. The application for the tower buildings is different from other tower applications, such as in Customs St.

2.3 The AEE does not adequately address adverse ecological, and economic effects. The application is incoherent to the degree that it makes it difficult for community submitters, even with the experience of Springleigh RA, to make a submission.

2.4 The AEE is weighted towards the applicant, in particular, but not limited to, Landscape and Visual AEE, Ecological AEE, Historic Heritage AEE among others.

2.5 AC fails in its' responsibility to make cl23 requests. ACC is negligent in accepting an application of this magnitude without sufficient AEE.

***Inadequate evidence due to the failure to follow established guidelines***

2.6 Springleigh RA has reasons to believe that the applicant is not presenting all its evidence. We refer to this matter on several occasions in our submission. The AEE does not fulfil the requirements of s104, s3 and Part 2 of RMA91. Evidence does not follow established guidelines.

2.7 A number of experts appear to have little knowledge of the 'requested amendments' and their effects. Few evidence statements include the 'requested amendments' relating to their subject. Some experts are confused about the changes to boundary setbacks, access points to Wairaka / Te Auaunga precinct among others. The 'integrated traffic assessment' is not admissible as evidence, others like LV AEE, Heritage Impact are unaware of 'requested amendments'.

**Some assessments are missing, but not limited to:*****Economic Assessment was not notified***

2.8 The economic assessment has not been notified to Springleigh RA. 'Economic development additional information' is contained in the notification which is not sufficient to understand the economic effects of the proposal. 'ED additional information' believes that there is no change to 'commercial' or 'economic' activity from the operative zoning, and that commercial activity will be precinct orientated. It does not evaluate the tower buildings, proposed Oakley hospital re-use, supermarket etc.

***Social Impact Assessment is missing***

2.9 The application does not assess social impact of the proposal. The application itself is a major negative social impact with missing AEE and inadequate consultation and creates uncertainty in Mt Albert, Pt Chevalier and Waterview.

2.10 Social effects include but not limited to:

- employment and income patterns in Mt Albert, Pt Chev and Waterview, additional jobs and displacement of existing jobs or businesses
- demographic character changes, including but not limited to, population size, density, compositions, household size, income and employment, 'sense of community', quality and type of housing, commercial, public and social services
- indirect displacement, such as but not limited to, displacement caused by increasing rents due to new business district, areas of likely indirect displacement must be identified.
- environmental justice including but not limited to equal access to the submission and decision-making process, protection of areas of historic heritage and SEA Oakley Creek and Marine SEA, shared path

***Amenity value effects have not been assessed***

2.11 Amenity has not been assessed, especially not as values.

***Negligence of AC in processing Wairaka Precinct application***

2.12 AC is negligent in accepting an application of this magnitude, including tower buildings, without adequate AEE. The AEE at the time of the application showed already that environmental effects are assessed differently from Auckland Council Guidelines.



2.13 cl23 requests do not clarify matters of Part 2. At best, they provide the missing information required under AC Guidelines.

2.14 Re-litigation of environmental effects of the 2015 rezoning submission by Unitec occurs. The 'further submission' of Springleigh RA on the 2015 rezoning AUP is re-litigated.

2.15 'Requested amendments' have major negative on the surrounding suburbs and the precinct. Mitigation of major negative effects is removed from the application.

***SH20 Waterview connection decision takes priority***

2.16 The rezoning proposal must be consistent with the *Final Report and Decision of the Board of Inquiry into the New Zealand Transport Agency Waterview Connection Proposal, EPA25 (SH Waterview connection)*. The details of *SH20 Waterview connection* will be familiar to AC. Rezoning cannot be granted where *SH20 Waterview* consents are affected unless the effects are *de minime*.

2.17 *SH20 Waterview connection* together with AC guidelines, and Waka Kotahi guidelines set the precedent for AEE, especially, in areas where the application is deficient. The RMA91 effects of PC94 on Sector 5, 7, 8 of *SH20 Waterview connection* are similar or larger than the effects of the original *SH20 Waterview connection*.

***HUD applicant does not clarify role in land development***

2.18 The applicant overstates their role in the Council's growth management strategy. E.g. intensification has been notified in the vicinity on the 'Avondale Racecourse,' 'Rosebank Peninsula', a supermarket is proposed for Pt Chevalier, among others. Residential buildings are not the major aim of the rezoning proposal, 'financial' matters regarding tower buildings (stated in AEE elsewhere) are significant. Business activities of the proposal are major.

2.19 The *AC Future Development Strategy*, a requirement of NPSUD, identified a traffic corridor from Mt Roskill via St Lukes to Rosebank peninsula including traffic modelling and growth modelling for proposed Rosebank intensification.

2.20 The Wairaka / Te Auaunga Precinct is not included in *AC Future Development Strategy*. HUD does not clarify why the Wairaka / Te Auaunga Precinct land is developed with such severe negative environmental and social effects. The application is not precise whether housing affordability will be increased compared to operative rezoning.

2.21 National Framework Planning has been repealed. The applicant cannot guarantee that the proposal will be completed while proposing major negative effects on SEA Oakley Creek and Marine SEA, and surrounding suburbs.

***Re-litigation of previous rezoning (2015) AUP including re-litigation of Springleigh RA's 'further submission'***

2.22 The re-litigation of the operative rezoning AUP (2015), includes the re-litigation of the submission by Unitec, Ngati Whatua, Whai Rawa, who all requested 27m building heights. The re-litigation of the 'further submissions' of Springleigh RA and MARA are major.

2.23 A robust RMA91 process is prevented through re-litigation of similar or larger effects of the proposal on SEA Oakley Creek and the Oakley Creek Inlet Marine SEA, surrounding neighbourhoods, transport, supermarket, road connection to Springleigh Block, roading connection through Wairaka precinct, graduated building height, precinct heights, effects on the mana whenua site such as shading and surrounding open space (but not limited to) compared to the operative rezoning decision (2015).

**Request: Proposed rezoning must be heard by the Environment Court.**

57.2

### **3. Notification of Plan Change 94 does not notify important matters**

3.1 The notification of Plan Change 94 is inadequate. It did not notify the substantial boundary setback removal to neighbouring zones. It failed to state that SEA Oakley Creek and Marine SEA are affected by the application. Public responsibilities are not clearly stated, regarding 'open space' and roading. Tower buildings are not explained.

3.2 An application of this magnitude including but not limited to, tower buildings, negative effects on three suburbs Mt Albert, Pt Chevalier and Waterview must be notified in community languages. Considering that HUD is the applicant, it is incomprehensible that the notification does not have community languages.

3.3 The notification is not good resource management practice. It is difficult for community submitters to understand the notification.

#### ***Local board consultation lacks basic understanding of the nature of the proposal***

3.4 Springleigh RA contacted Albert- Eden Local Board regarding the notification. Their reply indicated only a vague knowledge of the proposed rezoning.

3.5 AE Local board was apparently consulted and must have some technical understanding of the proposal.

3.6 Among community submitters it raises the question whether AE Local board is providing advocacy under the *Local Government Act*. It is not transparent how many AE Local board members including two councilors were present at HUD and iwi presentations. Where members and councilors were present, it is not transparent whether they attended the full length of the meeting.

3.7 Springleigh RA assumes that the presentations were not consistent with 'amendments requested, 'from our e-mail to LB.

3.8 Springleigh RA assumes that advocacy and elected representation will not be provided by local board and councilors on precinct rezoning. Lack of representation under *LGA* is a major negative social effect that disadvantages communities.

3.9 The lack of community representation by AE Local Board and councilors is one reason for the lengthy submission statement of Springleigh RA. The application is costly for community submitters. Community submitters cannot not rely on AE Local board and councilors. AE Local board and councilors must raise negative environmental and social impacts of the rezoning proposal

**Requests: 1. An evidence statement must be prepared that includes but not limited to:**

- minutes of meetings between applicant and Albert- Eden Local board and councilors regarding rezoning proposal
- details of presentations by applicants to Albert – Eden Local Board and councilors, including but not limited to, power point presentations, recordings, written material

**2. AE Local board and councilors must present evidence regarding boundary setbacks, SEA Oakley Creek and Marine SEA, transport, 'open space', social effects, ecological effects but not limited to.**

57.3

#### **4. Drop-in sessions: HUD did not consult as required**

4.1 The *Local Government Act 1974* outlines the obligations of applicant and AC to consult in s37k. s223C applies to AUP. The RMA91 requests consultation. The surrounding neighbourhoods do not understand the rezoning proposal. Most residents are unaware that 'Unitec' has changed ownership and that the Wairaka / Te Auaunga precinct is notified for rezoning.

4.2 The consultative process of the rezoning proposal undermines public confidence in the Wairaka / Te Auaunga Precinct. Consultation Drop-in session did not portray the rezoning proposal as it was notified. Consultation at drop-in sessions was not consistent with 'amendments requested.' Information in community languages is not available for a proposal of this magnitude.

4.3 The community was not able to participate in the Drop-in sessions in sufficient numbers because of limited time and resources. Drop-in sessions were not sufficiently advertised including but not limited to, AE Local board, at the surrounding libraries and community centres, 'newsletter maildrop' did not occur, etc. For a rezoning proposal of this magnitude, consultation is inadequate.

4.4 Drop-in sessions occurred almost directly after Anniversary flooding and Cyclone Gabrielle, with severe damage in Pt Chevalier (road wash outs on Great North RD) and in Mt Albert that left people in need, seriously flooded low-income kainga ora households in the Springleigh Block (addresses known), among others. Webinar sessions, as conducted by AC Storm recovery could have reached some residents. The consultation process is a negative economic and social effect on a community affected by flooding.

4.5 Drop-in sessions by HUD related to a significantly smaller re-zoning proposal in terms of scale of housing and scale of business activities such as the scale of supermarkets. The Drop-in sessions were inadequate and provided minimal information on the 'requested amendments. Drop-in sessions related primarily to building height and Carrington hospital. They did not sufficiently alert the community to the tower buildings. It failed to state the effects on SEA Oakley Creek and Marine SEA. Environmental effects were poorly addressed.

4.6 Drop-in sessions for the actual proposed rezoning proposal as notified did not occur. Drop-in sessions do not forfeit the communities right to make submissions, or address additional negative effects of the proposal.

**Requests: 1. Report on the public consultation by HUD, AC and iwi that summarizes community issues, includes surveys, age groups, ethnicities but not limited to.**

57.4

**2. Consultation material such as presentations, newsletters, e-mail, but not limited to must be included in the application similar to *SH20 Waterview connection*.**

## **5. B-MU zone considerations are contrary to AUP**

5.1 In theory, operative and proposed B-MU zone determine the land-use of the Wairaka / Te Auaunga Precinct. Zoning is the principal legal tool for the implementation of AUP. In contrast, the rezoning proposal changes provisions of B-MU zone through 'requested amendments' that are not transparent to community submitters. The integrity of SEA overlay is affected, AUP tower provisions are removed, but not limited to.

5.2 AUP as a plan will be not be effective on the Wairaka / Te Auaunga Precinct after rezoning.

5.3 The choice of B-MU zone for the proposed rezoning of the Wairaka/TeAuaunga precinct is arbitrary and contrary to the AUP. The many major negative effects such as (but not limited to) building heights, boundary infringements '3 Towers', confuse whether this is actually a B-MU application.

5.4 B-MU zone is incompatible with SEA Oakley Creek and Marine SEA, shared path (but not limited to). B-MU does not preserve SEA Oakley Creek and Marine SEA, Springleigh Block. Under the current Plan change 78, SH single residential housing with not more than 50% impervious areas are required.

5.5 When making planning decisions, decision-makers have particular regard to NPSUD Policy 6 (b)(ii) *are not themselves, an adverse effect*. AC must consider the major negative effects of the proposal through peer-reviewed AEE.

5.6 The major negative effects of the rezoning proposal are disproportionately large to the operative zone. Rezoning relies almost entirely on 'infringements' to the degree that B-MU provisions are actively removed as part of 'requested amendments.' Alternatives to proposed zoning are not considered.

5.7 B-MU zone for Wairaka / Te Auaunga Precinct increases environmental risks, creates unsafe communities, affects public infrastructure (but not limited to).

5.8 The requested B-MU zone is only vaguely described, 'activity' and 'activity statuses' are broadly defined. Rezoning to B-MU focuses on re-litigation of (2015) AUP rezoning. The applicant may not provide all reasons for B-MU rezoning.

**Request: - Alternatives to the proposed rezoning must be considered. Several AUP zones suitable to the proposal must evaluated.**

**- Major negative effects must be avoided**

**- An assessment by an independent expert must be included as the proposed rezoning is re-litigation of aspects of the previous AUP rezoning (2015).**

57.5

## 6. SEA Oakley Creek and Marine SEA are a matter of national importance

6.1 The effects of the application on the SEA Oakley Creek/Te Auaunga and the Oakley Creek Inlet Marine SEA as a matter of regional and national importance are not assessed, and mitigation is not proposed. Outstanding landscapes are not recognized. Plan Change 78 directs on the protection of SEA.

6.2 Operative protection of SEA Oakley Creek/Te Auaunga Marine Reserve is removed by the application. The effects of the removal of graduated building heights along the Western border of the precinct is major and was discussed as part of rezoning AUP (2015). The effects are major, and include re-litigation of SRA's 'further submission' of the previous rezoning proposal in 2015.

6.3 'Requested amendments' regarding SEA Oakley Creek and Marine Reserve have not been assessed by various AEE of the rezoning proposal.

Some concerns regarding SEA (but not limited to):

1. Proposed Plan Change 94 has major adverse effects on the Significant Ecological Area Oakley Creek and Marine SEA. The ecological integrity and functioning of SEA Oakley Creek and Marine SEA are affected as a major effect of the proposal.
2. SEA Oakley Creek / Te Auaunga and Marine SEA are unique natural features on the Auckland Isthmus, and are rare. Proposed rezoning degrades the rare feeling of the unique natural landscape.
3. Rezoning will alter views between public areas and the unique natural landscape of SEAs.
4. The proposed B-MU rezoning increases development expectations on the Wairaka Precinct along SEA Oakley Creek and Marine SEA that compromises SEA-T provisions on individual and cumulative areas.
5. Current legal protections of the SEA Oakley Creek are removed by the proposal through the removal of graduated building heights or '45° angle recess'.
6. Major effects in the form of destruction of biodiversity, amenity, historical, cultural, landscape and natural character values is major. None of these values is assessed.
7. The fragmentation of connections between ecosystems once established through *SH20 Waterview connection* conditions of protection, revegetation, habitat creation is disturbed.
8. Areas of significant indigenous biodiversity value in terrestrial, freshwater and coastal areas along the Oakley Creek are affected. An assessment of environmental effects is required that avoids adverse effects and retain the integrity of the SEA Oakley Creek and Marine SEA has not been supplied. Ecological AEE does not address ecological effects. The integrity of SEA Oakley Creek is questioned by the proposal in several parts.
9. The avoidance of major negative effects on SEA Oakley Creek and Marine SEA is not proposed. *SH20 Waterview connection* avoided effects on sector 7 and 8 through the construction of *Waterview tunnel*. Decision of Bol must be retained. NPSUD Policy 6 (b)(ii) applies.
10. The previous rezoning (2015) of the Wairaka precinct established that graduated building heights along SEA Oakley Creek were effective mitigation for a plethora of adverse effects on the SEA Oakley Creek. The AUP rezoning decision of 2015 and the further submission of Springleigh RA are re-litigated as part of this assessment.

**Requests: The environmental and social effects on SEA Oakley Creek and Marine SEA must be assessed**

57.6

## **7. Tower buildings (Height Area 1 – Additional Height) remove AUP zoning provisions**

7.1 The tower buildings of the NW corner are contrary to NPSUD Policy 6 (b)(ii), RMA91, and AUP. Every aspect of the tower proposal is an 'infringement' to AUP, such as (but not limited to) boundary setbacks, building height, tower dimension, tower separation, wind, glare, landscaping, parking, ancillary structures such as road or cycleway access (among others). The proposed towers must avoid major negative effects to ensure a robust RMA91 process.

### ***Supporting documentation is arbitrary***

7.2 Supporting documentation for the tower building application lacks consistency. It is termed a 'landmark' in 'requested amendments' of the application. A design and access assessment that provides an explanation is required to establish whether the proposed towers are a suitable response to the site and its setting, and how the towers are adequately accessed. A supporting assessment addressing specific aspects of the tower development relating to building at scale must be provided.

7.3 The supporting information is insufficient considering that tower buildings resource consents are unlikely to be notified. The community is disadvantaged and unsafe on this issue.

### ***The Amenity value of surrounding reserves / parks, precinct and neighbourhoods is ignored***

7.4 The tower buildings have a significant adverse effect on the scenic vista from surrounding Mt Albert suburb across the Wairaka / Te Auaunga Precinct towards the Waitemata Harbour. IHP directed during 2015 AUP proceedings, that sea views must be protected. SRAs 'further submission' of 2015 AUP rezoning of the precinct is re-litigated.

7.5 The proposed towers significantly impact scenic resources including but not limited to, scheduled trees, natural landforms such as Wairaka stream and wetlands, Oakley Creek, historic buildings such as Oakley hospital, SEA Oakley Creek and Marine SEA, 'shared path.'

7.6 Tower buildings significantly and negatively impact the existing visual character or quality of public views of the precinct and its surrounding. Our request in LVAEE for additional photo simulations relates to this matter, but not limited to.

### ***Visual effects of tower buildings are severely understated in AEE***

7.7 Visual effects (ref to LVA) as the only means of assessing the tower buildings is insufficient. Visual assessment is not a true and accurate representation of the towers. Visual values are not assigned, comparative modelling is not considered, a critical assessment free of personal evaluations is not provided. Not understood by community submitters are (but not limited to):

- the extent of the area of potential impact, a radius from the site
- the selection of viewpoints distorts the perceived Impact (ref to LV AEE)

- seasonal representation and varied weather, including the character of materials and colour palettes in different seasonal and climatic conditions
- kinetic views as changing views of the towers as people move through a space at street level in Pt Chev, along the footpath / cycleway connecting Pt Chev and Waterview, Waterview (Blockhouse Bay Rd), along Carrington Rd, along the 'shared path' to understand the relationship between towers and surroundings. Instead the LV AEE discussion focuses on 'wider environment'(ref to LV AEE).
- diurnal representation considering the night-time and daytime character of the towers, poorly considered lighting can be intrusive with SEAs and the historical Oakley Hospital
- cumulative effects of the towers must be assessed as an area of significant and persistent change
- alternative sites must be considered by HUD, that include site layouts and access arrangements, approaches to towers, RMA91 process, phasing of construction, environmental effects (but not limited to)

***Some major negative environmental effects identified by SRA members (but not limited to):***

7.8 The skyline of the Waitemata Harbour and surrounding suburbs is changed by the tower buildings. The impact of the tall buildings on the city skyline has not been assessed using an assessment methodology for tall buildings. A multi-criteria values analysis is not employed. The applicant presents mainly anecdotal statements (ref to LV AEE). The architectural design (not assessed in this rezoning proposal) surrounding a historic building complex with historic landscape of orchards and farm and wider suburban and natural landscapes (Waitemata Harbour) is not assessed.

7.9 The demographic characteristics of the towers are a major effect of the proposed tower buildings. The overdevelopment of environment surrounding historic Carrington Hospital is not addressed in the LV AEE or Heritage Impact AEE. The suburban landscape and natural environment are dominated by tower buildings. The effect is major and unparalleled in Auckland.

7.10 Height, volume, top and color of the proposed buildings is not assessed using a values analysis that will be compared to the photo interpretations. The actual height of the towers cannot be understood because roof structures are not explained. Roof water tanks are not included.

7.11 The public expectation regarding the tower buildings must be assessed. The location of the tower buildings has many environmental and social effects. Most residents are unaware that the application has been lodged.

7.12 The proposed activities are not assessed and activity status under operative and proposed zoning is not defined for the tower buildings. In the 'requested amendments' the tower buildings could be office towers with ancillary structures, access ways that could go as far as a heliport, a mixed-use development incorporating ground floor commercial units, residential units and parking.

7.13 The purpose of the '3 Towers' is for private benefit and 'financial'. AC must make cl 23 requests regarding financial issues that might arise out of the rezoning proposal. When making a decision, the AC must consider that the RMA91 process is not to address 'financial' matters of the applicant.

7.14 The AEE regarding tower buildings is arbitrary and contrary to s104 and s30. AEE is simply excited about the location and believes that the location does not have 'neighbours', and as such does not require mitigation.

7.15 The visual and landscape, as well as environmental effects of the '3 Towers' on coastal areas of the Waitemata Harbour, Marine SEA Oakley Inlet and SEA Oakley Creek/Te Auaunga are major. The Marine SEA and the Oakley Creek/Te Auaunga SEA are affected as matters of national significance.

7.16 The wind and shade effects of the '3 Towers' are a major negative effect of national importance. The tower buildings affect the climate of a section of the Waitemata Harbour. It is the first time that Springleigh RA has encountered a proposal that affects climate. It is a major effect. The wind effects are unsafe for the surrounding suburbs of Mt Albert, Pt Chevalier, Waterview.

7.18 A natural wetland is affected (described below). Hydrology of the NW corner of Wairaka/Te Auaunga is changed.

7.19 An unusually high number of protected trees in the surrounding of the tower buildings is affected. The effects on them are major and mitigation must be proposed under current AUP provisions.

**Requests:**

**1. The visual effects of the proposed tower must be assessed, including, ( but not limited to): area of potential impact, selection of viewpoints, seasonal representation and varied weather, diurnal representation, cumulative effects, alternative sites**

**2. The following technical/ expert information/ assessments must be provided (but not limited to, it is the applicant's responsibility to provide AEE):**

-- site description of towers including aerial photograph, street map of the site, locality plans

- architectural plans

- design analysis

- design statement

- landscape design

- transportation assessment

- site management plan

- infrastructure report

- geotechnical report

- flood risk assessment

- wind report

- character and amenity assessment

- dominance, shading, streetscape, surrounding reserve/park assessment

- cracking of surrounding buildings including historic building

**3. Activities and 'activity statuses' for the tower buildings must be assessed.**

- non-permanent accommodation

57.7



- provision of carparks
- provision of carparking that does not meet the size and dimension required
- modification of access provisions to the Wairaka / Te Auaunga Precinct
- erection of tower buildings in Sector 5 of *SH20 Waterview* and the vicinity of two SEAs
- modification of height and setback rule of B-MU
- glare control
- construction noise
- required earthworks
- diversion of groundwater and overland flow paths
- contamination matters

4. In addition to building height, the negative effects of proposed boundary setbacks, tower dimension, tower separation, wind effects, landscaping among others (it is the responsibility of the applicant to provide an adequate AEE) must be assessed against operative provisions.

5. The 'requested amendments' pre-empt the operative mitigation requirements for tower buildings, through the 'requested amendments' of 'activity status' such as but not limited to, RD and non-complying activities. RMA91 process and AUP provisions usually employed for tower buildings must be enabled by precinct provisions.

6. Precinct provisions must be amended to fully mitigate the negative effects of tower buildings.

## 8. The 'Mason Clinic' and Plan Change 75 are separate from PC94

8.1 Springleigh RA is aware of Plan Change 75 and its provisions. SRA understands the nature of the 'Mason Clinic' and its regional importance. The notified rezoning of PC 75 appeared to be consistent with RMA91 requirements. The operation (activities under RMA91) of the 'Mason Clinic' seemed to be correct. From PC 75, the Mason Clinic operates localized for an institution of its size.

8.2 The 'agreements' between HUD and 'Mason Clinic' have not been notified. It is impossible for community submitters to determine whether they have relevance to RMA91 proceedings. AC must proceed with cl23 requests regarding 'agreements', that cannot be understood from the single cl23 request.

8.3 The 'Mason Clinic' does not pre-mediate the outcome of RMA91 proceedings of PC94, as HUD implies. PC75 relates to different, specialized zoning with different environmental, social, economic effects with less magnitude as PC94.

8.4 Te Whatu Ora did not notify PC75 as required under RMA91. Springleigh RA was unaware that the two applications 'have been aligned to create an integrated package of controls' (tattico planning report p.14). Our understanding is that the two PCs are separate applications under RMA91. Te Whatu Ora did not address 'controls' relating to B-MU rezoning in its notification.

57.8

8.5 PC75 building heights do not significantly exceed the 'Great North Rd interchange', have less visual impact, less building density, less traffic, fewer RMA91 effects as the proposed tower buildings.

8.6 The LV assessment of PC94 manages to address the landscape differences between 'Mason Clinic' and PC94. LV AEE of PC94 identifies some 'activities' of PC75.

## **9. Non-notification of future resource consents corrupts the RMA91 process**

9.1 The non-notification of future resource consent does not enable equal access to RMA91 processes for affected parties, community submitters, elected representation but not limited to. The AEEs are insufficient for the decision on rezoning of Wairaka / Te Auaunga Precinct. A rezoning proposal of this magnitude including the tower buildings must include more evidence.

9.2 The condition regarding non-notification of future resource consents is contrary to Part 2 of RMA91. The magnitude of negative effects including on surrounding zones, the long duration of constructions, proposed 'infringements' are major. S32 report does not sufficiently analyse resource management issues.

9.3 Under the current rezoning proposal every negative effect on SEA Oakley Creek and Marine SEA requires resource consent, that must be notified due to the large public interest in SEA. Resource consents must be notified in general due to the public interest in the effects of the Wairaka Precinct on the surrounding zones.

9.4 The proposed non-notification condition proposes a long series of resource consents that are lodged separately over many years. It is not an accepted RMA91 process that avoids that cumulative effects are addressed. The subsequent, proposed non-notified changes to rezoning can be made without a robust RMA91 process.

9.5 The 'requested amendments' together with non-notification of consents avoid that all resource management issues are addressed.

9.6 The matter is contrary to Part 2 or RMA91 and contrary to NPSUD. NPSUD stresses that AC is responsible and states:

**a. Using evidence and analysis**

- (1) When making plans, or when changing plans in ways that affect the development of urban environments, local authorities must:
- (a) clearly identify the resource management issues being managed; and

**Request: AC proceedings identify all resource management issues**

57.9

## **10. Minimal Maori 'expression' without tikanga**

10.1 The only Maori 'expression' in the proposal is the name change from Wairaka Precinct to Te Auaunga Precinct. This is not sufficient 'expression' to justify the many major negative effects and

changes 'to operative AUP' and proposed B-MU. Renaming of the precinct does not require rezoning to B-MU.

10.2 A series of 'requested amendments' (but not limited to) demonstrate that this is predominantly an economic or 'financial' proposal by iwi. It must be tested against RMA91 provisions for economic activities.

1334

The Te Auaunga Precinct provides objectives for the restoration and enhancement of Māori capacity building and Māori cultural promotion and economic development within the precinct.

'Maori capacity building,' is not defined or assessed in AEE as RMA91 provisions and does not justify the severe negative effects of the rezoning proposal. The nature of the 'Maori economic development' is not described or assessed. An economic AEE is missing.

1334. 2 (10) (f) and other parts of AEE state that the proposal is pre-dominantly an economic development and 'financial matter'. 'Cultural promotion' in AEE is not defined and generally not applied in tikanga considerations. 'Provided for, promoted and achieved' are not valid in RMA91 proceedings.

(f) Contributes to Māori cultural promotion and economic development

1334. 2(12) The restoration and enhancement of Māori capacity building and Māori cultural and economic development within the precinct is provided for, promoted and achieved.

1334.3 e Economic development and employment, including supporting Māori capacity building and Māori cultural promotion and economic development

**Requests:**

- The Maori values, objectives, tikanga practices considered in the application must be identified.
- The Maori values, objectives, tikanga practices incorporated into the decision must be included in Te Auaunga Precinct provisions
- Amendments must be included in 'requested amendments' that identify specific tikanga practices, Maori cultural promotion, Maori capacity building, Maori economic development for Te Auaunga precinct (Policy 9 NPSUD)

57.10

**11. Landscape and Visual Assessment must follow AC guidelines and Waka Kotahi standards for LV AEE**

***Landscape and Visual Assessment insufficient for RMA91 process***

11.1 Landscape consists of the physical elements of the rezoning proposal and its' surroundings. They will be negatively impacted by rezoning through construction phases, air pollution, scale of commercial development, effects on natural features but not limited to. Surrounding communities will experience negative social effects because of effects on landscape and natural features. Landscape is at the heart of the RMA91 Part 2.

57.11

11.2 The Landscape and Visual AEE does not follow the AC Landscape and Visual Assessment Guidelines, nor does it fulfil Part 2, s104 and s30 requirements of RMA91. LV AEE does not address all matters of AUP. The protection of outstanding natural features and landscapes from inappropriate subdivision is a matter of national importance and subject s6(a)(b)(c)(e) and (f) s 7 (C) (d)(f). LV AEE does not employ 'Best Practice of the Day' methods for Landscape and Visual AEE. Evaluations are weighted towards the applicant. Waka Kotahi sets the precedent for LV AEE in Auckland City.

***Mitigation of adverse Landscape Effects is entirely avoided***

11.3 The landscape and visual effects of the rezoning proposal are major negative environmental and social effects because the applicant does not propose mitigation measures. A clear description of any mitigation measures is missing from LV AEE. It is generally replaced by a personal evaluation.

11.4 The LV does not assess or propose the avoidance of landscape effects which is contrary to SEA Overlay, AC LV AEE guidelines and RMA91 process. Mitigation is directly addressed in s5(2) of RMA91. The applicants and AC are familiar with relevant case law such as (but not limited to) *Day v Manawatu- Wanganui Regional Council*. Mitigation options for adverse effects on the landscape must be included in the LV assessment.

11.5 LV AEE applies 'open space' arbitrarily. 'Open Space' under AUP has different requirements from 'SEA.' The proposal affects the SEA Oakley Creek and Marine SEA. Alternatives must be considered as to the severe landscape effects are proposed for SEA Oakley Creek and Marine SEA (some of these concerns are summarized above).

11.6 The Wairaka / Te Auaunga Precinct has sufficient space for mitigation as the previous rezoning (2015) established. Mitigation options must be located in the precinct. The precinct is significantly large to provide for mitigation of adverse landscape effects of the proposal, a requirement under SEA Overlay and s5 of RMA91.

***LV AEE Methodology and AC LV AEE Guidelines are not followed to a professional standard***

11.7 Generally, LV AEE are technical reports as opposed to personal evaluations. It is surprising that the LV AEE does not take land and visual assessment more seriously. Landscape is a matter at the core of the RMA91 and of the application.

11.8 LV AEE selects a limited number of aspects of the proposal, and evaluates them in broad and simple considerations that do not follow s104 or s30 requirements. Objectives and methods of assessment are incoherent. Landscape planning, landscape design, landscape implementation of the rezoning proposal are barely addressed. The main focus is on the visual appearance of building heights of the Wairaka / Te Auaunga Precinct.

11.9 *SH20 Waterview connection* indicates that the applicant is not providing all their evidence, especially (but not limited to) where it relates to SEA Oakley Creek and Marine SEA and the social effects, amenity value of landscape effects, environmental effects but not limited to, on the SEAs. The LV Assessment is deficient and makes it difficult for submitters to understand the effects on SEA Oakley Creek / T Auaunga and Marine SEA, and to participate in the submission process of RMA91.

***AC guidelines 'Landscape and Visual Effects' consist of two parts***

11.10 AC guidelines 'Landscape and Visual Effects' are poorly followed. The guidelines distinguish between 'landscape' and 'visual' and request a two- part assessment:

The assessment of landscape effects is concerned with the change to the physical landscape that may alter its value or character. The assessment of visual effects is concerned with the effects of change and development on the views available to people and their visual amenity.

(AC Landscape and Visual assessment guidelines)

11.11 Missing is a discussion as directed by AC LV guidelines:

*how the design has avoided or minimised potential impact on landscape values; opportunities taken to create or enhance landscape values;*  
*measures introduced to remedy or mitigate adverse effects;*  
*consideration of alternative design options;*

11.12 The LV AEE summarizes important and weighty issues in a simplistic manner that fails to consider many important issues, while including matters unrelated to LV AEE. The actual physical landscape types are not assessed, the associated operative AUP requirements and relevant Acts are not stated.

11.13 LV AEE highlights hypothetical Open Space Provisions of the future as 'landscape' that are technically a different AEE (ref Tattico 'open space,' no expert identified). LVAEE omits the natural wetland in the NW corner and the 'crocket lawn' at the intersection Woodward RD / Carrington Rd among many issues.

**11.14 *Physical parameters for the assessment of landscape that must be included in LV AEE:***

- adequate space for the proposed rezoning provisions on the Wairaka Precinct
- soil conditions, slope, and elevation
- aspect and climate, including wind
- hydrology, including NW Wetland and stormwater
- ecology and habitat of Wairaka precinct and SEA Oakley Creek / Marine Reserve
- public access and all associated controversy
- cultural and historic factors of the Wairaka / Te Auaunga precinct, SEA Oakley Creek and Marine Reserve
- sightlines of building heights
- land management on the Wairaka Precinct, including fencing of 'Open Space)
- assess landscape as an assess, including SEA Oakley Creek / Marine Reserve

11.15 The amateurish, written landscape descriptions do not identify the character of the landscape or specific issues related to the proposal. It does not even address height differences of the site in metres. The landscape 'drops down.' A 'knoll' is a vague description. It could be a rock outcrop on a scoria field, an artificial mound, etc. but not limited to. The landscape assessment must assess natural features of the precinct and its surroundings.

11.16 Other rezoning proposals use considerably more photos to illustrate the landscape. The written landscape description does not include graphics of the existing landscape such as cross sections, nor are cross sections contained elsewhere in the application. Illustrations, maps including distances and heights in metres are largely absent. A 'baseline' cannot be established.

11.17 The sole reliance on photo simulation does not adequately address landscape and visual effects and is confusing for community submitters. The written evaluations do not demonstrate

landscape effects to the submitter. The change of landscape between operative and rezoning proposal cannot be understood.

11.18 Visual effects are considered a major effect that required mitigation under *SH20 Waterview connection*. Detailed evidence exchanges must include effects on the Star Mill site, the Oak trees, revegetation efforts (but not limited to), SEA Oakley Creek / Marine SEA and surrounding suburbs. To be able to understand some of the visual effects (but not limited to) of the proposal, Springleigh RA requests further viewing points and photo simulations as outlined in our request below to LVAEE.

11.19 Visual assessment uses only public viewing points. To be consistent with *SH20 Waterview connection*, viewing points must be public and private residential viewing points, and must include views from Great North Rd and Blockhouse Bay Rd, in particular (but not limited to) in the surroundings of Te Piringa bridge, the natural and heritage landscape of Te Auaunga/ Oakley Creek and Marine SEA.

11.20 Visual quality from the surrounding suburbs is not assessed. A quality user experience is not the goal of the proposed rezoning proposal.

***LV AEE is not good RMA91 practice and does not support the application***

11.21 It is impossible for community submitters to understand the application's LV assessment and cl23 requests because the information is severely convoluted in its' presentation. The confusion with UDAEE is major. Negative effects cannot be understood.

11.22 The LV Assessment and Urban Design Assessment duplicate each other in significant parts, including diagrams and photos, use of the same parameters to express opinions, but not limited to. Both assessments are not good resource management practice.

11.23 A LV assessment relates to different sections of Part 2 of RMA91 than an Urban Design Assessment. The LV assessment must address the outstanding natural landscape of SEA Oakley Creek, rivers and their margins, heritage, among a number of Part 2 RMA91 considerations (above). Separate LV Assessment and Urban Design Assessment must be provided by separate experts, and must result in expert evidence exchange to ensure a RMA91 process.

11.24 The LV Assessment treats the SEA Oakley Creek as part of the application (details in LV assessment and a quote below). However, SEA Oakley Creek and Marine SEA must be assessed as a ZOI matter (explained in detail in Ecological AEE considerations). LV Assessment undermines robustness of the RMA91 process including (but not limited to) matters of s30 and s 104.

11.25 As only one example that demonstrate 'landscape', 'landmarks', 'Maori expression', 'revegetation as landscape mitigation', 'landscape as amenity' (but not limited to), the NZTA website shows a map of the surroundings of Unitec with existing 'landmarks', parks and reserves, shared path connections with simple landscape and urban design descriptions. The map and descriptions indicate the extend of effects of the rezoning proposal on the shared path, Oakley esplanade reserve and walkway, SESA. Major negative landscape and urban design effects have far reached social and environmental effects:



A 12-year-old can explain that distant objects appear smaller, less detailed and are, therefore, less obvious. A 12-year-old understands that foreground distance shows objects with more detail, an achievement of the NZ art and science curriculum.

11.30 The paragraph assumes that the negative effects of building heights are a positive 'response' which is contrary to RMA91. The 'wider visual environment' is not assessed and implies a major negative effect of regional significance. The natural environment is omitted. Distant viewing locations are not identified. Does this cl23 response refer to 'citywide' which was dismissed in a different cl23 response. 'Within the height area' implies a local context. Overall, the RMA91 context of such a response cannot be understood by community submitters.

**'landmark' and 'gateway' considerations are poorly explained**

11.31 RMA91 Part 2 does not state the provision of a 'landmark'. The applicant does not give sufficient reason for the need of a 'landmark' to be included in the rezoning proposal. A definition for 'landmark' is not provided.

11.32 The proposed tower buildings are not a civic landmark.

11.33 The Great North Rd Interchange is already an 'urban gateway' to the city (*SH20 Waterview connection, UD AEE Lynne Hancock*) and 'landmark'. Te Piringa Bridge is a 'landmark' with significant artwork to this effect. It was opened with a dawn ceremony and kaumatua as part of *SH20 Waterview proceedings*. The SH20 portal is a 'landmark' and 'gateway' with significant Maori artwork.

Great North Rd interchange was subject to highly detailed assessments as part of *SH20 Waterview connection*. It included public consultation with ongoing community liaison. The proposed tower buildings negatively impact on Great North Rd interchange landscape and urban design provisions, and conditions of *SH20 Waterview connection*.

11.34 'Landmark' is contrary to the provisions, policies, objectives of B-MU. The 'landmark' discussion of LV AEE and UDAEE centres on the 'wider environment' and SH16. To the contrary, H13.2 Objectives state:

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

11.35 The tower buildings as 'landmark' must be assessed against Policy H13.3(3) among other H13.3 policies:

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

- (a) planning and design outcomes identified in this Plan for the relevant zone;
- (b) the visual quality and interest of streets and other public open spaces;
- and
- (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.

11.36 The UD Assessment states, as a separate AEE from LV AEE, matters of 'landmark'. The applicant creates confusion between assessments that make it very difficult for community submitters to assess landscape effects:



Inherent in the buildings being 'landmarks' are that they are visually prominent within the wider urban landscape relative to the height of surrounding buildings and features. Characteristics of a location that lend itself to a landmark building response include it being at a junction point along a key transport corridor, being at a 'gateway' (entry point) to an area, and being at the termination of a view. These characteristics can be found at the north-western part of the precinct and are therefore considered to be appropriate for a 'landmark' response:

11.37 Springleigh RA assumes that the 'junction point along a key transport corridor' is the 'Great North Rd Interchange.' The 'Great North Rd Interchange' is part of *SH20 Waterview decision*. It was subject to assessments; expert evidence exchanges and substantial consultation. Mitigation is included in the form of natural planting and the heritage walk (Star Mill) that are all publicly accessible. The same consideration and same level of mitigation is not proposed for the tower buildings. Instead, the visual impact (only effect assessed) of the tower buildings is considered a positive effect through 'landmark' evaluations.

***Citywide, wider urban landscape, wider visual environment matters are not assessed in LV AEE***

11.38 'Wider urban landscape' is not defined, natural landscapes are omitted.

11.40 Smales Farm is a 'greenfield' development with different AUP zoning and different surroundings. It is included in c123 responses to justify high-rise towers of rezoning of the Wairaka precinct which is contrary to RMA91 provisions. The proposed high-rise towers must be assessed against operative AUP provisions of the Wairaka Precinct and its' surroundings that include SEA Oakley Creek and Marine SEA.

11.41 The regional LV and urban design matters implied in the UD and *c123 L11 response* must be decided by the elected Auckland Council after public consultation. All AUP provisions must be considered.

11.42 The LV confuses 'positive effects' of the rezoning proposal with 'mitigation.' They are separate considerations under s104 and Part2 RMA91. SRA assumes that the applicant is familiar with relevant case law. The new positive effects stated in the LV assessment are minor while major adverse landscape effects of the proposal remain, contrary to NPSUD Policy 6. Mitigation under RMA91 requires that the severity of the major adverse effects of the application are alleviated.

***Inadequate technical information results in landscape effects not being addressed***

11.43 LV AEE and C123 responses are insufficient and lack assessment. Landscape architecture best practice documentation standards, principles and guidelines are not applied. The LV AEE does not reflect the evidence expert exchange previously encountered by Springleigh RA. The c123 responses repeat the same limited technical information. LV AEE is not suitable for site planning or environmental planning.

11.44 The axonometric projection 'Massing of Plan Change Height' is insufficient to explain building heights. The projection visually distorts the proposed building heights. The '3 Towers' and the proposed 35m building heights in the NW corner of the precinct appear smaller in relation to other heights. Building heights can only be established through colour, except for the '3 Towers' whose building heights cannot be determined visually, by colour, a scale or reference. Submitters cannot establish the effects of building heights from the diagram 'Massing of Plan Change Height,' as surrounding heights as reference are not included.

11.45 Cross sections with heights and distances in metres must be included in the LV AEE. Cross sections across the precinct, and the interface of the SEA Oakley Creek must be provided to assess the effects of building heights and the existing physical landscape. Cross sections of the interface B-Mu and SEA Oakley Creek, Wairaka/Te Auaunga Precinct- Springleigh Block, '3 Towers' and adjacent public walkway must be provided, but not limited to.

11.46 Cross sections of the operative precinct provisions of AUP regarding building height and landform across the Wairaka Precinct must be provided to enable comparison between operative and proposed building heights to establish the major negative landscape effects of the proposal. 'Adjoining and adjacent neighbouring properties' are not assessed.

11.47 A table of actual landscape values for the purpose of addressing negative effects is missing from assessments. The Landscape and Visual Assessment lacks a technical assessment.

## 12. Further landscape considerations regarding inadequate LV AEE process

### *Character of the landscape as an 'evolved landscape' as opposed to 'open space'*

12.1 The LV fails assess the character of the existing landscape of the operative zone. The assessment of the future character of the landscape is anecdotal and always excludes SEA Oakley Creek and Marine SEA.

12.2 The Wairaka / Te Auaunga Precinct is an 'evolved landscape.' There are both relict and continuing landscapes resulting from social, economic, administrative, Maori contexts. It has evolved and guided over hundreds of years into its present form as a result of the natural environment of the Wairaka / Te Auaunga Precinct.

12.3 'Historic heritage landscapes' relate to s6(f) and s6e of RMA91. They must be assessed for the rezoning proposal. In addition, the Wairaka Precinct is an 'associative' landscape related to tikanga.

12.4 'landscape' is equated with 'open space provision' which is contrary to Part 2 of RMA91, AV LV guidelines, and AUP. It includes Te Auaunga as an 'influence' but not a natural landscape (p.3, Open Space Framework). There is confusion between the LV AEE and the Open Space AEE of the application that includes contradictions.

12.5 The terms 'landscape' and 'landscaping' are used differently from RMA91. 'Landscape' seems to be identical to 'landscaping' in the LV AEE. Requested amendments remove 'landscaping' requirements with major negative effects.

### *The NW of the precinct is characterized by a rare and significant spring*

12.6 The NW of the precinct contains overland flow paths according to Geomaps and a natural spring / wetland. The site was once occupied by Maori gardens. Accidental archaeological discoveries similar to the surroundings of the spring behind Mahi Whenua Garden are likely.

The LV AEE requires better documentation, diagrams, and cross section to fulfil RMA91. Community submitters are overwhelmed by the lack of evidence.

### *LV AEE effects on SEA Oakley Creek and Marine SEA not assessed as required by PC78*

12.7 The LV AEE does not assess the effects on SEA Oakley Creek and Marine SEA, a matter of national importance (ref. to SEA Overlay for matters that must be addressed). Plan Change 78

addresses SEA and the priority they take over surrounding zones. Consent cannot be granted without Landscape AEE that proposes the avoidance of negative environmental and social effects on SEA Oakley Creek and Marine SEA

12.8 The LV AEE does not address landscape and visual effects of building heights on SEA Oakley Creek. Although, the visual effects of building heights on SEA Oakley Creek are included by the applicant in the 'requested amendments.

12.9 Several issues arise from LV regarding the SEA Oakley Creek (but not limited to):

- SEA Oakley Creek and Marine SEA are part of the ZOI of the proposal
- the effects on the surrounding SEA Oakley Creek and Marine SEA and their regional and national significance are not assessed, even though LV AEE refers to SEA Oakley Creek on many occasions
- the rezoning proposal from Tertiary to B-MU is a significant change in major adverse effects that threatens SEA Oakley Creek in its ecological functioning and amenity, contrary to NPSUD Policy 6(b)(ii)

12.10 The only assessment of the landscape of the SEA Oakley Creek appears to be the statement in L3 /7 point 11 (quote below). The landscape values of the SEA Oakley Creek cannot be established from LVAEE. L3 / 7 p 11 does not describe the outstanding landscape of the river with riparian margins and the associated outstanding estuarine landscape of the Oakley Creek Inlet.

12.11 The LV assessment believes that the SEA Oakley Creek is part of a design or a design itself that provides 'counterbalance' for major negative effects of the application which is contrary to the SEA Overlay. AC LV AEE guidelines state that evaluations are not appropriate.

12.12 The LV assessment must assess the SEA Oakley Creek according to SEA Overlay. Negative effects must be avoided. The landscape effects on SEA Oakley Creek are major and of national significance.

**12.13 'Requested amendment' relating to landscape differs on important RMA91 matters from LV AEE (but not limited to):**

(40) *Provide quality dwellings which face west across **Oakley CreekTe Auaunga**, providing passive surveillance of the public lands within **Oakley CreekTe Auaunga** Valley*

*1334. A range of building heights are applied across the precinct that recognise the favourable size, location and topography of the land within the precinct. These heights recognise the relative sensitivities of adjoining and adjacent neighbouring properties, with greater height applied to areas where the potential adverse effects can be managed within the precinct. In the north-western corner of the site height is also proposed to act as a landmark for the development, supporting the urban legibility of the precinct*

12.14 The two 'requested amendments', including a wide range of amendments but not limited to, have not been assessed by LV AEE or UD AEE, and their effects are not established. The visual assessment does not evaluate 'passive surveillance' or visual effect on Oakley Creek / TeAuaunga. The size, location and topography of proposes rezoning have not been assessed according to AC guidelines. Our requests for additional photo simulations relates partially to amendments like these, but not limited to. The requested amendments, but not limited to, are re-litigation of SRA's 'further submission' on the 2015 Wairaka precinct rezoning. Inclusion of SEA Oakley creek in the rezoning proposal has not been notified.

12.15 The proposed building heights and removal of operative graduated building heights removes protection on SEA Oakley and Marine SEA that are not understood from LV AEE. Effects of building heights on SEA Oakley Creek and Marine SEA include (but not limited to) and not assessed in LV AEE. Springleigh RA must infer these from *SH20 Waterview* assessments which is an inadequate RMA91 process:

- oversteepening of the valley with loss of outstanding natural landscape,
- shadowing and rain effects in the SEA,
- ecological functioning, ecosystems
- light spill, noise among others that are not assessed in LV.

12.16 The LV assessment of the 'shared path' must be consistent with *SH20 Waterview decision*. The shared path provides mitigation for *SH20 Waterview decision* that must be addressed in the LV assessment. All effects on the 'shared path' and its' surroundings must be assessed and avoided. For example (but not limited to), expert evidence exchanges established that the Star Mill heritage walk is significant, mature oak trees affected by the proposal are related to the tannery and are roosting sites for native birds, significant marine heritage, naturalness of the creek and inlet over a substantial distance among many considerations (EPA25).

***Applicant does not provide all their evidence in amenity value of the SEA Oakley Creek***

12.17 The amenity value of the SEA Oakley Creek and Marine SEA are affected by the proposed rezoning to B-MU (included in amendment (40)). The shared path and outstanding landscape of the Oakley Creek are severely affected in their amenity value. Amenity value of Oakley Creek was widely assessed in *SH20 Waterview connection*. SEA Overlay requires that amenity is assessed. NPSUD requests that the proposal itself is not a negative effect.

12.18 The applicant does not provide all their evidence regarding the amenity of Oakley Creek. Amenity values must be provided, especially in.

12.19 The amenity value of SEA Oakley Creek must be given consideration under Part 2 of RMA91. The shared path contained within the SEA Oakley Creek provides amenity value to several suburbs that must be included in LV AEE assessment. The purpose of the shared path was to provide access to natural landscapes (*SH20 Waterview connection*). Activities affecting amenity value of SEA Oakley Creek must be stated together with their activity status.

***Conditions of SH20 Waterview connection are sketchily addressed***

12.18 The LV assessment states that conditions of *SH20 Waterview* apply only to the shared paths. This is incorrect. Conditions apply to freshwater of TeAuaunga/Oakley Creek, tree planting in the vicinity of Te Piringa bridge, lizard management and their habitat enhancement, among others.

***Mitigation of adverse Landscape Effects on SEA Oakley Creek and Marine SEA is not considered***

12.20 According to the LV assessment guide provided by LV AEE and AC guidelines, effects on the SEA Oakley Creek and Marine SEA are 'very high,' effects of the towers on the surrounding suburbs are 'very high'.

12.21 L7 / 3 states in the quote (highlighted) below that the SEA Oakley Creek is a mitigation measure for the proposal. This contrary to SEA Overlay, contrary to AC LV guidelines, Part 2 of

RMA91, NPSUD. AC LV AEE guidelines request a clear description for any mitigation measures that have been integrated into the proposal, such as planting, building design etc.

12.22 The positive effects of SEA Oakley Creek are of regional and national importance and must not be considered mitigation under Part 2 of RMA91. Mitigation considerations are incoherent and not based on LV AEE. We assume that the applicant does not disclose all their evidence in this matter.

12.23 'Significantly scaled, vegetated open space' is misleading as the LV assessment does not assess 'scale' and in particular not the scale of vegetation. The already inadequate 'Massing of Plan Change Height' does not include 'vegetated open space.' LV AEE assesses limited visual effects where photos and photo simulations do not have a 'scale.'

12.24 'Built scale' of the proposal in relation to SEA Oakley Creek and surrounding suburbs is not assessed which is a significant part of our submission. Photos and photo simulation do not have a 'built scale,' Heights and distances must be guessed by submitters. Cross sections must be included in AEE.

12.24 'Counterbalance' is not defined by RMA91, and not an acceptable form of mitigation. The implication that SEA Oakley Creek is connected to the proposed building heights and rezoning is false.

12.25 'well-scaled frame of vegetation' in relation to building height, is an anecdotal statement and not supported by LV AEE or "Massing of Plan Change Height Areas.' Vegetation of SEA Oakley Creek has not been assessed.

12.26 'waterway' is not defined by RMA91. RMA 91 provides clarification.

**12.27 Point 11 of LV AEE, matters raised by Springleigh RA**

Point 11 appears to be the only assessment of SEA Oakley Creek landscape.

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11 Te Auaunga / Oakley Creek forms a large scale natural landscape element adjoining the precinct to the west. The creek flows into the tidal reaches of the Waitemata Harbour to the immediate west and is deeply incised through the well vegetated open space corridor defined to the west by Great North Road and precinct to the east. Vegetation has both mature exotic species characteristics associated with early European habitation and milling activities using the resources of the waterway and an increasing return to a forested indigenous species corridor. **This western border of significantly scaled, vegetated open space provides a landscape counterbalance to the increased residential density and built scale of development within the precinct. It assists in mitigating the potential adverse effects of additional height both in respect of screening views from within the adjoining open space and providing a well scaled frame of vegetation at the western base of the enabled cluster of tower buildings.**

(emphasis added)

### 13. Requests relating to LV AEE and landscape considerations that must be addressed

1. Visual assessment must include additional viewing points and photo simulations (but not limited to).
2.
  - view of the proposed tower buildings from all directions
  - Oakley Creek viewed from Cowley St Walkway (vicinity of Star Mill site)
  - view of stretch of Oakley Creek beneath Te Piringa Bridge (Western border)
  - view from the intersection of Oakley Avenue & Great North Rd (effects of proposal on Oakley Creek Esplanade Reserve)
  - Oakley Creek Esplanade Reserve viewed from the edge of Great North Rd (Western Border and proposed towers)
  - view from Waterview Park (open space impacts)
  - view from the viewing platform at the Oakley Creek Waterfall across the Wairaka Precinct (SEA Overlay considerations)
  - view from Oakley Esplanade Reserve towards previously Unitec Building 312 (view from Waterview reserves)
  - views towards the Waitemata Harbour, from previously Unitec Buildings 209, 208 and 207
  - additional views from Oakley Creek Walkway that cover the entire border between Wairaka Precinct and SEA Oakley Creek and Inlet (Western border, SEA Overlay)
  - view from 55, Alberta Street (traditional residential housing)
  - view from 13 and 10, Berridge Avenue (traditional residential housing)
  - view from just below the intersection of Seaview Tce/Carrington Rd towards the Waitemata Harbour (view of existing landscape)
3. Adequate technical assessments of visual and landscape effects must be provided by the applicant or consent cannot be granted. Cross sections of the existing landscape of Wairaka Precinct, SEA Oakley Creek and Marine reserve, and of the future Wairaka Precinct and surrounding must be included.
4. An independent Landscape and Visual Assessment must be prepared for expert evidence exchange to ensure the RMA91 process. Springleigh RA believes that the applicant does not disclose all their evidence.
5. A technical assessment of adverse effects on SEA Oakley Creek and Marine SEA Oakley Creek Inlet must be included in the LV assessment similar to *SH20 Waterview connection* that includes (but not limited to) (It is the applicant's responsibility to provide AEE):
  - lighting effects
  - terrestrial vegetation effects
  - existing vegetation values
  - the proposals' effects on fresh water ecology
  - existing fresh water ecology values
  - effects on the river margin
  - NW corner overland flow path and natural spring / wetland

57.13

- archaeological/historic values: e.g. (but not limited to): recorded archaeological and heritage sites, significance of identified Maori sites, the Starr Mill / Tannery /Quarry, other early European sites, 'Oakley Creek Heritage Landscape', 'Waterview Inlet Heritage Area'
- building heights
- amenity value
- other matters stated in in SEA Overlay

6. Avoidance options for adverse landscape effects on the SEA Oakley Creek according to SEA Overlay must be prepared.

## **14. Ecological Assessment is flawed and lacks basic understanding of ecological effects and contexts**

57.14

14.1 The ecological effects of the proposed Wairaka precinct rezoning are major because the applicant does not consider mitigation.

14.2 The Ecological AEE of Wairaka Precinct does not support indigenous biodiversity. The activities for which rezoning is sought will remove vegetation and affect wildlife habitats, native wildlife environments and native wildlife breeding ground.

14.3 Springleigh RA has reasons to believe that the applicant is not disclosing all their evidence in the Ecological AEE.

14.4 The aim of an Ecological Assessment is generally to identify, predict and evaluate the ecological effects of a proposal such as rezoning of the Wairaka / Te Auaunga Precinct. It must provide ecological information for decision making and enable a robust RMA91. It must include the ecological effects of the tower buildings, the building heights of the precinct, removal of boundary setbacks, but not limited to.

14.5 The Ecological Assessment of the Wairaka / Te Auaunga Precinct consists of a very subjective evaluation based on a couple of photos.

14.6 The ecological assessment of Wairaka Precinct is inadequate to address ecological effects of the rezoning to B-MU. The Ecological AEE is not good resource management practice compared to the type of Ecological AEE prepared by Waka Kotahi's (but not limited to) that serve as one example for Ecological AEE. Wairaka Precinct AEE does not apply the 'Best Practice of the Day' for Ecological AEE.

14.7 It is not possible to establish whether the Ecological Assessments were prepared by a qualified ecologist. Missing botanical names, absence of ecological knowledge etc are obvious.

14.8 The Wairaka Precinct Ecological AEE must adopt the same guidelines as Waka Kotahi. The Wairaka Precinct is a central government proposal of a large scale with similar or larger effects to Waka Kotahi proposals.

14.9 'waterway' is not defined by RMA91.

***Flawed Ecological AEE and c123 requests are weighted towards the applicant***

14.10 The Ecological AEE was deficient from the beginning. Repeated cl23 requests were necessary to provide relevant ecological information, e.g. (but not limited to) information in tables, aerial photo with some delineated habitats, legal requirements, etc. to improve the Ecological AEE.

14.11 A guideline is missing from AEE as to what criteria were selected and how they were assessed, values or indicators selected but not limited to.

14.12 For community submitters, it is difficult to understand Ecological AEE in its' convoluted form. Auckland Council is negligent in respect to Ecological AEE. Comparison with Waka Kotahi application provide reasons to assume that the Ecological Assessment does not fulfil the RMA91 requirement for such a large proposal.

14.13 Cumulative effects are missing including but not limited to, migratory routes of wildlife movement, increased pressure on SEA Oakley Creek and Marine SEA ecosystems, effects of tower piling among many tower effects on surroundings, but not limited to.

14.14 Ecological value is assigned to the Wairaka / Te Auanga Precinct, its surroundings and its inhabitants under the Wildlife Act 1953, the Fisheries Act 1996, the Conservation Act 1987, the Hauraki Guld Marine Park Act 2000. They must inform the Ecological AEE.'

***Cl23 E(F) 1 response is incorrect***

14.15 The use and activities that occur within the precinct are physically separated from the marine environment by Great North Road and the motorway interchange. The potential impact is primarily through water quality issues as the Te Auanga Precinct is within the Oakley Creek catchment.

14.16 The statement is incorrect. The Great North RD interchange is not a separation in ecological terms (ref to the simple NZTA leaflet in LV AEE considerations). The native planting surrounding the Great North Rd interchange is a coastal forest that connects marine and riparian ecosystems and are a mitigation measure of *SH20 Waterview connection*. It was considered highly effective mitigation in terms of plant associations, bird habitat, ecosystem connection among others.

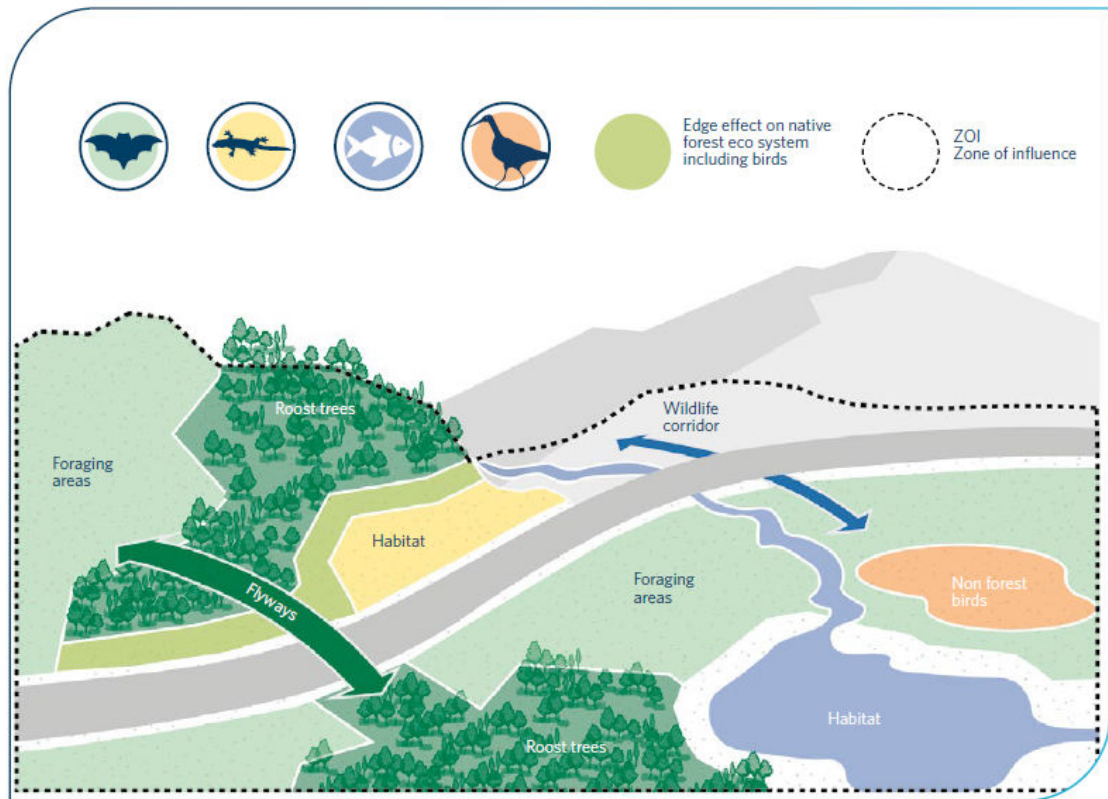
14.17 Amenity value was provided through the shared path. The physical connection of parks and reserves was a mitigation measure of *SH20 Waterview connection*.

***Zone of Influence and ecological context are an important matter that is not assessed***

14.18 The zone of influence of the Wairaka Precinct is not adequately described. The zone of influence (ZOI) of the rezoning proposal is the area occupied by habitats and species that are neighbouring the proposal and may extend beyond the boundaries of the precinct's area. It is defined in the EIANZ Guidelines (2018) as "the areas / resources that may be affected by the biophysical changes caused by the proposed Project and associated activities.' The effects on adjoining or connected terrestrial freshwater and wetland habitats and associated native species of the Wairaka Precinct is not described in Ecological AEE. Ecological contexts are not considered in the Ecological AEE of Wairaka Precinct.

14.19 Waka Kotahi (2023) illustrates the ZOI in a diagram, but not limited to:





Waka Kotahi, August 2023. *Ecological impact assessment guidelines*. Wellington. P.12, ZOI, edge effect, habitat, ecological connections, landscape ecology considerations among others

14.20 Waka Kotahi identifies the Zone of Influence as 2km from the boundary of the proposal (Waka Kotahi, Takaanini Level Crossings, October 2023). In the case of the Wairaka Precinct, this includes two SEA, Phyllis St, Harbutt Res, Shared Path, Eric Arminshaw Park, Oakley Creek Esplanade, Waterview Park in the SEA.

***The assessment of Significant Ecological Area is contrary to AUP***

14.21 The Significant Ecological Areas must be included and assessed against SEA overlay. Other applications such as (but not limited to) Waka Kotahi (October 2023) have assessed SEA differently from Wairaka Precinct.

**5.1.2 Significant Ecological Areas**

Where natural habitat remains, the AUP:OP has mapped and classified habitats as terrestrial or marine SEAs (where such habitat meets the SEA criteria at that time). SEAs which occur within 2 km of the project areas, are presented in Appendix B of this report and described in Table 8. As described in Section 4.1, a distance of 2 km was selected as the potential ZOI for the project areas. (Waka Kotahi, Takaanini Level Crossings Assessment of Ecological Effects, October 2023).

14.22 The zone of influence of the precinct differs for various species depending, e.g. mobile species such as the long-tailed bat have a larger home range and more diverse habitat requirements compared to lizards. Threatened plant species are often confined to a small area of specific habitat.

***The SEA Oakley Creek and Marine SEA are a matter of national importance***

14.23 The AEE is incorrect where it describes the SEA Oakley Creek as removed from the coastal environment. It is geographically related to the Oakley Creek Inlet SEA. The planting under the Great

North Rd Interchange is a coastal forest that provides ecosystem connection and functioning as a condition of *SH20 Waterview connection*. Habitat restoration as part of the 'Great North Rd Interchange' was a major achievement of *SH20 Waterview connection* mitigation. Habitat restoration in Eric Arminshaw Park of the last 15 years is significant, a boardwalk connects the reserves and parks, here.

14.24 Connections between the Wairaka Precinct and surrounding reserves and parks occurs through water quality, water quantity, sedimentation, waste and amenity value (AC LV AEE guidelines).

14.25 An Ecological AEE of the SEA Oakley Creek and Marine SEA is not included. The absence of AEE of the SEA Oakley Creek throughout the application is major. Auckland Council is negligent as the consenting authority and failed to make adequate cl23 regarding ecological effects that include matters of national significance.

***The effects on the NW wetland must be assessed***

14.26 NW wetland in the vicinity of Oakley Hospital is a palustrine wetland and the habitat of threatened species, *Ranunculus macrorpus*.

14.27 The wetland is a spring located in the original "Asylum grounds". The springs reflect the natural landscape of the scoria field of the Wairaka Precinct (Lisa Truttman, August 2007: *Wairaka's Waters: The Auckland Asylum Springs*. Words Incorporated, Blockhouse Bay). It can be rehabilitated like the springs along the Roy Clements Walkway in Mt Albert. Wetland revegetation is a worthwhile attempt according to Waka Kotahi and RMA91. The wetland must be assessed by hydrological engineer, similar to the spring in the vicinity of Mahi Whenua Garden in the South West of the precinct.

***The insufficient Desktop review does not follow guidelines***

14.28 The Desktop review and corresponding cl23 responses are insufficient in explaining ecological threats of the rezoning, an ecological baseline, significant ecology, ecological contexts. iNaturalist records in the vicinity, such as those of the Mahi Whenua Garden (but not limited to), do not appear to be included. The Ecological AEE of Wairaka Precinct records surprisingly few animal and plant species. The applicant provides bird lists, extended bird lists, and information regarding lizards. The five-minute bird counts utilized are not representative and do not seem to have occurred at night.

14.29 At Risk/Threatened' plant species and fauna, e.g. fish species and bird species occur in the SEA. Wairaka Precinct. Ecological AEE understates the 'At Risk Threatened' bird species present in SEA Oakley Creek, Marine Reserve and wetlands such as (but not limited to) Caspian Tern, Pied Shag, Red-billed Gull, Reef Heron, Black Shag, Little Black Shag, White-fronted Tern (*SH20 Waterview connection*).

14.30 It is not consistent with the Ecological AEE that other organizations undertake like Waka Kotahi in October 2023:

**4.2 Desktop review**

A desktop review of existing ecological records was undertaken to gain an understanding of the species and habitats that could be present within the ZOI of the NoR boundaries.

The sources of information that were reviewed to determine the likelihood of a species or habitat occurring within or adjacent to the NoR boundaries include:

- Auckland Council (**Council**) Geomaps1;

- Department of Conservation (DOC) Bioweb records<sup>2</sup>;
- Department of Conservation Threat Classification Series<sup>3</sup>;
- Ecological Regions and Districts of New Zealand (McEwen, 1987);
- iNaturalist records<sup>4</sup> (research grade observations), records within approximately 5 km radius of the overall study area (including the NoR boundaries);
- Indigenous terrestrial and wetland ecosystems of Auckland (Singers et al., 2017);

1 <https://geomapspublic.aucklandcouncil.govt.nz/viewer/index.html>

2 <https://www.doc.govt.nz/our-work/monitoring-reporting/request-monitoring-data/>

3 All Department of Conservation Threat Classification Documents are listed in the below webpage. When individual reports are referenced hereafter, they are referenced in-text and in Section 12. <https://www.doc.govt.nz/about-us/science-publications/conservation-publications/nz-threat-classification-system/>

4 <https://www.inaturalist.org/> Assessment of Ecological Effects  
13/October/2023 | Version 1.0 | 19 •

Sensitivity: General

- National Institute of Water and Atmospheric Research (NIWA) freshwater fish database<sup>5</sup>;
- New Zealand Bird Atlas eBird database<sup>6</sup>; recorded within 10 km<sup>2</sup> grid squares. Results from grid square AB66, positioned over the Whenuapai area; and
- NZ River Name Lines (LINZ Data Service<sup>7</sup>).

(Waka Kotahi, October 23)

### ***Site investigations are inadequate and do not inform the Ecological AEE***

14.31 The site investigation excludes the zone of influence (ZOI). The SEA Oakley Creek and Marine SEA habitats and ecosystems must be stated. AEE does not delineate the NW wetland or the ‘crocket lawn.’ The removal of ‘landscaping’ as a mitigation measure is not assessed

Waka Kotahi (October 2023) undertakes site investigations (but not limited to):

#### **4.3 Site investigations**

Site investigations were undertaken on 30 August and 15 September 2022 in order to:

- Prepare an ecological baseline of terrestrial, freshwater and wetland ecology;
- Inform the assessment of the NoRs against the relevant district matters (terrestrial ecology);
- Set out freshwater and wetland matters which may be considered as part of a future regional resource consent, or under relevant wildlife legislation; and
- Inform the designation footprint

(Waka Kotahi Takaanini Level Crossings Assessment of Ecological Effects)

### ***Anecdotal ecological assessments consist of a string of inadequacies***

14.33 The ecological assessment is more a personal evaluation rather than an assessment. Because it is planned for urban rezoning, ecological effects do not matter. The Ecological AEE is not to the same level as *SH20 Waterview connection*.

14.34 High value vegetation is not assessed according to RMA91 Part 2. The Ecological AEE describes vaguely what appears to be ‘canopy cover’ of Puriri trees on the Wairaka Precinct. It evaluates the Puriri trees as ‘amenity value’ of the Wairaka Precinct which is contrary to Ecological Assessment. Generally, ‘canopy cover’ assesses ecological matters (but not limited to): species distribution and abundance, habitat, connectivity among my ecological issues.

14.35 Ecologically sensitive areas are assessed from few photos and reflect more the authors aesthetic and preferences than ecological functioning. The ZOI is not assessed.

14.36 Amenity vegetation is considered inferior compared to the forest established prior to the arrival of humans on the Wairaka Precinct which is an unrealistic assessment.

14.37 The most part of the Wairaka / Te Auaunga Precinct Ecological AEE are evaluations rather than assessments.

## **15. Further negative environmental effects of Ecological AEE occur locally and regionally**

### ***The ecological effects on terrestrial ecology are far reaching***

15.1 The rezoning of the Wairaka / Te Auaunga Precinct causes the loss of terrestrial vegetation through, but not: removal during construction, lack of mitigation, destruction of ecosystem processes, changes to groundwater, ground settlement effects, flooding, among others.

15.2 The terrestrial vegetation along Auckland's streams and coastal area is significant. They contribute to the amenity value of Auckland and are highly valued by the community, part of parks, reserves and walkways and important to recreation.

15.3 Vegetation that requires the avoidance of negative effects of Wairaka Precinct rezoning is not identified in Ecological AEE.

15.4 Ecological AEE must include, but is not limited to:

- Significant Vegetation- all officially listed 'at risk' species that are affected by Wairaka Precinct rezoning
- Valued Vegetation – all vegetation that is of botanical interest and value (i.e. maritime communities, regeneration but not limited to)

### ***The ecological effects on freshwater and marine environment are not assessed***

15.5 The effects on freshwater and marine environment must be assessed including but not limited to, the effects on SEA Oakley Creek and Marine SEA. It includes threatened animal and plant species.

### ***The ecological baseline must be established following Waka Kotahi guidelines***

15.6 The ecological discussion goes beyond the capacity of a community submission, but we want to address the following, but not limited to:

15.7 The ecological baseline associated with the rezoning proposal must include the precinct and ZOI. The Ecological Assessment must ensure that all features were investigated and mapped to provide context for the effects assessment and to inform the rezoning to B-MU and the towers, which is missing from the Wairaka Precinct Ecological AEE.

15.8 The ecological baseline includes, but not limited to:

- historical ecological context
- significant ecological areas
- terrestrial habitat
- terrestrial fauna
- terrestrial ecological value
- freshwater and marine habitat
- freshwater and marine fauna
- freshwater and marine ecological value
- wetland habitat

***The likely future natural environment of the Wairaka / Te Auaunga precinct is a major aspect of the proposal that has not been assessed***

15.9 The likely future environment is insufficiently addressed. The effects on the biodiversity on the future environment are not established.

***Trivial native forest considerations of Ecological AEE devalue urban ecology***

15.10 The Wairaka / Te Auaunga Precinct was first deforested by Maori for Maori gardens and agriculture before the arrival of Europeans. Native forest cover was reduced through slash and burn. The Wairaka / Te Auaunga Precinct was highly relevant to Maori with its' location in the surrounding of the Waitemata Harbour, the portage road (but not limited to), and gardens were substantial. Early settlers introduced exotic trees that supported European agriculture. Orchards, windbreaks among others were planted. A therapeutic landscape was planted by the 'Asylum.'

15.11 Both Maori agriculture and European agriculture had high biodiversity values that must be assessed as part of Ecological AEE. The historic and associative landscape must be included in this assessment.

15.12 It is not acceptable to evaluate the proposed effects on biodiversity of the precinct against 'forests' that were altered approx. from the time of arrival of Maori in Aotearoa in approx. 1300). Singer's ecosystems address biodiversity of Wairaka / Te Auaunga precinct in superficial ways, categories such as WF4, EF1 are inadequate. Biodiversity of the urban environment must be assessed.

***Kanuka / Manuka are significant in forest succession***

15.13 The Ecological AEE evaluates Kanuka / Manuka in populistic terms as a type of scrubland, Springleigh RA assumes. Kanuka / Manuka are part of the ecological succession to native forest and significant to the revegetation efforts along Oakley Creek / Te Auaunga coastal forest und Great North Rd Interchange, but not limited to. The trees provide stream shading for stream regeneration.

***Ecological Context, Connectivity and Habitat are important to Wairaka Precinct and surrounding zones***

15.14 Ecological context, such as (but not limited to) connectivity, landscape ecology, corridors, buffers, habitat, biodiversity, climate change (but not limited) are not included.

15.15 Ecological connectivity and habitat are threatened by the rezoning of the Wairaka Precinct (ref. diagram), and include (but not limited to):

- loss in connectivity to indigenous fauna (birds) due to light, vibration and noise effects from the operation of the precinct such as the supermarket and other, tower buildings among others, leading to fragmentation of habitat
- displacement and disturbance of indigenous fauna and their nests due to light, noise and vibration effects, during construction and operation
- removal of vegetation, native and exotic
- influence on threatened birds and plant species
- severely affect, SEA Oakley Creek and Marine SEA

15.16 The level of effect of operative zoning must be assessed and compared to proposed rezoning. Negative effects must be avoided in the case of SEAs and mitigated in other areas.

***Construction effects require impact management for birds***

15.17 Noise, vibrations and lighting disturbance caused by construction activities could potentially displace indigenous forest birds from suitable nesting and foraging habitat within the Zone of Influence of the precinct boundaries. The impact can affect birds of SEA Oakley Creek and Marine Reserve, the wetland and terrestrial birds of the Eric Arminshaw wetlands and surroundings are major and include effects of tower buildings).

15.18 The level of effect operative impact management must be addressed to establish the severity of proposed effects. Impact management and the residual level of effect must be assessed. Conditions of *SH20 Waterview connection* such as (but not limited to) lizard management and habitat are affected.

***The future regional resource consents have major negative impacts on precinct and surroundings***

15.19 This aspect of the rezoning proposal goes beyond the ability of community submitters. The applicant and the Auckland Council have responsibility for the AEE. SRA attempts the following, but not limited to:

15.20 Future consents will not be notified even though the SEA Oakley Creek and Marine SEA, as well as the 'shared path,' the tower buildings, supermarket as ecological effects, but not limited to, are major and a matter of public interest. Ecological effects caused by the rezoning proposal require Regional Plan consents and Wildlife Act authority permits.

15.21 The location of streams, river and other "natural assets" within the bounds of the Hauraki Gulf Marine Park Act 2000 (HGMPA), combined with the national and regional status of native wildlife, makes these significant habitats of indigenous fauna.

***High-rise and high density buildings have shading and rain shadow effects on ecology***

15.22 The proposed B-MU structures on the Western Border with SEA Oakley Creek and NW border of the '3 Towers' with Marine SEA have a major effect on vegetation, such as (but not limited to) native plant species, native plant associations, habitat for native birds in the SEA that must be addressed.

***The removal of graduated heights has edge effects on vegetation of SEA Oakley Creek and Marine SEA***

15.23 The height and mass of B-MU zoned structures along the Westerns border with SEA Oakley Creek and Marine SEA and of the '3 Towers' in the NW is a major adverse effect of the proposal. They have a major effect on the micro-climatic conditions, vegetation composition and vegetation distribution with effects on the margins and the interior of SEA Oakley Creek and Marine SEA.

***Changes to Groundwater cause the loss of SEA Vegetation***

15.24 A significant proportion of the proposal (tower buildings) will be below ground level affecting the groundwater regime of the SEA Oakley Creek and the Marine SEA by causing a draw-down effect within the immediately adjacent soils of the two SEA. Adverse botanical effects are major.

***The loss of ecotone sequence of the SEA Oakley Creek and Marine SEA is caused by the proposed loss of vegetation***

15.25 The loss of native vegetation considered of high botanical conservation value as a consequence of rezoning is major. Vegetation contribution to the eco-tone sequences of SEA Oakley Creek and Marine SEA is important (*SH20 Waterview connection*).

***Mature Oak trees have a positive effect on amenity and avifauna***

15.26 The mature oak trees in the vicinity of the star mill are between 130-165 years old and add to the amenity value of exotic vegetation of the Wairaka Precinct. *SH20 Waterview connection* included conditions, in the case of the removal of oak trees 'replacement trees shall be sized at 160Lt and will be oaks of the same species, and two trees will be provided for every tree removed ([709] *SH20 Waterview connection*).

15.27 The existing mature trees are roosting sites for pied and black shag, both 'At Risk' bird species. The white-faced heron roosts in areas affected by B-MU rezoning.

***The proposal causes the loss of riparian margin and ecological buffer***

15.28 The removal of the requirement for graduated building heights at the border with SEA Oakley Creek has severe ecological effects on the SEA Oakley Creek. The previous rezoning of the precinct (2015) discussed the mitigation that graduated building heights would provide for the ecology of SEA Oakley Creek. The current rezoning proposal has identical or larger ecological effects on the riparian margin under RMA91 and the riparian yard. The Ecological AEE does not assess the removal of the requirement for graduated building heights (45° angle recess), and its' effects on the ecology of the SEA Oakley.

15.29 The loss of native vegetation and habitat of native birds in the riparian margin is a matter of national importance in two SEA. Mitigation must be proposed. *SH20 Waterview conditions* set the precedent for the mitigation for the loss of riparian margin, effects on the riparian margin of the Oakley Creek.

***Extensive riparian revegetation in the SEA Oakley Creek and ecological corridor including but not limited to 'nurse crop' experience major negative impact***

15.30 The Wairaka precinct Ecological AEE does not assess the extensive revegetation and habitat creation efforts of SEA Oakley Creek, Great North Rd interchange, Marine SEA. Nurse crop revegetation accounts for some of the exotic species in SEA (could be the 'reseeding' in the Ecological AEE, an ecological value is not proposed, SRA must guess) Re-vegetation includes the re-introduction of the Swamp Maire (At Risk-Threatened). The ecological corridor of the riparian margin ceases to function.

***Effects on freshwater ecology affect threatened freshwater species of regional and national importance***

15.31 Stream ecology must be assessed and ecological and conservation values must be established. The negative effects on stream ecological and conservation values must be avoided under SEA. Stream ecology of Oakley Creek / Te Auauanga is significant, and includes rare native fish. Longfin eels, torrent fish, inanga, redfin bully are 'At Risk Threatened' species. Their habitat includes the reaches below the Oakley Creek waterfall (*SH20 Waterview connection*).

***The native bat is threatened in its' habitat***

15.32 The occurrence of the native bat, its' distribution and habitat requirements are assessed in an anecdote only. The applicant has not surveyed bats.

***Auckland Council fails to consider matters of biodiversity***

15.33 The Auckland Council is mandated to protect and maintain biodiversity through s 6 c of RMA91 as a matter of national importance and to maintain indigenous biological diversity as one of the functions of a regional council (e.g. s30 of RMA91).

15.34 Auckland Council, as the consenting authority, has failed to make cl23 request regarding biodiversity affected by the B-MU rezoning proposal of the Wairaka Precinct. In addition, AC neglects its' responsibility as the regional council in matters of biodiversity failed to make cl23 regarding the regional implications.

15.35 Significant Ecological Areas and the criteria contained in Policies 1 and 2 of AUP must ensure that the SEA Oakley Creek on and adjacent the Wairaka Precinct is protected as a matter of national and regional importance. The Ecological AEE must provide the relevant AEE. The effects of activities on significant indigenous biodiversity in the SEA Overlay must be avoided, remedied or mitigated. A hierarchy applies in Policy 7.

15.35 Policy 8 of AUP requests the avoiding significant adverse effects on biodiversity not within SEAs which have been inadequately addressed as part of the rezoning proposal.

***Protection is removed from trees***

15.36 AUP has high standards for the protection of protected trees. 'Requested amendments' remove tree protection on the Wairaka / Te Auaunga Precinct that have not been assessed in Ecological AEE.

**Requests:**

1. **The Ecological AEE must fulfill the requirements of s104 and s30 of RMA91.**
2. **The Ecological Additional Information is disjointed and does not sufficiently address matters of national significance. They must be included in an AEE under s104, s30 and Part 2 of AEE. The Additional Information cannot be understood by community submitters. 'Activity' and 'Activity Status' must be clearly identified**
3. **An independent Ecological AEE must be provided for expert evidence exchange as Springleigh RA has reasons to believe that the applicant does not provide all their evidence, e.g. (but not limited to) relating to 'At-threatened species', ecosystem, habitat, revegetation etc.**
4. **Native bat detection on the Wairaka/Te Auaunga Precinct using standard audio recording such as DOC AR4.**
5. **The NW wetland / spring must be assessed by hydrological engineer and ecologist.**

57.15

## **16. The Urban Design Assessment does not promote positive urban design outcomes, duplicates LV AEE**

16.1 Urban design considers whether the proposed rezoning is consistent with the surrounding built environment, in terms of scale, density, size, and mass. It establishes whether the design of the rezoning proposal meets, amenity, social and environmental needs of future residents and the



surrounding community. UD AEE must contain early designs and assess the impact in the context of the operative Wairaka / Te Auauanga Precinct, surrounding community, and surrounding natural environment.

16.2 The UD AEE is inadequate and does not establish goals identified in the proposal, such as but not limited to, 'Maori expression', quality of housing, commercial activity etc. The UD AEE tries to justify building heights and tower buildings only. An urban design concept cannot be established from UD AEE. Appendix 1 is a visual assessment, only.

16.3 The UD AEE's purpose is not to develop quality urban design. Its main purpose is to avoid RMA91 requirements for mitigation. The needs of occupants of the Wairaka / Te Auauanga Precinct, neighbouring communities, surrounding natural environment, local context such as (but not limited to) local topography, existing trees, natural features are not evaluated. The Urban Design Assessment does not include activities, activity status or urban design values. Urban Design principles and guidelines that seek mitigation of major negative effects of the proposal are not stated. The only technical information are building heights which is insufficient for a UD AEE. (ref. Responses to Auckland Council RMA cl 23 Requests UD1 3).

16.4 The UD AEE is inadequate as UD evidence. Commonly in RMA91 proceedings, there are, for the entire proposal, explanations and illustrations of design concepts, explanations and illustrations of design palettes, written design briefs, cross sections, artists impressions, mood board style images etc. The UD AEE does not fulfil the requirements of rezoning of a proposal of this magnitude, and provides pre-dominantly anecdotal evidence.

***Negligence of Auckland Council results in urban design matters not being addressed***

16.5 Auckland Council is negligent in not requesting additional information on the actual urban design of the proposal. All cl23 requests deal almost exclusively with building height and visual considerations similar to LV AEE. The same photos and few sections are repeated, random photos of housing developments elsewhere without technical information are supplied. Urban design relating to proposed business activities is inadequate. The urban design effects of 'infringements' to operative and proposed rezoning are not clearly stated.

***Citywide design matters are not adequately addressed***

16.6 The citywide (regional) urban design matters implied in the UD and cl23 L11 response must be decided by the elected Auckland Council after public consultation. Wairaka rezoning is a private plan change. The rezoning proposal creates an entire suburb with business districts. Does the city (region) actual want a proposal of this magnitude, including 'gateways,' 'landmarks,' loss of SEA? Questions like this cannot be answered from the application and UD AEE.

***The change from suburban character to urban character is a matter at the centre of the proposal***

16.7 The change from suburban character to urban character is major, and not addressed by UD AEE in a coherent manner. The cl23 requests do not provide clarity in terms of the required mitigation. Additional Cl 23 requests must be incorporated into a UD AEE for public submissions and prior to the decision. The effects of urban design on SEA Oakley Creek and Marine SEA are major. The building heights, densities, and business activities of B-MU and the '3 Towers' are urban in character. The '3 Towers' are potentially office blocks, or other urban structures. The urban design effects of '3 Towers' are not addressed even when the confused community submitter tries to merge UD AEE with cl 23 requests and responses

16.7 The urban and landscape design concepts of the proposal are not properly defined, in particular but not limited to, those of the '3 Towers', and the proposed business districts. The wider urban surrounding is inadequately addressed, effects on SEA Oakley Creek, Marine SEA and Coastal Forest are not included in UD AEE. The 'landscape plan' is not a suitable response to the high modification of the environment along SEA Oakley Creek and Marine SEA, and the '3 Towers', and the major impact on Waterview, Pt Chevalier and Mt Albert.

16.8 From UD AEE, it is unlikely that urban design will be implemented on the Wairaka / Te Auaunga Precinct. UD AEE does not inform an actual urban design process. The rezoning proposal's urban design does not reflect local context. *SH20 Waterview connection* sets the precedent for urban design in Sector 5 ('Great North Rd interchange), that included an extensive design vision and principles for Sector 5 '.

***Urban design AEE is confused about SEA Oakley Creek and Marine SEA***

16.9 'The open space and landscape amenity and sense of place offered by the adjoining Te Auaunga Creek...' repeats the same assumption as the LV AEE, that Te Auaunga is somehow incorporated into the rezoning proposal (p.16). This is contrary to RMA91, SEA overlay and the NZ Urban Design Protocol.

16.10 Urban Design AEE for the rezoning of Wairaka/TeAuaunga Precent must include but not limited to:

- address the impact of an urban development on the surrounding suburban context of Waterview, Pt Chevalier and Mt Albert
- address the urban design impact on the SEA Oakley Creek, Marine SEA and Coastal Forest (Great North Rd interchange) context in an interdisciplinary context of landscape, ecology, environment, urban design, including diagrams, images, cross sections
- effects on pedestrian/cycle bridges, shared path in SEA Oakley Creek as green networks
- assess surrounding land-use to build strong and distinctive local identity
- address the impact on the 'crocket lawn' and mature Pohutukawa trees at the Woodward Rd/ Carrington Rd intersection as existing places and spaces of distinctive local identity
- appropriately scale the design, respond to scale of the surrounding landscape
- address neighborhood and suburban character and amenity
- reduce the size and scale of structures to human scale
- include the scale, slope and shape characteristics of the existing landscape
- use materials, colours to enhance the environment
- pedestrian and cycle access into the site
- address lighting, fences etc.
- state whether this is a suitable response to many effects of Urban Design
- among others

16.11 'waterway' is not defined by RMA91. 'Oakley Creek waterway' is not an acceptable, geographical name.

16.12 Fig. 11 does not identify SEA Oakley Creek and Marine SEA.

**Requests**

1. Preparation of an Urban Design AEE that identifies issues of urban design, informs an urban design process with principles clearly stated for the work of professionals, 'with full information provided, (but not limited to) as required. UD AEE must be independent of LV AEE.
2. An independent multidisciplinary UD AEE that addresses matters of SEA Oakley Creek and Marine SEA, 'gateway,' 'landmark' requirements as well as all other UD considerations commonly addressed. An independent expert evidence exchange must occur, especially since Auckland Council fails in its' responsibility.

## **17. The Heritage Impact Assessment fails to manage historic heritage effects of Wairaka / TeAuaunga Precinct**

The convoluted overall AEE goes beyond the ability of Springleigh RA, and we are not able to address the negative effects of Heritage Impact Assessment entirely.

Springleigh RA is not able to fully raise all our RMA91 concerns on Heritage Impact Assessment.

Some concerns are (but not limited to):

### ***The heritage of the proposal is important and included in RMA91 Part2***

17.1 Heritage impact is important to this application. A detailed assessment is required.

17.2 Springleigh RA must infer heritage of the Wairaka / Te Auaunga precinct from other publications which is not a robust RMA91 process. SRA assumes that the applicant is not disclosing all their evidence in Heritage AEE assessment.

17.3 The Historic Places Act 1993 (HPA) applies. HPA(s2) defines 'historic area' and historic place. The definitions must inform the Heritage Impact Assessment rather than visual assumptions of HIA. The effects of Heritage Impacts on Oakley Hospital on the wider historic heritage, on the local and regional level on Auckland City has not been assessed.

17.4 The Heritage AEE is weighted towards the applicant, and assumes that decisions on rezoning are already made.

17.5 The AEE does not maintain integrity of historic heritage. It uses a public view of the Oakley Hospital as the main assessment criteria. Historic heritage values are not provided, the surroundings of buildings, sites and places are not assessed. The potential and actual impacts of a high-rise development on historic heritage is not assessed.

17.6 The Heritage Impact Assessment is primarily an Urban Design Assessment and Land Use Assessment that only addresses the Oakley Hospital. Other heritage sites on the precinct are not given consideration. It likes the visual appearance of the Oakley Hospital.

17.7 Maori places connected to significant events such as the 'land wars,' battle grounds, food gathering and hunting areas are not included.

17.8 Sites associated with early European industrial activities such as the large oaks used for the tannery are not included in AEE.

17.9 The heritage of the cricket lawn and Pohutukawa trees in the vicinity of the Carrington Rd / Woodward RD intersection are not assessed. Matters relating to heritage of the farm are not

assessed. The cumulative effects on heritage of the Wairaka/ Te Auaunga Precinct are not assessed. *Significant historic events* are not stated.

The Wairaka / TeAuaunga Precinct is the site of significant historic events such as, but not limited to, the landing site of a waka, the 'NZ land wars', and the historic 'Asylum'.

***The Wairaka / Te Auaunga Precinct displays special heritage character***

The Mana Whenua site, pumphouse and the Oakley hospital (but not limited to) and their surroundings such as orchards and mara kai (but not limited to) have historic character and value of local, regional and national history and significance. Both sites, but not limited to, are an example of the cultural, economic, social and historic heritage of Auckland City.

Oakley hospital portrays the environment of a group of people in the early European history of Auckland. It is characterized by a distinctive architectural style.

***The '6 Mitigating Factors' of HIA avoid the requirement to mitigate historic heritage effects***

The Assessment fails to assess that the proposed tower buildings do not have resource consent and are an infringement to operative zone of the Wairaka / Te Auaunga Precinct. The Heritage Impact believes that rezoning is pre-mediated.

Heritage Assessment states, that financial considerations are the main purpose of the '3 Towers'. It places emphasis on this matter for presumably heritage conservation (AEE is vague and does not actually address the required extent of heritage conservation. SEA must guess). 'Financial' is not a RMA91 matter. The notified RMA91 process is not a means to address the 'financial' situation of the applicant and is contrary to NPSUD which is mainly concerned with building heights and densities.

**'Requested amendment' that have not been assessed as part of HIA, but not limited to,**( it is the applicant's responsibility to provide AEE):

**(30A) Encourage the adaptive re-use of the existing buildings with historic value for retail and other activities**

**1334 The Historic Heritage overlay of the former Oakley Hospital main building, and identified trees on site**

1334.8.2

integration with cultural landmarks, scheduled buildings, **scheduledidentified** trees and historic heritage in and adjacent to the precinct;

The operative provisions for the Oakley Hospital had been requested by Unitec as part of the rezoning 2015. They must remain to avoid re-litigation of the matter of 'adaptive reuse.'

**Requests: The Heritage AEE does not fulfil the requirements of s104 and s30.**

**Request: An independent Historic Heritage Assessment must be prepared prior to hearing. The heritage assessment must include the following (but not limited to) to establish whether the tower buildings are compatible with the heritage of the Wairaka/ Te Auaunga Precinct.**

57.17

A values system must be used. The following suggestion or another relevant values system must be applied. The following suggestion for a values system has been used in other tower building applications.

**The subject of each category of heritage object, feature or place is as follows:**

**Physical Characteristics**

- A/a Style
- B/b Construction
- C/c Age
- D/d Architect/Designer/Originator
- E/e Design
- F/f Interior

**History: People/Events/Associations**

- G/g Personnel
- H/h Events
- I/i Social Context

**Environment**

- J/j Continuity
- K/k Physical Context (setting)
- L/l Landmark Quality
- M/m Group Significance

**Integrity**

- N/n Location
- O/o Intactness

**18.The Open Space Assessment is selective and requests public responsibility for open space**

*The Open Space Assessment fails to address the provision and management of open space*

18.1 The Open Space AEE does not identify experts. AEE does not describe open space. 'Requested amendments are not assessed regarding 'open space'.

18.2 Policy 1334.3.(15A) must remain as part of Wairaka / Te Auaunga Precinct provisions. It affects a number of other 'requested amendments' that must be assessed. The Policy requests at least 7.1ha quality private open space.

18.3 The Open Space AEE provides for a total of 4,000 -4,500 dwellings and LV AEE states 8,000 – 12,000 residents. The Open Space AEE includes only 15% of the land area as open space. Consequently, impervious surfaces are higher than anticipated by operative SMP and AUP provisions. Open space considerations regarding tower buildings are anecdotal.

18.4 Private open space is assigned to be stormwater management in the form of 'swales and raingardens' (but not limited to) in other parts of the AEE. Reduction in the size of 'open space' means a reduction in stormwater management as requested by operative SMP.

18.5 The proposal does not provide for open space or open space management. The AEE does not assess 'Open Space.' It anecdotally addresses 'suitability' of a limited land area for 'Open Space' without explaining 'activity' or land use. Other AEE, such as LV AEE and Ecological AEE but not limited, ref. to 'Open Space' as if it were a RMA91 provision. The LV AEE believes that open space is a minor issue on the Wairaka/Te Auaunga precinct because SEA Oakley provides for open space. The Wairaka/ Te Auaunga Precinct can access, through the shared path, playing fields (Phyllis St Res, Waterview) and playgrounds (Waterview Park, Harbutt Res, Eric Arminshaw Park).

***Public responsibility for 'Open Space' of the Wairaka Precinct is contrary to RMA91 and was not notified***

18.6 The public responsibility for open space assumed by the Open Space AEE has not been notified. Notification stated that this is a private plan change by HUD. Any involvement by Auckland Council in 'open space' and 'open space management' must be notified, as the 'open space' is not included in a Local Board Plan or AC Plan. There is uncertainty whether public responsibility for 'open space' of the Wairaka / Te Auaunga Precinct requires another plan change under AUP.

18.7 The land area must be vested with the AC to ensure open space management. A proper local government process must be followed. Public consultation must occur. AC had an obligation to consult prior to notification with genuine RMA91 evidence and Local Government Act requirements. This often occurs through the Local Board. AC is negligent in this respect. The proposed 'open space' is not significant to the wider Mt Albert, Waterview, Pt Chevalier.

18.8 The AC process and public consultation must include 'alternatives' (but not limited to):

- Alternative public 'open space' in Mt Albert, Pt Chevalier, Waterview that be developed with larger positive effects than Wairaka / Te Auaunga Precinct
- SEA habitat restoration and revegetation as a regional responsibility as an alternative
- additional cycleways, walkways in Mt Albert, Pt Chevalier, Waterview
- cost/benefit analysis is required in deciding on 'alternatives'

18.9 The land area requested to be vested with Auckland Council is unsuitable for 'open space,' and H7.2 Objectives of AUP. It is already allocated as stormwater management, and the proposed public responsibilities are not assessed.

18.10 The land area under question is heavily degraded through the removal of boundary setbacks and graduated building heights, the removal of 'landscaping,' removal of mitigation with negative ecological, environmental and social impact (but not limited to) through the requested amendments. The land area is dominated by building heights which is contrary to PC 78. AC by-laws may apply regarding floodlights, noise (but not limited to). The land area does not reflect natural,

heritage and landscape values of the area. Open space on the Wairaka Precinct does not reduce greenhouse emissions.

18.11 The Open Space AEE does not assess why the 'open space' must be public use. The open space on the Wairaka Precinct can be closed to the 'public.' This is a feasible alternative as the applicant cannot assume that there currently is a positive 'public interest' in the open space. Springleigh RA re-iterates that alternatives must be assessed and considered by AC. Surrounding neighbourhoods must be given the opportunity to separate themselves from the Wairaka/ Te Auauanga Precinct under the current proposal and its requested amendments.

**Request: - 'Open Space' must be assessed to fulfill requirements of s104 and s30 of RMA91 and AUP. 'Open Space' values must be established that can be used to assess 'alternatives'.**

57.18

- A new SMP must be prepared.

- An independent assessment must be requested because the applicant does not provide all their evidence in the AEE. AC is negligent in this case of assumed public responsibility.

### **19.The Archaeological Assessment does not propose mitigation, ignores accidental discovery**

The convoluted overall AEE goes beyond the ability of Springleigh RA to address the negative effects of the application. Springleigh RA participated fully on *SH20 Waterview connection* including the first ever non-expert caucusing. We have access to *SH20 Waterview connection* archaeological assessments mentioned in this report, however, our community group does not have the means to address every aspect of the overall AEE.

Some of our concerns:

19.1 'Accidental archaeological discovery' is not included in the archaeological assessment. Accidental discovery has occurred on the site of the Mahi Whenua Garden, and on the surrounding Star Mill site, and the 'Cornish Boiler,' among others

19.2 Effects on stone walls of the same farm were a moderate effect that required mitigation as part of *SH20 Waterview connection* conditions.

19.3 The lava caves as archaeological sites are threatened by rezoning proposal.

**Request: Additional information regarding 'Accidental archaeological discovery,' mitigation of the stone walls, effects on lava caves must be provided.**

57.19

## **20. Stormwater Management Plan, Stormwater Design, Flood hazard management, and overland flow path do not fulfil requirements of AUP and Stormwater NDC**

20.1 Stormwater management and its' relationship to the rezoning development is a major determinant for the proposal and must be properly assessed according to RMA91. The stormwater system of the Wairaka / Te Auaunga precinct does not have the capacity to accommodate the proposed housing and tower buildings. The privately build road does not have stormwater management. The rezoning proposal will have major negative effects on stormwater conditions and drainage.

### ***The operative SMP is not acceptable for the proposed rezoning, SMP creates unsafe communities***

20.2 A new Stormwater Management Plan must be prepared for the rezoning proposal. This is a requirement of AUP. The proposed zone has different 'activity' and 'activity statuses' from the operative zone. Plan Change 78 affects SEA Oakley Creek and Marine SEA as receiving environments.

20.3 Appropriate location of, and management of stormwater from the Wairaka / Te Auaunga Precinct's new residential and commercial development play a significant role in managing flood risk.

20.4 The operative SMP increases existing flood risks through the impact of B-MU on infrastructure, surrounding neighbourhoods, SEA Oakley Creek and Marine SEA, Great North Rd (severely damaged by recent flooding).

20.5 The operative SMP creates unsafe communities in the context of rezoning because B-MU includes commercial services, retail, offices that are not addressed in operative SMP.

20.6 'Requested amendments' remove Policy 1334.3. 15(A) with the result that the capacity for 'green infrastructure' of operative zone cannot be implemented. Proposed 'swales' 'raingardens', must be re-assessed, but not limited to.

20.7 Springleigh RA must be able to appeal the operative SMP. Springleigh RA was a submitter on Stormwater NDC. SRA has reasons to believe that the operative SMP did not disclose all their evidence at the time.

### ***The stormwater design as required by Stormwater NDC and AC Future Development Strategy is not provided***

20.8 Stormwater design has not been included in the application even though it is the cause of large public interest since Anniversary Flood 2023. Design considerations must incorporate features such as (but not limited to) landscaping and the use of pervious surfaces to reduce stormwater runoff. Where stormwater run-off cannot be avoided, stormwater retention must be included in the rezoning proposal. An adequate Stormwater Design AEE must be prepared.

20.9 Stormwater design must include 'grassed' roofs, 'raingardens,' 'pervious parking areas' for residential buildings according to AC Future Development Strategy a requirement of NPS-UD.



***The use of floodable design features and flood hazard managements is not considered***

20.10 Floodable design features must be included in the rezoning proposal. 'Green roofs and rain gardens to retain stormwater, porous pavers (but not limited to) must be included to reduce flood risk.

20.11 Flood hazard management is not addressed even though it was raised at drop-in sessions. Buildings proposed within the 1% AEP floodplain are controlled by the rules outlined in section E36 of the AUP and Stormwater NDC.

20.12 Flood risk must be managed and mitigated to avoid loss of human life, protect buildings and property, avoid damage to urban ecology, avoid disruption to significant infrastructure and facilities, and avoid social and economic cost.

***Overland flow paths are not included in the proposal as required by Stormwater NDC and 'Making space for water.'***

20.13 Overland flow paths are protected by a variety of bylaws and planning regulations. The proposed rezoning blocks a significant number of overland flow paths. This matter raises questions about operative SMP and evidence, but not limited to.

20.14 Auckland experiences intense rainfall causing significant amounts of surface that caused flooding during Anniversary 2023 and Cyclone Gabrielle in the neighbourhoods surrounding the Wairaka / Te Auaunga Precinct. Roads on the Wairaka / Te Auaunga precinct does not have stormwater devices. The roads collect and carry a lot of stormwater.

20.17 E36 of AUP 'Overland Flow Paths' spells out the necessary requirements. Proposed activities within or over an overland flow path listed in Table E36.4.1 will need to be assessed against all relevant rules. Buildings located within or over an overland flow path are a restricted discretionary activity that requires mitigation.

20. 18 The proposed rezoning affects overland flow paths and creates unsafe communities, that can include the loss of life as recent flooding has shown.

**Request:**

1. **A Stormwater management plan for the proposal must be prepared and notified prior to the hearing.**
2. **Stormwater Design must be addressed prior to hearing.**
3. **A Flood Hazard management plan must be prepared and notified prior to the hearing.**
4. **Matters relating to the operative SMP must be resolved or a decision cannot be made.**

57.20

**21. The 2023 Integrated Transport Assessment is severely deficient and not admissible in RMA91 process**

21. 1 The proposed road connections with the Springleigh Block and Western Rd in the Wairaka Precinct have major negative impacts on the 2023 Integrated Transport Assessment by Stantec. They are a major issue of wider public concern.

21.2 'Requested amendments' address road access differently from Stantec.

21.3 Aerial photos of site locations, such as access to the Wairaka / Auaunga Precinct and tower buildings with sight distance analysis, site circulation of fire trucks and rubbish truck, passenger vehicle access on the site to parking houses and tower buildings, passenger vehicle access to and from Wairaka Precinct and tower buildings, bicycle parking spaces, but not limited to.

21.4 False assumptions of the 2023 Integrated Transport Assessment (but not limited to), (assessment does not have page or paragraph numbering):

*The number and location of vehicle connections to the wider transport network, which remain Gates 1, 2 and 3 for the residential development to Carrington Road, with Gate 4 remaining the key Gate for the Unitec campus, and the permitted connections to the south, which then terminate in the south of the Precinct, which are unchanged through the Te Auaunga Plan Change. (emphasis added)*

*Limitations to the south are in response to strict controls in the AUP for transport connections in this location, which are unchanged through the Te Auaunga Plan Change.*

21.5 Trip generation rates must be newly calculated. Circulation in and around the Wairaka / Te Auaunga Precinct must be assessed. Roads on the precinct need frontage feature lighting, landscaping and walkways, that improve pedestrian perceptions of comfort and safety, and provide a positive pedestrian experience. Trip distribution and traffic-related congestion must be assessed.

21.6 The matter of 'Western Road' becoming a public road is not assessed. It must include public consultation and must be included in AC plan proceedings. The wider public must be able to oppose a road without stormwater management to become a public road.

21.7 2023 Integrated Transport Assessment re-litigates the 'further submissions' of Springleigh RA and MARA of the rezoning 2015 AUP of the Wairaka Precinct.

21.8 'requested amendments' are not assessed, but not limited to, it is the applicant's responsibility to assess the various traffic amendments:

1334.7.1

**(2) Parking buildings**

**(3) roadExtension of Laurel Street, Renton Road, Rhodes Avenue or Mark Road into the precinct as a public road, and providing vehicular connections to the Western road within the precinct (A29):**

1334.8.2

**(3) roadExtension of Laurel Street, Renton Road, or Rhodes Avenue or Mark Road into the precinct as a public road, and providing vehicular connections to the Western road within the precinct (A30):**

1334.9. (1) (2)

Integrated Transport Assessment

**Request: The Te Auaunga Precinct 2023 Transport Assessment is not permitted for Plan Change 94 decision.**

57.21

## 22. The 'Amendments requested' are contrary to general planning report and AEE

### *Proposed 'amendments requested' are flawed and a major change to application and AEE*

22.1 The amendments requested by the proposal do not avoid, remedy or mitigate the negative major effects of the proposal. The 'amendments requested' intensify the major negative effects of B-MU zone, and are itself major negative social, environmental and economic effects. The requested amendments do not ensure a robust RMA91 process.

22.2 Tables and written amendments regarding 'activity' and proposed 'activity status' must be assessed against the operative 'activity statuses'.

22.3 The proposed provisions and amendments do not address the major negative effects raised by Springleigh RA in our submission. Provisions and amendments barely meet the RMA91 process and AUP considerations.

22.4 Assessments and management plans must be part of regular reviews. They must be reviewed and updated including (but not limited to) new methodologies, review of environmental and social effects.

22.5 A significant number of 'requested amendments' are not required to achieve the purpose of the RMA91 and rezoning of Wairaka / TeAuaunga Precinct.

22.6 The proposed conditions and amendments of rezoning create a poorly-defined process for development to be authorized under Plan Change 94 that departs from the processes outlined in RMA.

22.7 A significant number of 'requested amendments' has not been assessed as part of AEE. 'Requested amendments' use terms including but not limited to, 'urban legibility', 'interface', 'attributes of Wairaka Precinct', 'sympathetic', 'adaptive reuse' among many terms that could relate to RMA91 Part 2 but have not been assessed as part of the rezoning proposal.

22.8 The 'amendments requested' are not included in AEE and notification.

22.9 The proposed amendments for rezoning do not impose requirements on the precinct holder in relation to how the proposal is processed, such as details on timeframes and relationship with resource consent application.

22.10 Resource consent applications are pre-empted by requested amendments.

22.11 Resource consent requirements are removed for the tower buildings, as well as large parts of the rezoning proposal. A different process RMA91 process is followed than usual.

22.12 Plan Change 94 does not identify all conditions of operative zone on the Wairaka / Te Auaunga Precinct.

22.13 Various checks and balances provided in amendments and conditions are not sufficient to ensure that s104 and s30 of RMA91 requirements will be complied with.

### **Request**

1. Delete all amendments, insertions, and deletions, made in blue. Amendments made because of agreements between 'Mason Clinic' and HUD must not pre-mediate RMA91 Part 2 requirements
2. Delete all amendments, insertions, and deletions, made in red. The RMA 91 process is affected, AUP provisions for B-MU are re-litigated among a number of major negative effects.
3. All decisions and determinations made under Plan Change 94 must be subject to regular independent review.

***Springleigh RA attempts to address some 'amendments requested.'***

22.14 Springleigh RA attempts to provide some reasons to oppose requested amendments, but not limited to, because the 'requested amendments' are large and exceed the capacity of community submitters. AC must address the 'requested amendments' and their effects, but not limited to:

**1334. Delete:** *It will provide the opportunity for people to live, work, and learn within the Pprecinct, while enjoying the high amenity of the area.*

57.22

The use of 'area' is inappropriate. Amenity has not been assessed as part of AEE.

**Delete:** *The interfaces between different activities are a key part of providing this amenity, and will be managed by provisions including setbacks and landscaping.*

Reason: The use of 'interface' is inappropriate, the use of 'amenity' is different as commonly applied in RMA91 proceedings, 'provisions' is inappropriate.

**Delete:** *A range of building heights are applied across the precinct that recognise the favourable size, location and topography of the land within the precinct. These heights recognise the relative sensitivities of adjoining and adjacent neighbouring properties, with greater height applied to areas where the potential adverse effects can be managed within the precinct. In the north-western corner of the site height is also proposed to act as a landmark for the development, supporting the urban legibility of the precinct*

Reason: 'heights' are an infringement of B-MU, ref. to our B-MU considerations, 'landmark' is not acceptable, 'urban legibility' is not assessed and inappropriate RMA91 process

**Delete:** *The WairakaTe Auaunga Precinct provides for an urban community within which there is a high quality tertiary education*

Reason: 'Urban community' is inappropriate, not notified, not considered by elected ACC, re-litigation of the operative zoning.

**Delete:** *There are also particular attributes of the WairakaTe Auaunga Precinct, which contribute to the amenity of the precinct and the surrounding area and are to be retained and enhanced, and future areas introduced through the development of the precinct. These include the following:*

- *The significant ecological area of Oakley CreekTe Auaunga;*
- *An open space network linking areas within the WairakaTe Auaunga Precinct and providing amenity to neighbouring housing and business areas;*
- *A network of pedestrian and cycleway linkages that integrate with the area network;*

- Retention of the open space storm water management area which services *Wairaka Te Auaunga* and adjacent areas, and the amenity of the associated wetland;
- The *Wairaka* stream and the landscape amenity, *ecological and cultural value* this affords,; and

The Historic Heritage overlay of the former Oakley Hospital *main building*, and identified trees on site

Reason: - The ‘attributes’ have not been assessed. SEA Oakley Creek/Te Auaunga is independent zoning and not subject to PC94. ‘Surrounding area’ is inappropriate and not defined. PC94 does not affect surrounding zoning provisions, historic heritage amendment removes protection form Oakley Hospital

- ‘measures’ are indicative only, provisions requested by Springleigh RA in our submission must be included. ‘Oakley Creek/Te Auaunga overbridge’ is not a geographical term.

1334.2 Objectives

**Delete:** (6) ... and Māori sites of significance on *Oakley Creek Te Auaunga* land,

57.23

Reasons: Oakley Creek / Te Auaunga land is not defined, not part of the rezoning proposal and must not be included in rezoning provisions. ‘Te Auaunga land’ is zoned SEA, a matter of national significance. Effects on ‘Te Auaunga land’ were not assessed and not notified.

**Delete:** (13) (13) Provide for increased heights in appropriate parts of the precinct so as to provide greater housing choice, increase land efficiency, benefit from the outlook from the precinct, and create ‘landmark’ buildings in the north western part of the precinct.

57.24

Reasons: Contrary to B-MU zone, includes ‘infringements’ operative zoning and to proposed B-MU, ‘landmark’ is not a requirement for B-MU and contested in our submission.

1334. Policies

**Delete:** (6) ... and high density ...

57.25

(7) ... an intensive residential core ...

57.26

Reasons: B-MU requests moderate density.

**Delete:** (10) Enable subdivision and development that is compatible with and sensitive to the ecological qualities of *the Oakley Creek Te Auaunga* and the Motu Manawa Marine Reserve.

57.27

Reasons: Re-litigates the requirements of SEA Overlay as matters of national importance, zoning surrounding SEA must be Single House with maximum 50% impervious area

**Delete:** (14) ... the significant ecological area of *Oakley Creek Te Auaunga* to provide appropriate native landscaping and to be sympathetic and provide contemporary and high-quality design, which enhances the precinct’s-built form and natural landscape.

57.28

Reasons: Re-litigation of SEA Overlay and SH20 Waterview connection, effects on SEA Oakley Creek/Te Auaunga and Marine SEA must be avoided. Public responsibility for matters on the precinct has not been assessed,

<b>Delete:</b> (14A) Provide for taller buildings in the north western part of the precinct in this landmark location with enhanced outlook across the Waitemata Harbour and Waitakere Ranges, but in a location removed from residential neighbourhoods outside the precinct.	57.29
(14AA) Require proposals for new high rise buildings adjacent to the former Oakley Hospital scheduled historic heritage building to provide sympathetic contemporary and high quality design which enhances the precinct's built form.	57.30
(14B) Provide for additional height in the central and northern parts of the precinct, recognising the topographical and locational characteristics of this part of the precinct, and the ability to provide greater housing choice, increase land efficiency, benefit from the significant views and outlook from the precinct, and leverage the proximity and amenity of Te Auaunga	57.31
<b>Comment:</b> an 'infringement' to operative zoning and B-MU zone, integrity of B-MU zone is undermined, contrary to matters raised in various points in the submission of Springleigh RA (above)	
<b>Correct:</b> (20) Springleigh RA objects to, how 'minimise' is used.	
<b>Delete:</b> (20) (f) <i>Minimises overflow parking on roads occurring in the vicinity of the precinct</i>	57.32
Comment: not assessed as part of this rezoning proposal, re-litigation of the previous and operative rezoning proposal (2015) and Springleigh RA's 'further submission', parking must be provided on the Wairaka Precinct, all negative effects must be mitigated on the site,	
<b>Delete:</b> (23) ... 4000 dwellings in the precinct, and for any new development greater than 3,000 dwellings in the precinct, where the overall development within the precinct is not consistent with the previously modelled yield.	57.33
Comment: B-MU zone requirements for an integrated transport system must apply.	
<b>Delete:</b> (26) <i>Avoid direct vehicle access between the Special Purpose - Tertiary Education Zone and Laurel Street, Renton Road, Rhodes Avenue (or any extension of those roads).</i>	57.34
<b>Reason: Insert:</b> (26) <i>Avoid direct vehicle access between Te Auaunga Precinct B-MU, Special Purpose - Tertiary Zone and Laurel Street, Renton Rd, Rhodes Avenue (or any extension of those roads).</i>	
<b>Delete:</b> (27)(b) Establishing a 10m setback from the boundary of land that fronts <b>Oakley Creek Te Auaunga</b>	57.35
Reasons: removes SEA protection. The provisions of SEA for boundary controls and surrounding SH zone with max 50% impervious area apply. According to PC78 SEA Overlay, they are matters of national importance. The fluvial 'Te Auaunga' or river must always be identified as 'SEA Te Auaunga' to avoid confusion between precinct and river in precinct provisions.	
<b>Delete:</b> (27) c ... <b>that adjoin Mixed Housing Suburban residential areas to the south of the precinct.</b>	57.36
<b>Reason:</b> re-litigates the decision on the previous rezoning (2015) where 'graduated building heights' were discussed, re-litigates the 'further submission' of Springleigh RA on previous rezoning (2015) decision and operative zoning, affects SEA Oakley Creek and Marine SEA.	
<b>Delete:</b> (30A) <b>Encourage the adaptive re-use of the existing buildings with historic value for retail and other activities.</b>	57.37

**Reason:** has not been assessed in AEE, re-litigates the rezoning decision (2015) where this matter was discussed, against AUP heritage provisions, not notified

**Delete:** (39) *Provide a broad range of residential activities adjacent to the Oakley Creek Te Auaunga and residential neighbourhoods to the south of the precinct.*

57.38

**Reason:** Plan Change 78 states that neighbourhood surrounding SEA must be SH zoned with a max of 50% impervious area. 'Te Auaunga' is not defined. The actual Te Auaunga and southern neighborhood matters were not assessed in AEE.

**Delete:** (40) *Provide quality dwellings which face west across Oakley Creek Te Auaunga, providing passive surveillance of the public lands within Oakley Creek Te Auaunga Valley*

57.39

**Reason:** Integrity of SEA must be retained as of PC78 D9.2 (1) (2), D9.3, 'passive surveillance' is not a requirement of B-MU or SEA Overlay, oversteepening of the valley has major negative adverse effects as addressed in our submission, re-litigation of the previous rezoning (2015) by IHP and operative zoning requirements where the visual impact on SEA Oakley Creek was discussed, re-litigation of Springleigh RA's 'further submission' of 2015 to IHP. 'Te Auaunga' is not defined but re-litigates SEA Oakley Creek/Te Auaunga.

**Insert:** Insert at the end of 133.4 'Sub-precinct C': 'The zoning, Auckland-wide and overlay policies apply in the SEA Oakley Creek / Te Auaunga and Oakley Creek Inlet Marine- SEA'

57.40

1334.5 Notification

**Delete:** (1) *An application for resource consent for a controlled activity listed in Tables I334.4.1, and I334.4.3, and I334.4.4 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.*

57.41

**Reasons:** Springleigh RA has given reasons in our submission regarding 'notification.' Notification must remain due to the high public interest in the proposal, the possibility of further re-litigation attempts, high likelihood that SEA Oakley Creek and Marine SEA are affected as matters of national significance, AEE is deficient and does not justify exemptions from notification. Under s95A, major adverse effects on the environment must be notified. National environmental standards are affected.

**Delete:** (1A) *Any application for resource consent for new buildings or additions to existing buildings in Sub-precinct A that increase the building footprint by more than 20 per cent or 200m<sup>2</sup> GFA (whichever is the lesser) that are located within 10m of the eastern boundary of the Sub-precinct will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991*

57.42

**Reasons:** Springleigh RA has given reasons in our submission regarding 'notification.' Notification must remain due to the high public interest in the proposal, a matter of regional importance as more than one suburb is affected, the possibility of further re-litigation attempts, building density is a major effect of the proposal. AEE is deficient and does not justify exemptions from notification.

Under s95A, major adverse effects on the environment must be notified. National environmental standards are affected.

**Delete:** (1B) An application for resource consent for a restricted discretionary activity listed in Tables I334.4.1, and I334.4.3 Activity table above that complies with the I334.6.4 height standard will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.

57.43

**Reasons:** Building height is a matter of major public interest. Building heights affect the SEA Oakley Creek / Te Auaunga and Marine SEA as matters of national importance. This could potentially be used for re-litigation of B-MU zone of the proposal, pre-mediate tower buildings, effects of building heights on affected parties has not been assessed, effects on SEA Oakley Creek and Marine SEA must be notified

#### 1334.6 Standards

**Delete:** (2) The following Auckland-wide and zone standards do not apply to the activities listed in activity tables above:

57.44

(a) H13 Business – Mixed Use zone:

(i) Standards H13.6.0 Activities within 30m of a Residential Zone (but only as it relates to sites fronting Carrington Road), H13.6.1 Building Height, H13.6.2 Height in Relation to Boundary, H13.6.3 Building setback at upper floors, H13.6.4 Maximum tower dimension and tower separation, H13.6.5 Yards, H13.6.6 Landscaping and H13.6.8 Wind.

**Reasons:** re-litigates AUP provisions of B-MU, it was not notified that zone standards do not apply. Our submission above, addresses building height, height in relation to boundary, tower dimension and separation among others, wind as major negative effects for a number of suburbs, but not limited to.

#### 1334.6.3 Stormwater

**Delete:** (1) All subdivision and development of the land in the precinct must be consistent with the approved stormwater management plan.

57.45

**Reasons:** explained in Stormwater considerations of Springleigh RA submission, a new stormwater management must be prepared

**Insert:** All subdivision and development of the land must include stormwater design consistent with AC Future Development Strategy.

57.46

**Reasons:** ref to Stormwater of SRA submission for more detail.

#### 1334.6.4 Height

**Delete:** entire point (1)

57.47

**Reasons:** The maximum permitted height standard of B-MU applies, with the exception of the surrounding of SEA Oakley Creek/Te Auaunga and Marine SEA where PC78 Significant Ecological Area applies

#### 1334.6.6. Precinct boundary set back

**Delete:** (2) Buildings on land adjoining Open Space – Conservation zoned land outside the precinct must be set back a minimum width of 10m from the external precinct boundary. Planting requirements of Standards H13.6.5 (Yards) and H13.6.6 (Landscaping) Business - Mixed Use Zone apply.

57.48



**Reasons:** Provisions of PC 78 SEA Oakley Creek / Te Auaunga apply as a matter of national significance regarding boundary set back. Negative effects on SEA must be avoided.

**Delete:** (3) Buildings on land fronting Carrington Road must be set back a minimum width of 28.2m when measured from the eastern edge of the Carrington Road road reserve as at 1 November 2015. This setback area may be used for walkways, cycleways, public transport facilities, site access, street furniture, outdoor dining and cafes. Other areas within the 28.2m not used for these activities must be landscaped. This setback does not apply once the road widening affecting the **WairakaTe Auaunga** Precinct Carrington Road frontage has been vested in the Auckland Council.

57.48

#### 1334.6.10 Building to building set back

**Delete:** entire chapter

**Reasons:** The tower height and building heights are an infringement to B-MU. B-MU zone heights apply. Operative maximum tower dimension, setbacks from the street, and tower separation apply. We comment on the '3 Towers in our submission'.

57.49

#### 1334.6.12 Wind

**Delete:** entire chapter

**Reasons:** The standards set out in (1) regarding mean wind speak, maximum annual peak gusts is unsafe to the surrounding communities. We comment further in tower buildings in our submission above.

57.50

#### 1334.6.13 **Sub-precinct A Northern Boundary setback**

**Delete:** (1) Buildings on land adjoining the northern boundary of Sub-precinct A must be set back a minimum width of 5m from the Sub-precinct A boundary. These setbacks must be landscaped and planted with mature trees no more than 5m apart, with the balance planted with a mixture of shrubs or ground cover plants (excluding grass) within and along the full extent of the setback. The purpose of this planting is to provide a well vegetated visual screen between buildings and activities within the Sub-precinct and the adjoining land, to mitigate adverse visual and privacy effects.

57.51

**Reasons:** removes boundary setbacks. The provisions of adjoining zones apply. The proposal does not apply to surrounding zones. 'Adjoining land' is not an acceptable term. The effects of this standard were not assessed. Boundary setback was generally not assessed as part of this proposal. Not addressed in Planning report. B-MU zone boundary provisions apply that require a larger setback.

### 1334.7.1 Assessment – controlled activities

**Delete:** (2)(b)(c)(d) and e:

- (b) Compliance with existing resource consent (if applicable).
- (c) Site size, shape, design, contour, and location.
- (d) Infrastructure.
- (e) Historic and cultural heritage.

57.52

**Reasons:** removes protection of landscape, infrastructure, historic and cultural landscape, and the need to comply with resource consents. A different choice of zone is appropriate.

**Delete: (3)** (aa) The extent to which the building and associated landscaping contributes to high quality amenity outcome when viewed from SEA Oakley Creek/ Te Auaunga and Marine SEA, 'shared path' and other *SH20 Waterview* structures, Waterview suburb including the appearance of roof structure.

57.52

**Insert** (3) (d) (ii) In addition, stormwater design principles of *AC Future Development Strategy* such as 'grassed roofs', 'raingardens', 'pervious parking' among others are provided.

1334.8.1 Assessment – restricted discretionary activities

**Delete: (1) and (1A)**

**Reasons:** premediates tower building RMA91 process and overland flow path process (but not limited to) Different from notification, among many issues 'additional heights in corners,' does not specify building design concept, 'activities at ground level' changes the boundaries of sub-precincts, 'passive surveillance' relates to the visual effects on public land and is not assessed in LV AEE, shading on open space, parking areas are not mitigated among many.

The matter is exceeding the capability of a community group like Springleigh RA to address RMA91 matters. AC must address these matters where they are not consistent with operative AUP provisions

**Delete: (1b)**

**Reasons:** The '3 Towers' Te Auaunga Additional Height are not consistent with B-MU zone and were not properly notified. Effects on SEA Oakley Creek / Te Auaunga and Marine SEA as well as open space are major negative effects that requires avoidance

57.53

**Delete: (2) Parking buildings**

**Reasons:** Parking buildings are the re-litigation of the previous rezoning decision (2015) by AUP regarding the Wairaka precinct. They are non-complying with operative and B-MU zoning. Not notified, not included in traffic management, major effect on surrounding zoning.

**Delete: (3) roadExtension of Laurel Street, Renton Road, Rhodes Avenue or Mark Road into the precinct as a public road, and providing vehicular connections to the Western road within the precinct (A29):**

**Reasons:** major change to transport network that has not been assessed. re-litigates the rezoning 2015 of IHP, road connections from the Springleigh Block were and still are a major negative effect. Connections of roads from the Springleigh Block to the Western RD must be avoided, roads within the precinct are not public. Non-complying.

**Retain:** (4) Policiy 1334.3 (15A) must be retained

**Retain: (5)** 1334.6.5 Landscaping

**Retain:** (5) (b) and (c)

**Retain: (5) (d) (v) and (ix)**

**1334.8.2 Assessment criteria**

This chapter goes beyond the scope of what community submitters can address. AC, as the consenting authority and elected representation, must address the proposal.

Request:

**Retain: (1) (a) (i) to (ix) , 1 (b) (i) to (iii), 1(c) entirely, 1(d) entirely, 1e entirely, 1 (f) entirely**

57.54

**Delete: (1) and Retail (including food and beverage) comprising up to one tenancy between 201m<sup>2</sup> and 300m<sup>2</sup> gross floor area adjacent to the Historic Heritage Overlay (A7):**

**Delete: (1 A) (1 B)**

**Retain: 2 in its entirety, remove all deletions**

**Delete: (3) roadExtension of Laurel Street, Renton Road, or Rhodes Avenue or Mark Road into the precinct as a public road, and providing vehicular connections to the Western road within the precinct (A30):**

**Retain: (3) 'faster', 'landscaping'**

**Retain: (4) 'and Policy 1334.3 (15A) and 4 c 'scheduled trees'**

**(4) (g) (ii) 'and Policy 1334.2 (15A)**

**Do not delete: (4) (i) (i) height in relation to boundary, and maximum building coverage**

**Delete: (5) and (6)**

**1334.9 Special information requirements**

**Delete: Transport Assessment (1) regarding integrated Transport Assessment**

**Retain: Transport Assessment (2) no deletions are accepted as this affects the Springleigh Block**

**Retain: Stormwater Management Plan (1) and (2) no deletions are accepted, ref to Springleigh RA submission on Stormwater above**

**Application for development (p. 53)**

**Retain: that is or is not generally in accordance with the precinct plan and Policy I334.3(15A),**

**Retain: (1) (d) 'landscaping', the proposed term landscape avoids the requirement for mitigation under Part 2 of RMA91**

**Retain: (4) and (5) \_ to ensure adequate infrastructure and stormwater management plans which is addressed in Springleigh RA submission**

57.54

57.55

**Decision sought:**

**Springleigh RA seeks the following decision from the Auckland Council:**

- (a) That the Application be declined rezoning in its entirety.
- (b) That if the Application is granted consent, the Private Plan Change 94 be amended to address the concerns set out in this submission to Springleigh Residents' Association satisfaction,
- (c) Such further, consequential or other relief that is considered appropriate and necessary to address the concerns set out in this submission.

Springleigh RA wishes to be heard in support of this submission.

**Dated: 30/01/ 2024**

**Signed: Hiltrud Gröger (spokesperson for Springleigh RA)**

**Address for Service:   Springleigh RA  
                                  12, Harbutt Ave  
                                  Mt Albert  
                                  Auckland 1025**

**e-mail: greg.storz@orcon.net.nz**

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Greer Rasmussen  
**Date:** Tuesday, 30 January 2024 4:00:26 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Greer Rasmussen

Organisation name:

Agent's full name:

Email address: greerjuul@gmail.com

Contact phone number:

Postal address:  
19 Sunny Brae Crescent  
Westmere  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Plan change number: Plan Change 94  
PC 94 (Private): Wairaka Precinct

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:  
Sanctuary community gardens and food forest should be preserved. one of the reasons I purchased in this area is because of the garden and the guarantee they would be preserved.

58.1

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Preserve Sanctuary Gardens and food forest as open space

Submission date: 30 January 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Linda Hill  
**Date:** Wednesday, 31 January 2024 3:15:30 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Linda Hill  
Organisation name: n/a  
Agent's full name: Linda Hill  
Email address: [thehillsinwhiti@gmail.com](mailto:thehillsinwhiti@gmail.com)  
Contact phone number: 0275254632  
Postal address:  
48a Kiwi Road  
Point Chevalier  
Point Chevaliera  
Auckland  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
A further strip of land is to be rezoned from Special Purpose - Tertiary Education to Residential - Mixed Housing Urban, adjoining existing Residential-Mixed Housing Urban zoning in the southern part of the precinct.

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

As well as many fine trees being destroyed to provide intensive housing, it now proposed to destroy even more. Climate change is upon us and to destroy such a needed environment is going against Government rhetoric. It is known that all life flourish better when in a green environment. This is being ignored on both counts. This area is also a archeological site, with a number of pre-European gardening tools having been found. Also, Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

59.1

59.2

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018. Clause 25.4 of the "Agreement varying agreement for sale and purchase in Wairaka Precinct" between Unitec and the Crown, March 2018. This agreement was to preserve some 7000 square metres occupied by the Sanctuary Mahi Whenua gardens and food forest.

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

Submission date: 31 January 2024

### **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.



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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - susan jane ewen  
**Date:** Wednesday, 31 January 2024 9:00:26 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: susan jane ewen

Organisation name:

Agent's full name:

Email address: susanewen@gmail.com

Contact phone number:

Postal address:

12 burtt road  
RD Paerata  
auckland 2578

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Condition 25.4 The community gardens

Property address: Unitec subdivision Lot 4

Map or maps:

Other provisions:

the loss of the green space which is dedicated to community gardens

60.1

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

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

The reason for my or our views are:

the sanctity of the community gardens is undermined by new proposals for smaller and dispersed green spaces. The current landuse on Lot 4 is a valuable community asset.

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

Submission date: 31 January 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Chris Calvert  
**Date:** Wednesday, 31 January 2024 11:15:24 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Chris Calvert

Organisation name:

Agent's full name:

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

Contact phone number:

Postal address:

1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address: 1-139 Carrington Rd

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

1.Name Change from the Wairaka Precinct to Te Auaunga

No reason has been given for the name change proposal. The name Wairaka should be retained for the development due to its historical and cultural significance and particularly because it is a meaningful feature of the site as is reflected in the name of the stream that flows through the precinct and in the springs that contribute to the awa.

Changing the name to Te Auaunga /Oakley Creek is inaccurate and confusing as it is some distance away to the west and is not within the boundaries of the land in question.

2.Building height controls

It is unclear if the increased height sought will allow more open space to be available for the community by building up and not out, or to increase number of dwellings.

3. There is no masterplan to place in context the proposed private or public open spaces, and on site services for a new community with diverse needs. Without a masterplan the precinct is at risk of

61.1

61.2

becoming a jumble of unrelated development. Open space for recreation and growing food is vital for a healthy population and food sovereignty, especially when living in a dense urban environment.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: provide a masterplan that gives context to the placement of significant community services and open space , whether public or private.

61.3

Submission date: 31 January 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Judy Keats  
**Date:** Thursday, 1 February 2024 12:15:26 am  
**Attachments:** [Submission\\_TTC\\_Plan\\_Change\\_94\\_dec23\\_20240201000115.123.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Judy Keats

Organisation name:

Agent's full name:

Email address: judykeats.patternmaker@gmail.com

Contact phone number:

Postal address:  
9 Leighton Street  
Grey Lynn  
Auckland 1021

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Tree assessment and protection

Property address: 1-139 Carrington Rd

Map or maps: All

Other provisions:  
Open space provisions, archaeological / cultural site protection, landscape character, master planning

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

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

The reason for my or our views are:  
The plan change documentation provided does not adequately attend to the specific provisions identified

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: See attached submission

Submission date: 1 February 2024

Supporting documents

Submission TTC Plan Change 94 dec23\_20240201000115.123.pdf

**Attend a hearing**

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

**Declaration**

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

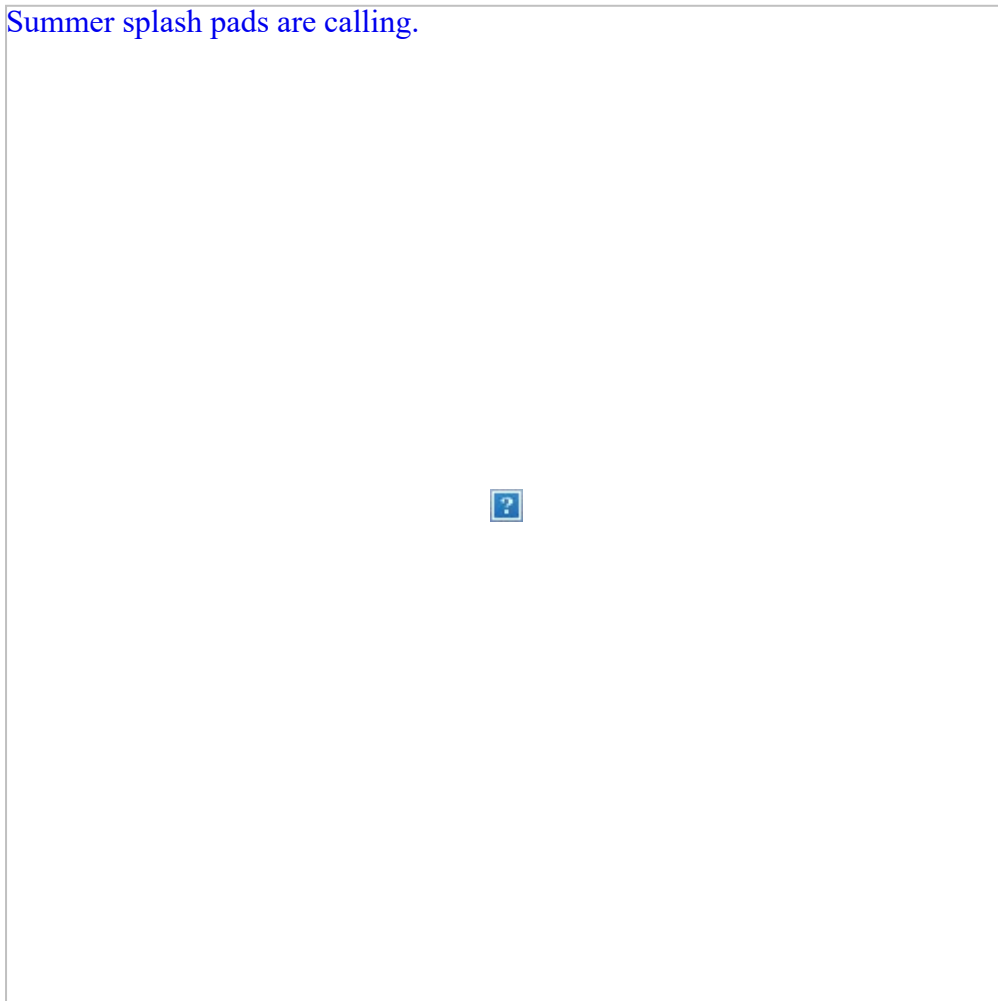
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

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The Tree Council  
Tiakina Rākau • est 1986



## **Submission by The Tree Council on Plan Change 94 Te Auaunga Precinct**

12 December 2023

From: The Tree Council  
Contact: Dr Mels Barton, Secretary  
PO Box 60-203, Titirangi, Auckland 0642  
021 213 7779  
info@thetrecouncil.org.nz

### **Preamble**

Thank you for the opportunity to present The Tree Council's submission on **Plan Change 94 Te Auaunga Precinct**.

This submission is made by The Tree Council, an independent, voluntary organisation, a non-profit incorporated charitable society which has been serving the Auckland community since 1986 in the protection of trees and as advocates for the significant benefits and services that our trees and green spaces provide.

We wish to speak to our submission if that opportunity is provided.

### **Submission**

#### **Introduction**

The Unitec site has long been valued by the local community for its park-like grounds and mature trees. Local people like to visit to walk their dogs, cycle through, picnic, teach their children to drive, go to the gym, grow vegetables and flowers at the Mahi Whenua

Sanctuary garden etc. The site boasted over 2000 trees representing around 200 different species, as surveyed by Unitec landscape architecture staff and students as part of their degree in 2010 -2012 (**Unitec** Institute of Technology. *Unitec's Arboretum*, Advance research magazine, Spring 2013).

In its new iteration as a housing development, it is estimated that around half the trees have been cut down already. This submission by The Tree Council is to put the case for some of the Knoll Open Space to be retained by Unitec to ensure the protection of the trees which make up the landscape context for Building 48, and that a covenant to be placed on the remaining mature trees on the site, to safeguard their botanical, historic and ecological values and ensure future occupants of the houses to be built will be able to enjoy trees of significant grandeur to enrich their lives. It is essential to ensure that the individual trees to be retained are legally protected via covenant or similar to be placed on the LIM of every property before it is sold to private owners, otherwise these trees will be able to be removed incrementally and the overall ecological and amenity value of these public assets for the entire community will be lost.

Our submission is focussed on 7 points:

1. Lack of an arborist's report evaluating the remaining trees and inadequate identification of trees in the Morphem Ecological Assessment
2. Lack of evaluation of the remaining trees against the criteria for scheduling as Notable Trees, as is a legal requirement for all Plan Changes.
3. Lack of tree protection / tree works methodologies
4. Lack of archaeological / cultural site protection
5. Open Space Provisions
6. Landscape character and botanical character around Building 48
7. Lack of a Masterplan to evaluate detailed plans for the open space designs ie. which trees will be retained and a Landscape & Visual Effects Assessment which ignores the role of trees in the internal landscape and amenity of the site.

### **1. Lack of Arborist's Report**

The Morphem Ecological Impact Assessment (A08) contains a map in Appendix 1 that identifies the location of a number of "significant trees". However there is no accompanying table that identifies the species, size, health, condition, or protection (or not) of any of these trees, or any indication of whether the proposed development intends to retain any of them and if so how they will be protected. This is totally inadequate and is not a substitute for an Arboricultural Report compiled by a qualified arborist. This needs to be provided.

The existing list of identified trees in Table I334.6.7.1 of the Wairaka Precinct consent document is totally inadequate as a record of the significant trees on the site. Of the 47 plants listed, 6 are shrubs, 1 is a climber and at least 8 have already been removed.

62.1

**2. Lack of Evaluation of Remaining Trees as Notable Trees**

The documentation provided should include an arborist’s report, compiled by a qualified arborist, evaluating and specifically identifying the remaining trees and assessing them against the Notable Trees criteria for scheduling in the Unitary Plan. We understand that this is a legal requirement for all Plan Changes so that potential Notable Trees are adequately legally protected in perpetuity as part of the Plan Change. Historically all the trees on the site were protected as part of the education zoning and therefore many of those worthy of scheduling were never nominated or evaluated. Many of these significant trees have already been lost as part of the infrastructure works, which were done without public notification or any opportunity to make submissions. This makes it even more important that evaluation of the remaining trees and scheduling of those qualifying is done as part of this Plan Change.

62.1

**3. Lack of Tree Protection / Tree Works Methodologies**

The documentation states that the retention of trees on the site will “counterbalance the increased residential density and built scale of development” (Open Space Framework, Appendix 4), while not providing for any process that will ensure the retention and legal protection of any of the trees other than those already legally protected as Notable Trees.

The applicant must provide a tree protection / tree works methodology compiled by a qualified arborist designed to ensure that there are no short or long term adverse effects upon retained trees and that there is a legal process implemented as part of the Plan Change by which all retained trees will be protected in perpetuity. This should include:

- a. scheduling as Notable Trees those evaluated as qualifying against the criteria;
- b. covenanting;
- c. zoning as Open Space, Significant Ecological Area or riparian margin.

62.2

**4. Lack of Archaeological / Cultural Site Protection**

The Mahi Whenua Sanctuary Gardens is a significant cultural site. Maori gardening implements have been discovered in this area. It is thought to have been continuously gardened from pre-European times. One of these implements is set into the floor of the Marae Pukenga building 171 on the Unitec site. We note that this site is identified as culturally and archaeologically significant in Attachment A11 Archaeological Assessment (R11/3134), however no mention is made of these implements whatsoever. This appears to be a significant omission that needs to be rectified and the protection of the site where they were found prioritised accordingly. We expect this area to be retained and protected and zoned as Open Space. This needs to be made clear.

62.3

## 5. Open Space Provisions

### Referring to A 05. Open Space Assessment

2.3 We note the increase and redistribution of open space proposed from 3.6ha to 5.2ha, but also note that this is only achieved by purchase and rezoning of existing open space from Unitec Te Pukenga which decreases the open space ratio for that institution. Of particular concern are 2 existing open space areas currently part of the Unitec campus. One is the Knoll Open Space adjacent and contiguous as a landscape context to Building 48, and the other is the Sanctuary Garden area to the south of the Te Auaunga Access Park that is home to a very highly valued community garden.

62.4

### Northern Open Space

3.3-3.12 There is only one reference to the existing trees within these clauses. The trees are a very strong component of the visual character of the Unitec Building 1 frontage. Clause 3.10 states that “Trees and the existing open space layout can be modified and enhanced, while retaining landscape features of value to the amenity of the open space.” AO4 pg 23 shows 6 trees retained, but there are other significant trees in this area which should be retained.

62.5

**Recommendation:** That the applicant be required to retain all the significant trees in this area, as determined by a qualified arborist.

### Central Open Space

3.20 Landscaping: There is no detail provided as to the design of this space with reference to the sentence “There is opportunity for enhancement with planting of trees and other vegetation at an appropriate scale to support the recreational use and amenity offered by the large open space area.”. As this area has been a sports field with no tree plantings, it would be appropriate to know what the character and location of the proposed planting would be like.

62.6

**Recommendation:** That the applicant be required to provide a landscape plan for this open space area as part of the plan change documentation.

### Te Auaunga Access Park

3.28 Visibility. No mention is made of the adjacent Mahi Whenua Sanctuary Gardens. It seems appropriate to acknowledge and describe the relationship between the Te Auaunga Access Park and the Mahi Whenua Sanctuary Gardens. These highly valued community gardens are utilised by multiple families in the surrounding community and archaeological evidence (see above) suggests that it has been continuously gardened since pre-European times.

62.7

The Mahi Whenua Sanctuary Gardens are shown as part of the Waiohua – Tamaki Rōpū Lots. Why is it not identified as being as Open Space, which we understood had already been agreed with Auckland Council?

62.7

### Knoll Open Space

3.34 **Character.** A strong characteristic of this open space is its relationship to Unitec’s Building 48, built in 1896. The building, used for teaching by the School of Architecture has no heritage classification but has strong heritage value nevertheless. Building 48 was the Māori Mental Health unit in the psychiatric hospital era. The Knoll Open Space constitutes the landscape grounds of Building 48. It sits on the ridge with treed lawns rolling down to the north and west of the building to the Spine Road. The Open Space Assessment describes the Notable protected trees appropriately, but neglects to describe that they, and the other trees adjacent relate inherently to the building. As such they should be retained as part of the Unitec campus and continue to be protected as part of the educational precinct around Building 48.

62.8

### South Open Space

3.47 This clause states that the open space area has no stormwater function.

3.48 This clause states that about a third of the land comprises an artificial high amenity stormwater pond, that clearly has a stormwater function. These clauses seem contradictory. The heavy clay soil in this area does render parts of it wet and boggy in winter. Perhaps these clauses could be amended to give clarity.

62.9

There is no indication whether these areas of proposed Open Space will be vested / zoned as such in the Unitary Plan. This needs to be done. It would ensure that remaining trees within these areas would be legally protected, providing they survive the development process. This will indicate whether there is in fact additional Open Space being provided by this development or whether existing education land open space is simply being repurposed and counted twice as serving both educational and residential purposes. This is disingenuous.

62.10

## 6. Landscape and botanical character around Building 48

The open space around Building 48 is a particularly significant area of landscape and botanical value. The treed rolling landscape has elevation, views and grandeur when considered in combination with the building. It is also a hot spot of botanical variety with a wide range of both mature native and exotic trees, planted around the time the building was completed in 1896. This makes them over 120 years old. Of particular note are the scheduled ginkgo, coral trees and jacaranda, but also the rare Japanese tan oak and grove of large natives.

62.11

**Recommendation:**

That the notable trees around Building 48 remain as part of the Unitec campus, connected to their raison d'être. This would require moving the plan change boundary by 20m to the north of Building 48 to include the notable scheduled *Erythrina crista-galli* (coral tree), *Ginkgo biloba* (ginkgo), and 40m to the west of Building 48 to include the notable scheduled *Jacaranda mimosifolia* (jacaranda) and the stand of 120 year old natives including puriri, pohutukawa, totara and rimu.

62.11

Additionally, a covenant should be required to ensure the trees are retained in perpetuity.

**7. Masterplan and Landscape & Visual Effects Assessment**

62.12

The documentation lacks a masterplan to enable the public to evaluate detailed plans for the open space designs ie. which trees will be retained.

The Landscape and Visual Effects Assessment prepared by Boffa Miskell, focused almost exclusively on the visual effects of the proposed development from public viewing positions looking into the site. There is very little comment on the amenity provided by the existing mature trees, most of which are not protected. Instead, the Landscape and Visual Effects Assessment relies on new planting and urban design to provide landscape amenity. The report acknowledges that there are Notable Trees on site, but it is not made clear whether the bulk and location drawings have included these trees in the concept plans. In the earlier master planning documents prepared by Boffa Miskell, "high amenity trees" and existing urban ngahere is identified, but the more recent Landscape and Visual Effects Assessment hardly mentions existing trees apart from Scheduled/Notable Trees and the cluster of trees around Building 48 that fall into a green space. They mention that "some trees will be removed" but this is as far as the report goes.

Whilst we acknowledge that most of the mature trees on site no longer have legal protection, from a landscape planning and visual effects perspective, integration of at least some of these trees into the urban design should be considered.

**Conclusions:**

Our submission limits its scope to insisting that that level of intensification proposed demands balancing with generous open space and large scale vegetation ie. trees.

The Council rightly requires the open space plan to be documented, for the amenity and health of the thousands of people who will come to live in the precinct. However it is noted that this is achieved by removing the open space areas from Unitec campus. Using an old expression - this seems like robbing Peter to pay Paul. Has a calculation of the remaining open space been done for the Unitec campus to ensure it remains sufficient for student and

staff wellbeing? Or is the open space counted for both zones, therefore a kind of double-dipping exercise?

The value of the remaining trees in the precinct is enormous. Amenity, ecology, water management, pollution control and visual character values make mature trees valuable assets in establishing a new development. However the documentation provided is totally inadequate in even identifying the existing trees, let alone evaluating their quality, health and value and identifying how they will be retained and protected.

The track record of the development activities thus far have taken a 'tabula rasa' approach, with tree removal being undertaken wherever conflict arises, without alternative design solutions being considered in order to retain trees. Therefore we have no confidence that this will not continue to be the approach taken, unless the trees are individually identified for retention and given legal protection via either scheduling or covenant, or retained within Open Space provisions as part of the Plan Change. There needs to be a clear plan for how works will be undertaken without damaging the health of retained trees. This is missing.

The trees around Building 48, the Mana Whenua Sanctuary Garden trees and vegetation and the trees in front of Building 1 are all vital green infrastructure on the site and of high value for the residents of Auckland as a whole, not just for this development, as their Notable status demonstrates

The Tree Council considers it imperative that these public tree assets are identified, evaluated and permanently protected and looks for assurance of this protection within the precinct documentation, which is missing at present.

SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 94 – WAIRAKA PRECINCT TO THE AUCKLAND  
UNITARY PLAN (OPERATIVE IN PART)

**To:** Auckland Council  
**Name:** Ngāti Tamaoho Settlement Trust (Ngāti Tamaoho)  
**Date:** 30<sup>th</sup> November 2023

**Submitter Details**

1. This is a submission on Proposed Private Plan Change 94 (**PC94**) to the Auckland Unitary Plan – Operative in Part.
2. Ngāti Tamaoho is an iwi authority who is collaborating with the Crown over the development of housing and associated activities within the Te Auaunga Precinct (currently called Wairaka Precinct).
3. Ngāti Tamaoho could not gain an advantage in trade competition through this submission.
4. Ngāti Tamaoho is directly affected by the cultural, social, economic and environmental effects of the proposed plan change.

**Scope of Submission**

5. This submission is in support of PC94 in its entirety.

**Reasons for Submission**

6. Ngāti Tamaoho are an iwi of Waiohua and Waikato/Tainui descent, located between Te Mānukanuka O Hoturoa (Manukau Harbour) and Te Pūaha O Waikato (the lower Waikato River).



7. The whakapapa of Ngāti Tamaoho stretches back to the union between the first peoples of this rohe (region) and the great Waikato rangatira Tamaoho. Today, Ngāti Tamaoho is represented by the three marae of Mangatangi, Whātāpaka, and Ngā Hau E Whā.
8. As tangata whenua, Ngāti Tamaoho are the living descendants of the lands and waters of this area. It is therefore our responsibility to care for them just as our tūpuna (ancestors) have done for generation. In this way we fulfil our duty as kaitiaki and pass these taonga down to our tamariki and mokopuna
9. There is significant opportunity for redevelopment of this land which will achieve both cultural, social and economic objectives for Ngāti Tamaoho. This can be done in a manner which contributes to managing Auckland's growth and does this in a manner which respects the history, heritage and environmental aspects of this land.
10. Ngāti Tamaoho is part of the Land for Housing Programme and is working with the Crown to develop this land for a variety of housing including affordable and market housing.
11. This plan change is necessary to rezone surplus tertiary education land to Business Mixed Use so that land can be developed for mixed use residential and mixed use development.
12. The plan change encourages Māori economic development and the cultural aspects of this precinct, recognising its cultural history and the importance of development proceeding in a culturally appropriate manner.
13. The changes to the objectives and policies appropriately set the planning framework for development of this precinct.
14. The proposed rezoning of this land ensures the land is available for appropriate residential and mixed-use development.
15. The changes to the activities and standards including changes to height, provide for quality development at an appropriate scale and intensity given the unique location of this precinct.
16. The changes to the assessment criteria appropriately encourage a high quality of development.
17. The changes to the precinct plan provisions are necessary to set a planning framework for the physical development of this place.

63.1

#### Decision Sought

18. Ngāti Tamaoho seeks approval of PC94 in full.
19. Approve the name change of the Wairaka Precinct to Te Auaunga. | 63.2
20. Approve the objectives and policies as proposed by PC94. | 63.3

- 21. Approve the rezoning of land as set out in PC94.
- 22. Approve the changes to the activities, standards, and assessment criteria as proposed by PC94.
- 23. Approve the modifications to the precinct plans and the introduction of the new precinct plan as set out in PC94.

**Hearing**

- 24. Ngāti Tamaoho wishes to be heard in support of its submission.
- 25. Ngāti Tamaoho will consider presenting a joint case with others making a similar submission.



.....

Signature of submitter

Karleen Puriri

Strategic Partner

The Ngaati Tamaoho Settlement Trust

.....31/01/2024.....

Date

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Kim shephard- tjirn  
**Date:** Thursday, 1 February 2024 9:45:45 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Kim shephard- tjirn

Organisation name:

Agent's full name:

Email address: kimshepthorn@hotmail.co.uk

Contact phone number:

Postal address:

7 Oregon Ave

Avondale

Auckland 1026

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Preserving the sanctuary gardens allotments

| 64.1

Property address: In the grounds if the old carrington hospital- pt chev Auckland

Map or maps:

Other provisions:

Thus ground should be exempt from development

I don't know how to answer the below as I'm not sure what the terms mean / I want to save the land from development so I support the original plan but not the one currently proposed

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

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

The reason for my or our views are:

I wish them to be upheld

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

[Summer splash pads are calling.](#)



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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Kim  
**Date:** Thursday, 1 February 2024 12:15:46 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Kim

Organisation name: Shephard Thorn

Agent's full name:

Email address: kimshepthorn@hotmail.co.uk

Contact phone number:

Postal address:

7 Oregon Ave  
Avondale  
Auckland 1026

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Upholding the decision to keep this land open - sanctuary gardens

Property address: Sanctuary gardens - old carrington hospital grounds

Map or maps:

Other provisions:

Keeping the sanctuary gardens as open ground

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

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

The reason for my or our views are:

This is a valuable community garden - with organic biodiversity - a fantastic opportunity for the community to benefit and for children to learn about growing and healthy eating

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: This land should remain as a community garden in perpetuity

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

[Summer splash pads are calling.](#)



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**From:** [kim shephard-thorn](#)  
**To:** [Maninder Kaur-Mehta \(Manisha\)](#)  
**Subject:** Re: Unitary Plan Publicly Notified Submission - PC 94  
**Date:** Friday, 2 February 2024 4:28:02 pm

---

Yes - I redid the submission as it was hard to know what I was saying yea and no to - I support the original plan to keep sanctuary gardens as open space - not built on

Kim

Sent from my iPhone

On 2/02/2024, at 14:47, Maninder Kaur-Mehta (Manisha) <Maninder.Kaur-Mehta@aucklandcouncil.govt.nz> wrote:

Kia ora Kim

We received the above two submissions.

Could you please confirm that both submissions are yours.

Thanks  
Manisha

Ngā mihi

**Maninder Kaur-Mehta | Planning Technician | Plans and Places Department**  
**Ph: 021417368**

Auckland Council, Level 16, 135 Albert Street, Auckland 1011

Visit our website: [www.aucklandcouncil.govt.nz](http://www.aucklandcouncil.govt.nz)

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Te Whatu Ora Health New Zealand Waitemata  
**Date:** Thursday, 1 February 2024 11:45:53 am  
**Attachments:** [final submission 010224.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Te Whatu Ora Health New Zealand Waitemata

Organisation name:

Agent's full name: Bentley & Co Ltd, Attn: Craig McGarr

Email address: [cmcgarr@bentley.co.nz](mailto:cmcgarr@bentley.co.nz)

Contact phone number: 021741418

Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
refer attached

Property address:

Map or maps:

Other provisions:  
refer attached

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

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

The reason for my or our views are:  
refer attached

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: refer attached

Submission date: 1 February 2024

Supporting documents  
[final submission 010224.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.



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1 February 2024

Craig McGarr  
E-mail: cmcgarr@bentley.co.nz  
Job No: 19023

**Auckland Council**  
**Level 24, 135 Albert Street**  
**Private Bag 92300**  
**Auckland 1142**

Attention: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

**RE: Submission on Proposed Plan Change 94 (Private): Wairaka Precinct**

**Introduction**

This is a submission on behalf of Te Whatu Ora – Health New Zealand Waitematā (Te Whatu Ora) on a change proposed by the Ministry of Housing and Urban Development (MHUD) to the Auckland Unitary Plan (operative in Part) (AUP) that was publicly notified on 16 November 2023 (Proposed Plan Change 94 (PC94)).

PC94 relates to the Wairaka Precinct in Carrington Road, Mount Albert. Parts of the current Special Purpose - Tertiary Education Zone no longer to be occupied by Unitec are proposed to be rezoned to the adjoining Business - Mixed Use Zone. A further strip of land is to be rezoned from Special Purpose-Tertiary Education to Residential - Mixed Housing Urban, adjoining existing land with that zoning in the southern part of the Precinct. A revised Precinct Plan and revised Precinct provisions are also proposed, including amendments to the location and extent of open space provided for within the Precinct, and seeking to allow for greater height for future development. The Precinct is proposed to be renamed Te Auaunga Precinct.

Te Whatu Ora owns and operates the Mason Clinic facility within the Wairaka Precinct. The Mason Clinic is located at 3A, 81A, and 119A Carrington Road, with a combined land area of 6.7794ha. The Mason Clinic is a forensic psychiatric healthcare facility, which provides a range of mental health services and includes custodial and secure care, together with accessory and supporting services.

Te Whatu Ora were granted approval to a private plan change (Plan Change 75 (PC75)) to rezone 3A and 119A Carrington Road from Business – Mixed Use zone to Special Purpose – Healthcare Facility and Hospital zone, and amend the provisions and plans in the Wairaka Precinct, (including the provisions of Sub-precinct A) in order to provide for the future expansion of the Mason Clinic. The Council’s Decision on PC75 is subject to an appeal to the Environment Court (by MHUD) in relation to a specific matter, being the introduction by the Council’s Decision of new provisions into the Wairaka Precinct that require a minimum area

**BENTLEY & Co**

of open space to be provided across the entire Precinct. The MHUD appeal supports the remainder of the amendments to the Wairaka Precinct provisions contained in the Council's Decision on PC75 being treated as operative while MHUD's appeal is determined, in accordance with section 86F of the RMA.

Te Whatu Ora supports PC94, subject to the relief set out in their submission below. In doing so, Te Whatu Ora support the approach being take in respect of:

- a) The manner in which open space is proposed to be provided for within the Precinct; and
- b) The manner in which the Precinct provisions continue to recognise that development within Sub-precinct A is not subject to the Precinct 'triggers' in respect of the provision of an Integrated Traffic Assessment, or travel plans, with the requirement for these matters being limited to the consideration of residential development.

Te Whatu Ora could not gain an advantage in trade competition through this submission.

**Submission**

As identified in the Planning Report accompanying PC94, there has been a collaborative approach between MHUD and Te Whatu Ora to their respective plan changes. While these two plan changes have been advanced separately as they deal with distinct parts of the overall Precinct, they have been aligned so as to create an integrated package of controls.

The purpose of this submission is to ensure those matters agreed between Te Whatu Ora and MHUD during ongoing consultation continue to be reflected in PC94, and the resultant Wairaka Precinct provisions do not undermine the Council's Decision on PC75, as that relates to Sub-precinct A and the Mason Clinic.

Provisions*Precinct Standards*

In recognition of the interface of the PC94 land with the Mason Clinic, and the intensification that is proposed to be enabled by PC94, a new Precinct standard is proposed (I334.6.13), as set out below:

*I334.6.13. Sub-precinct A Northern Boundary setback*

- (1) *Buildings on land adjoining the northern boundary of Sub-precinct A must be set back a minimum width of 5m from the Sub-precinct A boundary. These setbacks must be landscaped and planted with mature trees no more than 5m apart, with the balance planted with a mixture of shrubs or ground cover plants (excluding grass) within and along the full extent of the setback. The purpose of this planting is to provide a well vegetated visual screen between buildings and activities within the Sub-precinct and the adjoining land, to mitigate adverse visual and privacy effects.*

A similar standard (I334.6.14(2)) is introduced by way of PC75 to apply to the development of buildings within Sub-precinct A, where they adjoin the northern and southern boundaries of Sub-precinct A.

Where I334.6.14(2) is not complied with, Table I334.4.4 (A54) requires resource consent as a Non Complying activity.

PC94 does not include a corresponding activity status for non compliance with proposed standard I334.6.13(1), and therefore Non Complying activity status is sought to be consistent with PC75.

In addition, PC94 proposes to delete standard I334.6.5 Landscaping which requires;

- (1) At least 20 per cent of a site within the precinct must be landscaped, provided that the area of landscaping may be proportionately reduced by any required common areas of landscaping within the zone approved by the Council and protected by consent conditions.*

This standard currently applies to all development within the Precinct.

For consistency, the provisions introduced by PC75 for activities listed as permitted, controlled and restricted discretionary in Table I334.4.4, being the table that applies to Sub-precinct A (the Mason Clinic), makes reference to this standard (at I334.6.12. Landscaping).

If this standard (I334.6.5) is to be deleted from applying to parts of the Precinct (as proposed by PC94), Te Whatu Ora considers that it should be deleted in its entirety, for consistency. There is nothing specific to Sub-precinct A to warrant the continued retention of this standard, noting also that PC75 consistently zones the Te Whatu Ora landholdings (Sub-precinct A) Special Purpose Healthcare Facility and Hospital. The combination of the Precinct and zone standards which apply to Sub-precinct A, including the setbacks (inclusive of landscaping) and impervious area standards are sufficient to provide for the amenity of the Sub-precinct, the streetscape, and the interface with neighbouring Business Mixed Use zoned land, without relying on the retention of this standard.

The amendments proposed by PC94 to several of the Precinct standards and corresponding assessment matters/criteria, result in a change in the format and numbering of the Precinct provisions/standards. This has the potential to result in some inadvertent incorrect cross referencing for the some of the discrete Mason Clinic provisions/standards introduced through PC75.

**Relief Sought**

Te Whatu Ora seeks a decision that supports PC94, with any modification necessary to maintain the opportunity enabled for Sub-precinct A through PC75, and to ensure consistency in respect of the application of the Precinct provisions, including.

- a) Introduce the following to Table I334.4.1

(A33A)	New buildings or additions to buildings not complying with I334.6.13	NC
--------	--	----

- b) Delete proposed standard;  
*I334.6.16. Landscaping*  
*(1) At least 20 per cent of a site within the precinct must be landscaped, provided that the area of landscaping may be proportionately reduced by any required common areas of landscaping within the zone approved by the Council and protected by consent conditions.*
- c) Such further, alternative or other consequential amendments as may be necessary to fully give effect to the relief sought in this submission.

65.1

Te Whatu Ora wishes to be heard in support of its submission.

Dated this 14<sup>th</sup> day of December 2023.



**Craig McGarr**  
**Planning Consultant for Te Whatu Ora– Health New Zealand (Waitematā)**

Address for Service  
Bentley & Co Ltd  
PO Box 4492 Shortland Street  
Auckland 1140  
Attn: Craig McGarr  
Email: [cmcgarr@bentley.co.nz](mailto:cmcgarr@bentley.co.nz)  
Ph: 021741418

K:\Project\Projects\WDHB Mason\HUD Plan Change\submission\final submission 010224.docx

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Leon Wijohn  
**Date:** Thursday, 1 February 2024 1:15:54 pm  
**Attachments:** [Submission PC94 - Te Kawerau ā Maki - Draft 2024 Feb 1.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Leon Wijohn  
Organisation name: Te Kawerau a Maki & Te Wai O Raka Development GP Limited  
Agent's full name: Leon Wijohn  
Email address: leon.wijohn@tarapounamu.com  
Contact phone number: +64272778817  
Postal address:  
leon.wijohn@tarapounamu.com  
Auckland  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Refer to attached letter  
Property address: Unitech, Carrington Road  
Map or maps: Refer to attached letter  
Other provisions:  
Refer to attached letter

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

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

The reason for my or our views are:  
We have a strong cultural claim over the area and advocate that the correct name is Wai O Raka.

66.1

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: The correct name of the precinct should be Wai O Raka

Submission date: 1 February 2024

Supporting documents  
Submission PC94 - Te Kawerau ā Maki - Draft 2024 Feb 1.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.

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**SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 94 – WAIRAKA PRECINCT TO THE AUCKLAND  
UNITARY PLAN (OPERATIVE IN PART)**

**To:** Auckland Council  
**Name:** Te Wai O Raka Development GP Limited  
**Date:** 1 February 2024

**Submitter Details**

1. This is a submission on Proposed Private Plan Change 94 (**PC94**) to the Auckland Unitary Plan – Operative in Part.
2. This submission is made by Te Wai O Raka Development GP Limited which is the commercial entity of the Te Kawerau Iwi Group, which represents Te Kawerau ā Maki on the precinct requesting this plan change. Te Kawerau ā Maki is an iwi who is collaborating with the Crown over the development of housing and associated activities within the Te Auaunga Precinct (currently called Wairaka Precinct).
3. Te Kawerau ā Maki could not gain an advantage in trade competition through this submission.
4. Te Kawerau ā Maki is directly affected by the cultural, social, economic, and environmental effects of the proposed plan change.

**Scope of Submission**

5. This submission is in support of PC94 in its entirety, except for the precinct name. The appropriate name for the precinct should be Te Wai O Raka.

**Reasons for Submission**

6. Te Kawerau ā Maki hold cultural rights and interests in this land. Our tūpuna have lived on and used this land since the arrival of the Tainui waka around 1350. It is our tūpuna Rakataura (Hape), some 26 generations back through direct descent, that the wider area – Te Wai o Rakataura (the waters of Rakataura) are named. Our interests are both shared through whakapapa with other iwi, and specific to Te Kawerau ā Maki. Our people and closely related tribes lived and gardened on these lands. It is within our Area of Interest agreed with the Crown in our 2014 Te Kawerau ā Maki Treaty Settlement, and adjacent to Waterview Primary school which we own. It is also a



property subject to the Tāmaki Collective Redress Act 2014. . There is a strong cultural and Treaty significance of this land to our people.

7. There is significant opportunity for redevelopment of this land which will achieve both cultural, social, and economic objectives for Te Kawerau ā Maki. This can be done in a manner which contributes to managing Auckland’s growth and does this in a manner which respects the history, heritage, and environmental aspects of this land.
8. Te Kawerau ā Maki is part of the Land for Housing Programme and is working with the Crown to develop this land for a variety of housing including affordable and market housing.
9. This plan change is necessary to rezone surplus tertiary education land to mixed use so that land can be developed for residential activity.
10. The plan change encourages Māori economic development and the cultural aspects of this precinct, recognising its cultural history and the importance of development proceeding in a culturally appropriate manner.
11. The plan change is required to better give effect to the mana whenua economic and Treaty enablement provisions of the Auckland Unitary Plan Regional Policy Statement and the new Auckland Future Development Strategy.
12. The changes to the objectives and policies appropriately set the planning framework for development of this precinct.
13. The proposed rezoning of this land ensures the land is available for appropriate residential and mixed-use development.
14. The changes to the activities and standards including changes to height, provide for quality development at an appropriate scale and intensity given the unique location of this precinct.
15. The changes to the assessment criteria appropriately encourage a high quality of development.
16. The changes to the precinct plan provisions are necessary to set a planning framework for the physical development of this place.

66.2

#### Decision Sought

17. Te Kawerau ā Maki seeks approval of PC94 in full (except for the name).
18. Approve the name change of the Wairaka Precinct to Te Auaunga or to Wai o Raka.
19. Approve the objectives and policies as proposed by PC94.
20. Approve the rezoning of land as set out in PC94.
21. Approve the changes to the activities, standards, and assessment criteria as proposed by PC94.

66.3

22. Approve the modifications to the precinct plans and the introduction of the new precinct plan as set out in PC94.

**Hearing**

23. Te Kawerau ā Maki wishes to be heard in support of its submission.
24. Te Kawerau ā Maki will consider presenting a joint case with others making a similar submission.



.....

Signature of submitter:

Leon Wijohn, as director of Te Wai O Raka Development GP Limited

1 February 2024

SUBMISSION ON PROPOSED PRIVATE PLAN CHANGE 94 – WAIRAKA PRECINCT TO THE AUCKLAND UNITARY  
PLAN (OPERATIVE IN PART)

To: Auckland Council  
Name: Waiohua Tāmaki Rōpū (**Waiohua**)  
Date: 1<sup>st</sup> February 2024

**Submitter Details**

1. This is a submission on Proposed Private Plan Change 94 (**PC94**) to the Auckland Unitary Plan – Operative in Part.
2. The Waiohua Tāmaki Rōpū is a confederation of Ngāi Tai ki Tāmaki, Ngāti Tamaoho, Ngāti Te Ata, Te Ākitai Waiohua, Te Kawerau ā Maki who are collaborating with the Crown over the development of housing and associated activities within the Te Auaunga Precinct (currently called Wairaka Precinct).
3. Waiohua could not gain an advantage in trade competition through this submission.
4. Waiohua is directly affected by the cultural, social, economic and environmental effects of the proposed plan change.

**Scope of Submission**

5. This submission is in support of PC94 in its entirety.

**Reasons for Submission**

6. Waiohua and the iwi that make up the ropu are mana whenua for this land. Our people have been on and have used this land since the 1200s. There is a strong cultural significance of this land to our people.
7. There is significant opportunity for redevelopment of this land which will achieve both cultural, social and economic objectives for Waiohua. This can be done in a manner which contributes to managing Auckland’s growth and does this in a manner which respects the history, heritage and environmental aspects of this land.

67.1

8. Waiohua is part of the Land for Housing Programme and is working with the Crown to develop this land for a variety of housing including affordable and market housing.
9. This plan change is necessary to rezone surplus tertiary education land to mixed use so that land can be developed for residential activity.
10. The plan change encourages Māori economic development and the cultural aspects of this precinct, recognising its cultural history and the importance of development proceeding in a culturally appropriate manner.
11. The changes to the objectives and policies appropriately set the planning framework for development of this precinct.
12. The proposed rezoning of this land ensures the land is available for appropriate residential and mixed use development.
13. The changes to the activities and standards including changes to height, provide for quality development at an appropriate scale and intensity given the unique location of this precinct.
14. The changes to the assessment criteria appropriately encourage a high quality of development.
15. The changes to the precinct plan provisions are necessary to set a planning framework for the physical development of this place.

**Decision Sought**

16. Waiohua seeks approval of PC94 in full.
17. Approve the name change of the Wairaka Precinct to Te Auaunga. | 67.2
18. Approve the objectives and policies as proposed by PC94.
19. Approve the rezoning of land as set out in PC94.
20. Approve the changes to the activities, standards, and assessment criteria as proposed by PC94.
21. Approve the modifications to the precinct plans and the introduction of the new precinct plan as set out in PC94. | 67.3

**Hearing**

22. Waiohua wishes to be heard in support of its submission.
23. Waiohua will consider presenting a joint case with others making a similar submission.



Ashley Rainsford on behalf of

Waiohua Tāmaki Rōpū

1<sup>st</sup> February 2024

**Address for service:**

Ashley James

Project Coordinator

PO Box 44376, Point Chevalier, Auckland 1022

Email: [Ashley@astudio.net.nz](mailto:Ashley@astudio.net.nz)

# Submission on publicly notified private plan change request

## Plan Change 94 (Wairaka Precinct)

Auckland Council  
135 Albert Street  
Private Bag 92300  
Auckland 1142

**Submitter:**  
Auckland Council

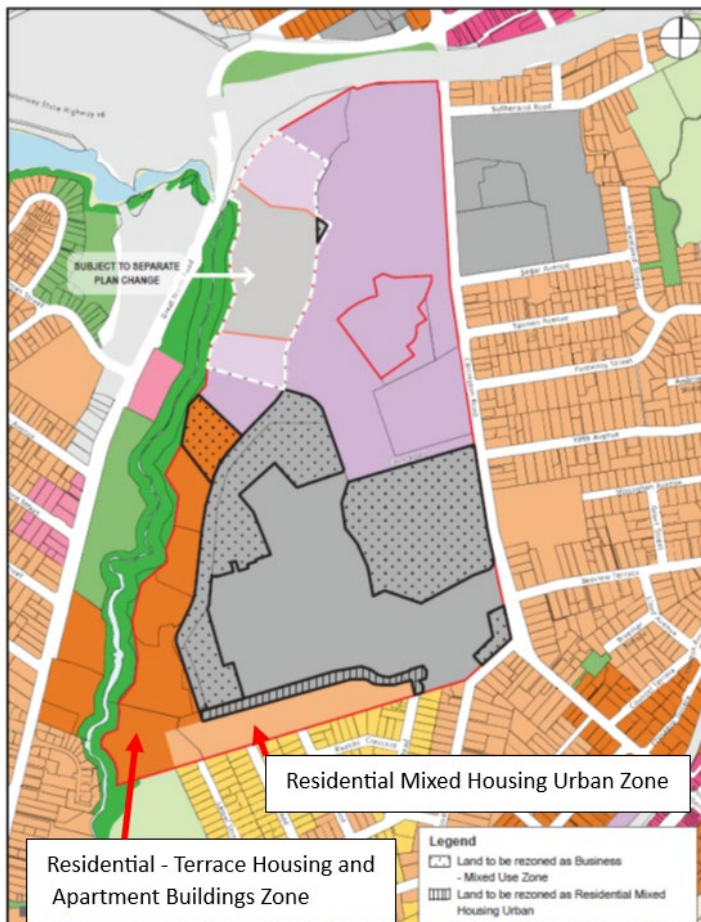
### Scope of submission:

This is a submission to part of proposed private Plan Change 94 – Wairaka Precinct, namely the residential zone provisions.

### The specific provisions which my submission relates to are:

- The proposed precinct provisions relating to the Residential - Terrace Housing and Apartment Buildings and the Residential Mixed Housing Urban Zones, as shown in the Zoning Map 1 below.

Map 1: Zoning



## Submission

My submission is:

Amendments are sought to Plan Change 94 to incorporate the Medium Density Residential Standards (MDRS) in the Terrace Housing and Apartment Buildings Zone and Mixed Housing Urban Zone.

68.1

### Background to this submission

1. Amendments to the Resource Management Act 1991 (RMA) require councils of large rapidly growing cities to amend their district plans to incorporate MDRS to enable more building height and housing density. Developments of up to three dwellings and three stories are to be permitted across most of Auckland's residential suburbs.
2. Section 77G of the RMA requires that MDRS are incorporated into any relevant urban residential zone unless qualifying matters, as set out in s77I, allows development that is less enabling than the MDRS.
3. MDRS includes objectives, policies and new standards (rules) that replace existing rules in the Auckland Unitary Plan. The MDRS to be incorporated into the Auckland Unitary Plan are set out in Schedule 3A of the RMA. The key standards include:
  - Number of residential units per site
  - Building height
  - Height in relation to boundary
  - Minimum setbacks
  - Coverage
  - Outdoor living space (per unit)
  - Outlook space (per unit)
  - Windows to street
  - Landscaped area
  - Other - subdivision and common walls
4. Amendments to the National Policy Statement on Urban Development 2022 (NPS-UD) require greater building height (at least six stories) and housing density within and around centres and rapid transit stops, such as train and busway stations.
5. Auckland Council, in order to deliver the MDRS and NPS-UD, publicly notified Plan Change 78 on 18 August 2022.

### The reasons underpinning this submission are:

6. For Plan Change 94 the relevant residential zones are:
  - Residential - Terrace Housing and Apartment Buildings Zone
  - Residential - Mixed Housing Urban Zone
7. The qualifying matters that apply across parts of these two zones within the precinct are:
  - Designations

- Flood plains
- Regional Maunga Viewshafts and Height and Building Sensitive Areas
- Significant Ecological Areas

8. Plan Change 94 does not incorporate MDRS provisions. The present form of Plan Change 94 is inconsistent with the RMA. This will prevent the MDRS being incorporated into the precinct as required by the RMA.

**I seek the following decision to Proposed Plan Change 94:**

- A. Amend the precinct provisions to ensure the objectives, policies and rules in Schedule 3A of the RMA apply to and modify the Residential - Terrace Housing and Apartment Buildings Zone and Residential – Mixed Housing Urban Zone until Plan Change 78 becomes operative, after which point the provisions in the relevant zone apply and the specific provisions in the precinct will no longer apply.
- B. Incorporate the MDRS taking account of the relevant Qualifying Matters referred to in paragraph 8 above.
- C. Such other alternative or consequential relief to give effect to the matters raised in this submission.

I wish to be heard in support of this submission.

On behalf of Auckland Council

Signature of person authorised to sign on behalf of submitter



Warren Maclennan  
Manager  
Regional, North, West and Islands Planning Unit  
Auckland Council

Dated: 1 February 2024



**SUBMISSION BY TE WHENUA HAA ORA GP LIMITED ON PROPOSED PLAN CHANGE 94  
TO THE AUCKLAND UNITARY PLAN**

**To:** Auckland Council

**Name of submitter:** Te Whenua Haa Ora GP Limited (“**Te Whenua Haa Ora**”)

**Address for service:** c/- Aidan Cameron

Barrister

Bankside Chambers

Level 22, 88 Shortland St

**AUCKLAND 1140**

**T + 64 9 307 9955**

**E aidan@bankside.co.nz**

This is a submission on Proposed Plan Change 94 (Private): Wairaka Precinct (**PC 94**) to the Auckland Unitary Plan (Operative in Part) (“**Plan Change**”).

Te Whenua Haa Ora is not a trade competitor for the purposes of section 308B of the Resource Management Act 1991 (“**RMA**”).

Te Whenua Haa Ora wishes to be heard in support of its submission.

If others make a similar submission, Te Whenua Haa Ora would consider presenting a joint case with them at any hearing.

### Scope of submission

1. This submission relates to the Plan Change in its entirety.

### Nature of submission

2. Te Whenua Haa Ora supports the Plan Change, subject to the amendments sought in this submission.

### Reasons for submission

3. Te Whenua Haa Ora's primary reasons for this submission are that the Plan Change (subject to the amendments sought in this submission) will:
  - a. promote the sustainable management of natural and physical resources, and therefore will achieve the purpose and principles of the Resource Management Act 1991 ("**RMA**");
  - b. meet the reasonably foreseeable needs of future generations;
  - c. enable the social, economic and cultural well-being of the Auckland community to be met;
  - d. be consistent with the purposes and provisions of the relevant planning documents, including the Unitary Plan and the Regional Policy Statement ("**RPS**");
  - e. be consistent with Part 2 and other provisions of the RMA, including sections 74 and 75, including the functions of Auckland Council ("**Council**") under s 31, and in particular:
    - i. s 7(b) and the efficient use and development of natural and physical resources;
    - ii. s 7(ba) as it applies to the efficiency of the end use of energy;
    - iii. s 7(c) and (f) and the maintenance and enhancement of amenity values and the quality of the environment; and
    - iv. s 7(g) and the finite characteristics of natural and physical resources; and
  - f. represents the most appropriate way to achieve the objectives of the proposal or the Unitary Plan, in terms of section 32 of the RMA, in relation to the subject land.
4. Without limiting the generality of the above, additional specific reasons for supporting the Plan Change are set out below.

### Background and introduction

5. Te Whenua Haa Ora is the proposed general partner of a limited partnership to be established between Ngāti te Ata (one of the five iwi entities comprising the Waiohū-Tāmaki Rōpū) and Nakhle Group, a privately held development company.
6. Te Whenua Haa Ora has an interest in the property at 119B Carrington Road, Mt Albert which sits within the existing Wairaka Precinct under the AUP ("**Site**").

7. The land is part of the wider Crown-owned Carrington landholding which is administered by the Ministry of Housing and Urban Development (“**HUD**”), and is identified as a right of first refusal (“**RFR**”) property in the Ngā Mana Whenua o Tāmaki Makaurau Collective Redress Deed 2012 and the Ngā Mana Whenua o Tāmaki Makaurau Redress Act. Included within the Deed is the Department of Building and Housing Protocol, which applies to RFR land. In time, the Crown intends to transfer land within the Carrington landholding to the Waiohū-Tāmaki Rōpū, Marutūāhu Rōpū and Ngāti Whātua Rōpū for housing development, as anticipated by the Protocol.
8. Te Whenua Haa Ora is the named applicant (on behalf of HUD) for part of a listed project under the Covid-19 Recovery (Fast-Track Consenting) Act 2020 (“**CRA**”), being the Unitec Residential Development. The proposal seeks to construct 509 residential apartments on the Site (“**Project**”).
9. An application for resource consent for the Project was lodged on 19 December 2023. On 21 December 2023, the EPA determined that the application complied with the requirements of cl 3 of Sch 6 to the CRA, and could be provided to the panel appointed to determine the application.

#### **Particular interest of Te Whenua Haa Ora in the Plan Change**

10. As an applicant for consent for a substantial and important development within the existing Wairaka Precinct, Te Whenua Haa Ora has a particular interest in the Plan Change and the objectives, policies, rules, standards and other methods proposed to manage the development of the Precinct.
11. While Te Whenua Haa Ora supports the Plan Change, it is concerned to ensure that the proposed Precinct provisions promote the efficient and effective development of the Site. It is particularly interested in the relationship between development of the Precinct and the timing and extent of proposed nearby transport infrastructure upgrades.

#### **Amendments sought to the Plan Change**

12. In addition to ensuring its interests above are met, Te Whenua Haa Ora seeks the following amendments to the Plan Change:
  - a. amendments to the Precinct provisions (including assessment criteria) to provide more specific detail as to the assumptions in the Integrated Traffic Assessment (“**ITA**”) that are to be reviewed and assessed once the threshold of 3,000 dwellings is met, addressing at a minimum:
    - i. the overall peak hour traffic generation of the Precinct from the residential dwellings and from Unitec;
    - ii. the operation of Carrington Road, including the intersections;
    - iii. parking provision; and
    - iv. the attractiveness of sustainable transport modes, including the delivery of public transport services servicing the Precinct and the safe, efficient, and effective connectivity of active mode facilities about the surrounding area;

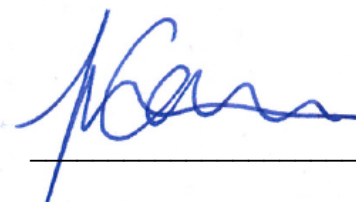
69.1

- b. amendments to the Precinct provisions to ensure that the traffic-reducing mitigation measure of a “strict car parking constraint” for residential dwellings in the Precinct (of an average of 0.7 spaces per unit, across the Precinct as a whole) is delivered; 69.2
- c. amendments to the Precinct provisions to ensure that:
- i. the Carrington Road / Gate 1 intersection will be signalised once 600 dwellings have been delivered; and
  - ii. the Carrington Road / Gate 3 intersection will be signalised once a trigger threshold of 1,500 dwellings has been reached, to provide permeability and an additional safe exit location for the Precinct, rather than sole reliance on Gates 1 and 4 as the only signalised intersections. 69.3

### Relief sought

13. Te Whenua Haa Ora seeks that the Plan Change be approved, subject to the amendments sought in paragraph 12 above, and any alternative or consequential relief as is necessary to address the particular concerns and interests in raised in the submission.

**Signature:**



Aidan Cameron as the duly  
authorised signatory for Te  
Whenua Haa Ora

**Date:** 1 February 2023

**Address for Service:** c/- Aidan Cameron

Barrister

Bankside Chambers

Level 22, 88 Shortland St

AUCKLAND 1140

T + 64 9 307 9955

E aidan@bankside.co.nz

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Paula Glen Norman  
**Date:** Thursday, 1 February 2024 7:30:47 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Paula Glen Norman

Organisation name: n/a

Agent's full name: n/a

Email address: pgnorman@xtra.co.nz

Contact phone number:

Postal address:  
7/53 Point Chevalier Rd  
Point Chevalier  
Auckland  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
PC 94 (Private): Wairaka Precinct

Property address: Wairaka Precinct

Map or maps:

Other provisions:  
n/a

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

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

The reason for my or our views are:  
Sanctuary Mahi Whenua is meant to be preserved and is not mentioned in the proposed plan change application as continuing as an open space area. Please don't build on this garden area that contains more than 400 species of plants and trees.

70.1

I also object to the possible increase in housing from 2500 to 6000. Point Chevalier does not contain the necessary infrastructure to support this amount. Please do not approve this. I support new housing but not to that extent.

70.2

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Do not build over Sanctuary Mahi Whenua and keep housing to 2500

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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



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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Angela moon  
**Date:** Thursday, 1 February 2024 7:30:49 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Angela moon

Organisation name:

Agent's full name:

Email address: angela\_moon@me.com

Contact phone number:

Postal address:  
55A harbour view road  
Pt chevalier  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:

The increase in dwellings, the height of the buildings, the change in designated use. | 71.1

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

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

The reason for my or our views are:

Pt Chev is already under resourced for existing population. The original plans for the carrington site will stretch resources already. To increase the number of dwellings is not appropriate. The schools are at capacity. There is no supermarket. Adding more people to the area will put further pressure on already stretched resources.

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

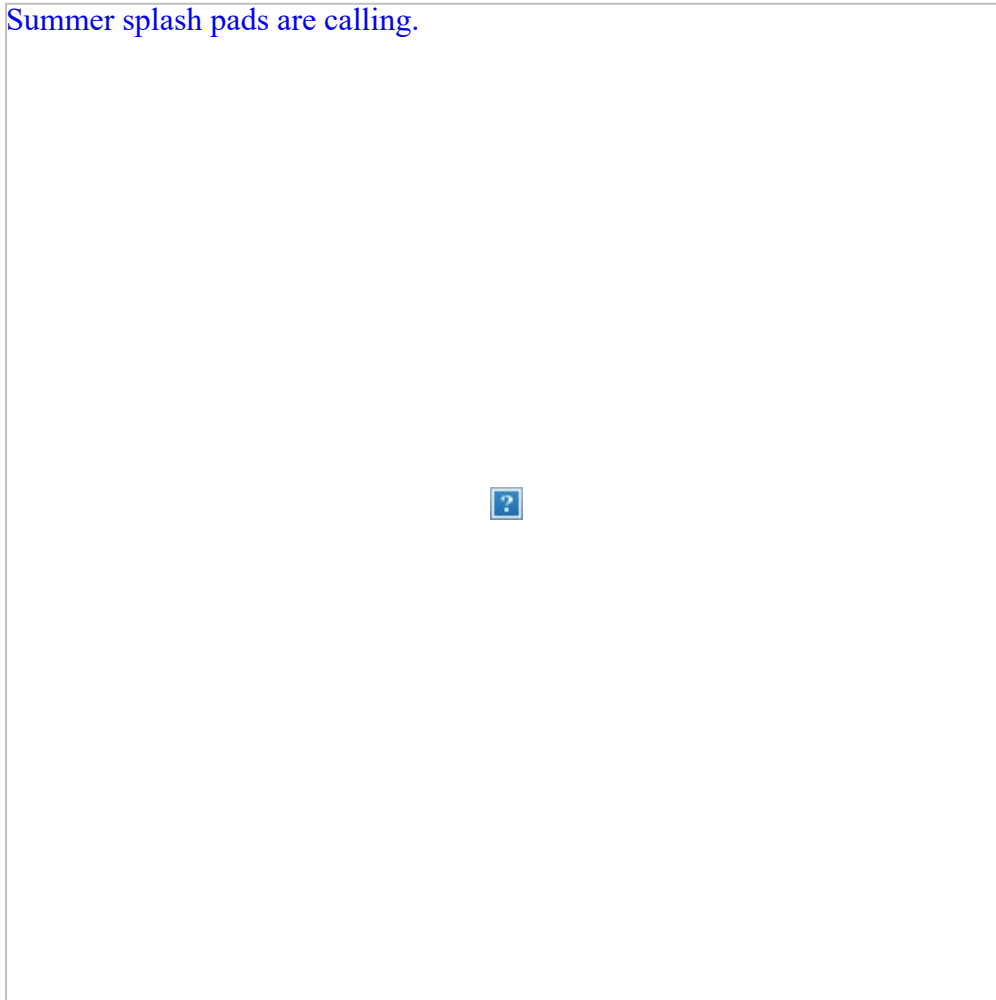
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Elizabeth Walker  
**Date:** Thursday, 1 February 2024 7:45:59 pm  
**Attachments:** [Submission on AC 2024 Wairaka precinct Auckland STEPS.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Elizabeth Walker

Organisation name: St Lukes Environmental Protection Society (STEPS)

Agent's full name:

Email address: elizabeth.walker@xtra.co.nz

Contact phone number:

Postal address:

Mt Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address:

Map or maps:

Other provisions:

Master Plan

Stormwater Management Plan

Tree and SEA Protection

Natural Heritage

Light Spill

Control of pets

Community gardens

Name change.

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

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

The reason for my or our views are:  
explained in the attached document.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: See attached document.

Submission date: 1 February 2024

Supporting documents

Submission on AC 2024 Wairaka precinct Auckland STEPS.pdf

**Attend a hearing**

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

**Declaration**

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

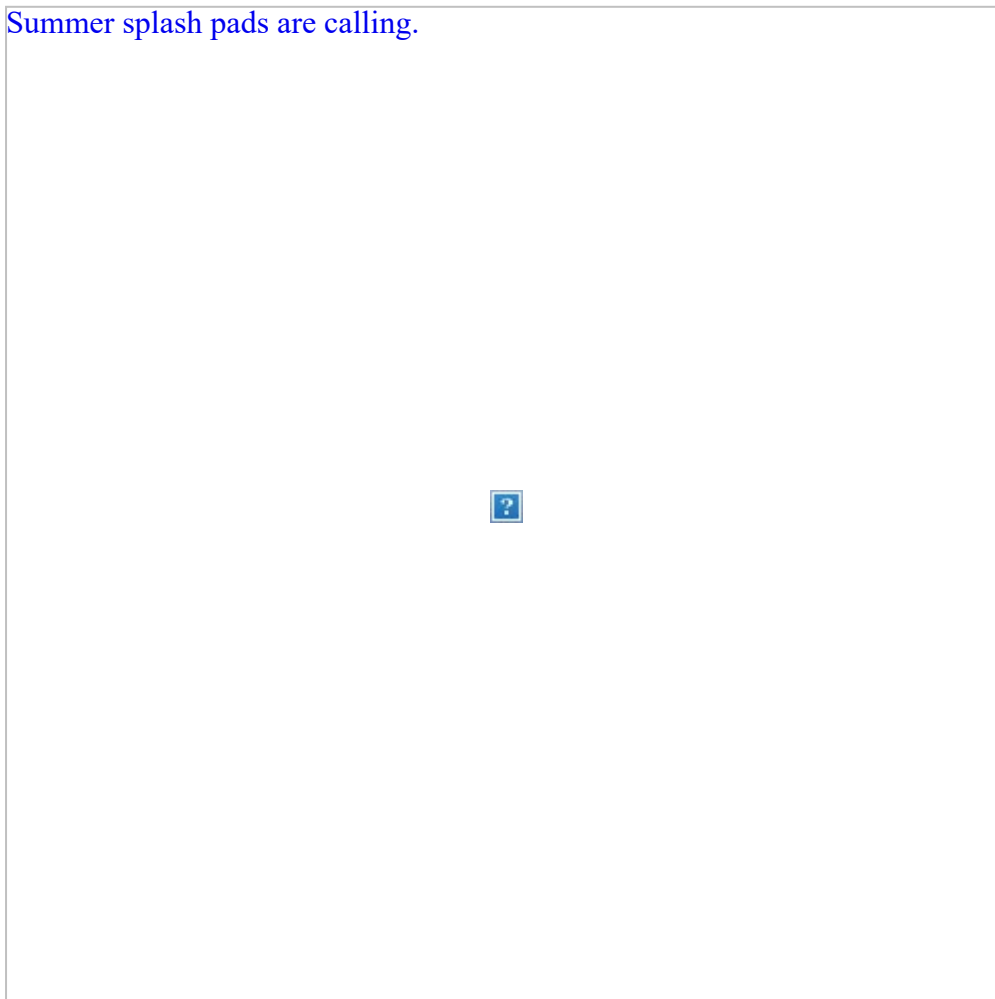
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

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## Introduction:

We, St Lukes Environmental Protection Society Inc. (STEPS), wish to make a submission on the *Plan Change 94 (Private): Wairaka Precinct*.

## STEPS

- STEPS advocates for fresh water policy and standards. Water is a taonga. We have established a spring-fed wetland, and perform regular water quality monitoring. We also carry out and advocate for restoration of rare and high value Auckland ecosystems such as lava rock forest and wetlands.
- The focus of our work is on the health of the environment and the community around Waititiko Meola Creek. Mt Albert Auckland. We take a keen interest in water quality in New Zealand. We advocate for the restoration of Meola Creek and other creeks on the Auckland isthmus. Waititiko is an urban creek and is now probably NZ's most polluted urban stream, carrying over 1 million cubic meters of stormwater-driven sewage overflows flowing into the Waitemata Harbour each year.
- We are future focussed and believe that the implications of climate change are so significant that protection and restoration of trees, especially around awa streams, puna springs and wetlands must be a key focus for us all. Our activities centre on restoration of native ecosystems such as wetlands, Auckland lava forest, and riparian areas.

We support the submission of Friends of Oakley Creek, and The Tree Council.

Elizabeth Walker [elizabeth.walker@xtra.co.nz](mailto:elizabeth.walker@xtra.co.nz)

Co-Chair

St Lukes Environmental Protection Society Inc.

**Located in Albert Eden Local Board Area**

**Submission:**

STEPS welcomes the opportunity to submit on *Plan Change 94 (Private): Wairaka Precinct*.

We support the overall concept of the proposed plan change, specifically with regards to the change of land use to *Business: Mixed Use and Residential: Mixed Housing Urban*, to allow for a greater use of the land and the development of more housing.

72.10

However, we have a number of issues that we wish to raise as below.

**Summary of issues:**

1. **Te Ao Māori ecological principles** - We request that the plan include the need to provide capacity for the restoration and enhancement of the 'environmental / biodiversity / ecology' from a Te Ao perspective. This would include further planting of native ngahere to provide improved habitat for our native terrestrial fauna, and more shade over the Wairaka Stream to enhance the habitat for our native aquatic fauna.
2. **Protection of Significant Ecological Areas (SEAs)** - We request that the '*setbacks from the natural and sensitive environment*' apply to all SEA land, both within the precinct and on Te Auaunga (the awa / valley) to ensure the protection of and potential for greater restoration and ecological enhancement of these valuable areas.
3. **Protection of trees.** STEPS' members have a particular interest in extending the lives and benefits of the remaining mature trees. It is now scientifically proven that large trees reduce urban temperatures, as well as shading streams and reducing the temperature of water for fauna and flora. It is also true that human beings benefit from being amongst trees, and that human health is improved by being in nature. Sadly, many of the mature trees on the site have already been removed and much of the UNITEC Arboretum has already been destroyed. Amenity, ecology, water management, pollution control and visual character values make the existing mature trees valuable assets in establishing a new development.

72.1

We want more of the mature trees to be retained, protected and integrated into the development. The trees around Building 48, the Mana Whenua Sanctuary Garden trees and vegetation and the trees in front of Building 1 are all vital green infrastructure on the site and of high value for the residents of Auckland as a whole, not just for this development, as their Notable status demonstrates.

72.2

**Recommendations:**

- That the notable trees around Building 48 remain as part of the Unitec campus, connected to their *raison d'être*. This would require moving the plan change boundary by 20m to the north of Building 48 to include the notable scheduled *Erythrina crista-galli* (coral tree), *Ginkgo biloba* (ginkgo), and 40m to the west of

72.9

Building 48 to include the notable scheduled *Jacaranda mimosifolia* (jacaranda) and the stand of 120 year old natives including puriri, pohutukawa, totara and rimu.

- Additionally, a covenant should be required to ensure all the trees are retained in perpetuity.

- |   |      |
|---|------|
| <p>4. <b>Master Plan</b> -We request that the 'precinct plan' include the requirement for a detailed 'Master Plan' that is prepared in consultation with the local community. It should specify the amount of open space (minimum of 12.14 ha), including where it will be located. Also, it should include the make-up of the open space with regards to its uses and accessibility to the general public e.g. for conservation, informal recreation, active recreation, civic spaces and community spaces.</p>  | 72.3 |
| <p>5. <b>Stormwater Management Plan</b> – We request that clause 1334.9. <i>Special information requirements – Stormwater Management Plan</i> be retained, or an amended version be included to ensure guidelines are in place for the appropriate management of stormwater, and the protection of the receiving environments - Te Auaunga and the Motu Manawa Marine Reserve.</p>  | 72.4 |
| <p>6. <b>Protection of Te Auaunga (the awa / valley) from the impact / overshadowing, light spill and passive surveillance from tall buildings</b> – We request that Te Auaunga (the valley) be retained to protect the native fauna – especially birds, and as a quiet, restful and healing natural environment that the public can continue to enjoy. ((Refer to 27 (c) .... 'graduated building heights' ... with 'higher buildings away from the precinct boundary'.). We also urge you to ensure that the impact of light spill on birds is minimised, especially on breeding and migratory birds.</p>       | 72.5 |
| <p>7. <b>Protection and enhancement of natural heritage</b> – We request that the plan ensure full protection of the awa, aquifers and puna / springs, as well as the geological features such a basalt outcrops. This includes the sensitive and culturally appropriate treatment of Te Wai Unuroa o Wairaka, and the two spring / puna that were uncovered as part of the daylighting works of the Wairaka Stream. The source of these springs should be further investigated and further daylighting of them undertaken as part of the 'daylighting' of the stream. (They should not be covered up again.)</p> | 72.1 |
| <p>8. <b>Control of pets</b> - We request that provision be made in the plan for the control of pets that pose a threat to the natural environment and biodiversity, both within the precinct and in the adjacent Te Auaunga (the valley).</p>  | 72.6 |
| <p>9. <b>Protection / retention of the community gardens</b> 'space' as a culturally significant space – since it has been gardened from early Māori times (Māori tools were found in the gardens, and are now in the marae.) We understand that In the 'deed of sale' between</p>  | 72.7 |

Unitec and the Crown, the land was protected. But, somehow, it has disappeared as part of the open space, and it is intended to be built on.

10. **Name change** - We oppose the proposal to change the name of the precinct as outlined. The name Wairaka should be retained for the precinct because of its historical and cultural significance, and connection with the land / whenua.

72.8

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Malcolm Wong  
**Date:** Thursday, 1 February 2024 7:46:00 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Malcolm Wong  
Organisation name:  
Agent's full name:  
Email address: malcolmwong8@gmail.com  
Contact phone number:  
Postal address:  
11 Rama road  
Point chevalier  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Property address: 1-139 carrington road  
Map or maps:  
Other provisions:

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

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

The reason for my or our views are:  
Reduction in open space and the infarstructure will not be able to support this.

73.1

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Melina Ubeda Browne  
**Date:** Thursday, 1 February 2024 8:00:53 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Melina Ubeda Browne

Organisation name:

Agent's full name:

Email address: melinaubedabrowne@icloud.com

Contact phone number:

Postal address:  
melinaubedabrowne@icloud.com  
Avondale  
Auckland 0600

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The reason for my or our views are:

Open Space:

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown

as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018.

I take my children here, it's wonderful, the people who use it and care for it work so hard, we are intensifying everywhere and lacking green open spaces like this in Auckland. Please don't take another.

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Leave the garden untouched

74.1

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Pia Jaaskelainen  
**Date:** Thursday, 1 February 2024 8:00:51 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Pia Jaaskelainen

Organisation name:

Agent's full name:

Email address: [piacomms@gmail.com](mailto:piacomms@gmail.com)

Contact phone number:

Postal address:

1025

Mt albert

Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Other provision

Property address: Wairaka

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

It is horrific that as a local resident, I only heard of this plan change on my community FB page today, on the last day of submission, as posted by our local Councillor. This type of process undermines the hard work Council does and will all come back to Council being at fault.

I would request a delayed deadline and a minimum budget of 15K for marketing this plan change. This not acceptable for a high scale plan change as the one proposed.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Lengthen the time consultation time frame. This plan change will increase the population immensely without adequate plans for new schools and transport routes and/or infrastructure investments.

75.1

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

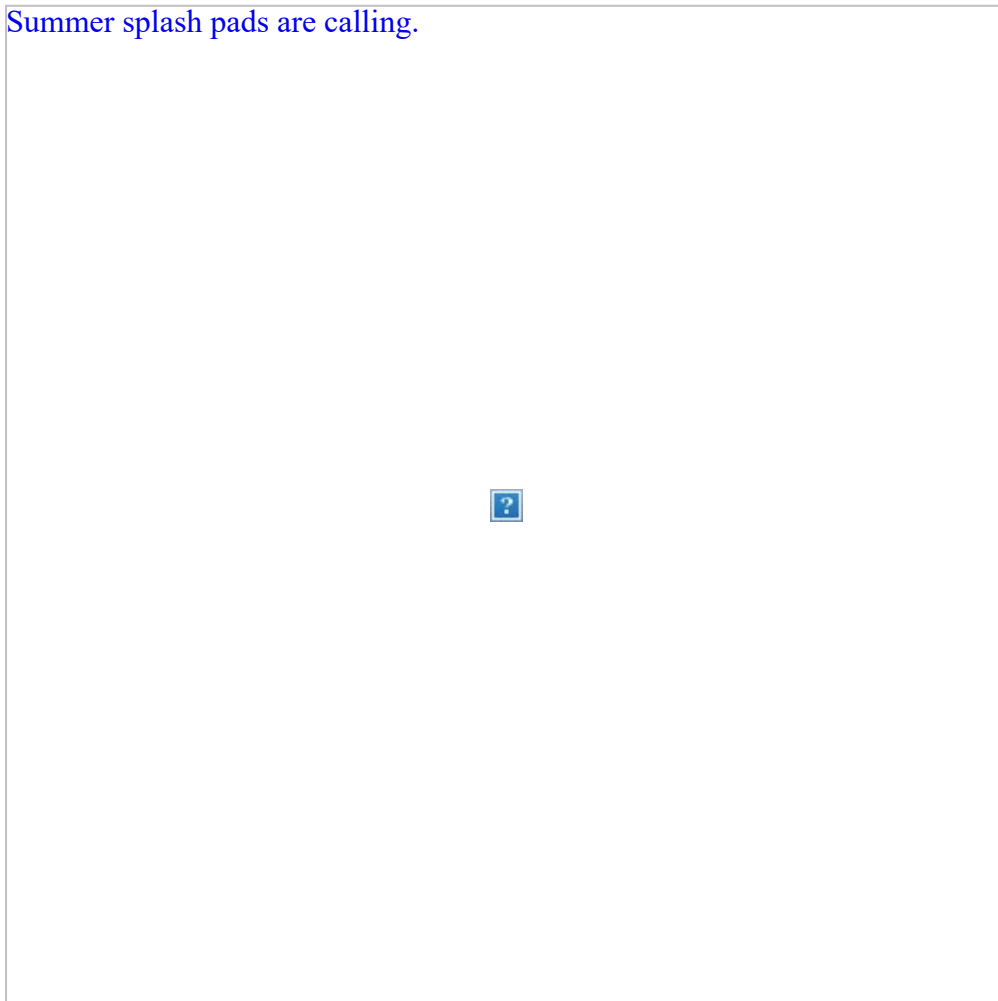
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Kirsten Millen  
**Date:** Thursday, 1 February 2024 8:00:55 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Kirsten Millen

Organisation name:

Agent's full name:

Email address: [kirst.millen@gmail.com](mailto:kirst.millen@gmail.com)

Contact phone number:

Postal address:

Auckland 1026

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:	
-property height increase	76.1
-density increase	
-no space zones for schooling	76.2

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I am all for new development and increased density in Auckland. However, in suburban Auckland, we need to be realistic about the effect of high density on our infrastructure and schooling. I oppose the increase in density that this plan proposes.

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Lucianne Holt  
**Date:** Thursday, 1 February 2024 8:15:47 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Lucianne Holt

Organisation name:

Agent's full name:

Email address: lucianneholt@hotmail.com

Contact phone number:

Postal address:  
3/329 Pt Chevalier Road  
Point Chevalier  
Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
I don't have this information

Property address: Carrington road

Map or maps: Carrington road

Other provisions:  
Xxxx

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

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

The reason for my or our views are:  
Massive change to the agreed plan including but not limited to the number of houses to be built, | 77.1  
height of buildings, no plan for an additional school to accomodate additional head count and | 77.2  
building in the garden land | 77.3

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

Submission date: 1 February 2024

**Attend a hearing**

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



**Declaration**

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

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

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

Yes

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

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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Toni Farrow  
**Date:** Thursday, 1 February 2024 8:15:57 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Toni Farrow  
Organisation name:  
Agent's full name:  
Email address: [toni\\_farrow@hotmail.com](mailto:toni_farrow@hotmail.com)  
Contact phone number:  
Postal address:  
17 Linwood Ave  
Mt Albert  
Auckland 1025

**Submission details**

**This is a submission to:**  
Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
The proposed number and height of the residential dwellings. Increasing the number of individuals.  
The lack of education facilities within the development with all surrounding areas reaching capacity.

Property address: Old unitec

Map or maps:

Other provisions:

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

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

The reason for my or our views are:  
Intensification of the area is to great putting an enormous strain on current roading and education facilities.

78.1

I or we seek the following decision by council: Approve the plan change with the amendments I requested

Details of amendments: Less intensification and thought put into education and transport

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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## Submission by The Tree Council on Plan Change 94 Te Auaunga Precinct

30 January 2024

### From: The Tree Council

**Contact:** Dr Mels Barton, Secretary  
PO Box 60-203, Titirangi, Auckland 0642  
021 213 7779  
[info@thetreecouncil.org.nz](mailto:info@thetreecouncil.org.nz)

### 1. Introduction

- 1.1. Thank you for the opportunity to present **The Tree Council's** submission on **Plan Change 94 Te Auaunga Precinct**.
- 1.2. This submission is made by The Tree Council, an independent, voluntary organisation, a non-profit incorporated charitable society which has been serving the Auckland community since 1986 in the protection of trees and as advocates for the significant benefits and services that our trees and green spaces provide.
- 1.3. We wish to speak to our submission if that opportunity is provided.

### 2. Submission

#### 2.1. Introduction

The Unitec site has long been valued by the local community for its park-like grounds and mature trees. Local people like to visit to walk their dogs, cycle through, picnic, teach their children to drive, go to the gym, grow vegetables and flowers at the Mahi Whenua Sanctuary garden etc. The site boasted over 2000 trees representing around 200 different species, as surveyed by Unitec landscape architecture staff and students as part of their degree in 2010 -2012.

In its new iteration as a housing development, it is estimated that around half the trees have been cut down already. This submission by The Tree Council is to put the case for some of the Knoll Open Space to be retained by Unitec to ensure the protection of the trees which make up the landscape context for Building 48, and that a covenant to be placed on the remaining mature trees on the site, to safeguard their botanical, historic and ecological values and ensure future occupants of the houses to be built will be able to enjoy trees of significant grandeur to enrich their lives. It is essential to ensure that the individual trees to be retained are legally protected via covenant or similar to be placed on the LIM of every property before it is sold to private owners, otherwise these trees will be able to be removed incrementally and the overall ecological and amenity value of these public assets for the entire community will be lost.

Our submission is focussed on 7 points:

1. Lack of an arborist’s report evaluating the remaining trees and inadequate identification of trees in the Morphem Ecological Assessment
2. Lack of evaluation of the remaining trees against the criteria for scheduling as Notable Trees, as is a legal requirement for all Plan Changes.
3. Lack of tree protection / tree works methodologies
4. Lack of archaeological / cultural site protection
5. Open Space Provisions
6. Landscape character and botanical character around Building 48
7. Lack of a Masterplan to evaluate detailed plans for the open space designs ie. which trees will be retained.

**1. Lack of Arborist’s Report**

The Morphem Ecological Impact Assessment (A08) contains a map in Appendix 1 that identifies the location of a number of “significant trees”. However there is no accompanying table that identifies the species, size, health, condition, or protection (or not) of any of these trees, or any indication of whether the proposed development intends to retain any of them and if so how they will be protected. This is totally inadequate and is not a substitute for an Arboricultural Report compiled by a qualified arborist. This needs to be provided.

79.1

**2. Lack of Evaluation of Remaining Trees as Notable Trees**

The documentation provided should include an arborist’s report, compiled by a qualified arborist, evaluating and specifically identifying the remaining trees and assessing them against the Notable Trees criteria for scheduling in the Unitary Plan. We understand that this is a legal requirement for all Plan Changes so that potential Notable Trees are adequately legally protected in perpetuity as part of the Plan Change. Historically all the trees on the site were protected as part of the education zoning and therefore many of those worthy of scheduling were never nominated or evaluated. Many of these significant trees have already been lost as part of the infrastructure works, which were done without public notification or any opportunity to make submissions. This makes it even more important that evaluation of the remaining trees and scheduling of those qualifying is done as part of this Plan Change.

**3. Lack of Tree Protection / Tree Works Methodologies**

The documentation states that the retention of trees on the site will “*counterbalance the increased residential density and built scale of development*” (Open Space Framework, Appendix 4), while not providing for any process that will ensure the retention and legal protection of any of the trees other than those already legally protected as Notable Trees.

79.2

The applicant must provide a tree protection / tree works methodology compiled by a qualified arborist designed to ensure that there are no short or long term adverse effects upon retained trees and that there is a legal process implemented as part of the Plan Change by which all retained trees will be protected in perpetuity. This should include:

- a. scheduling as Notable Trees those evaluated as qualifying against the criteria;

- b. covenanting;
- c. zoning as Open Space, Significant Ecological Area or riparian margin.

#### 4. Lack of Archaeological / Cultural Site Protection

The Mahi Whenua Sanctuary Gardens is a significant cultural site. Maori gardening implements have been discovered in this area. It is thought to have been continuously gardened from pre-European times. These implements are set into the floor of the Marae on the Unitec site. We note that this site is identified as culturally and archaeologically significant in Attachment A11 Archaeological Assessment (R11/3134), however no mention is made of these implements whatsoever. This appears to be a significant omission that needs to be rectified and the protection of the site where they were found prioritised accordingly. We expect this area to be retained and protected and zoned as Open Space. This needs to be made clear.

79.3

#### 5. Open Space Provisions

##### Referring to A 05. Open Space Assessment

2.3 We note the increase and redistribution of open space proposed from 3.6ha to 5.2ha, but also note that this is only achieved by purchase and rezoning of existing open space from Unitec Te Pukenga which decreases the open space ratio for that institution. Of particular concern are 2 existing open space areas currently part of the Unitec campus. One is the Knoll Open Space adjacent and contiguous as a landscape context to Building 48, and the other is the Sanctuary Garden area to the south of the Te Auaunga Access Park that is home to a very highly valued community garden.

79.4

##### Northern Open Space

3.3-3.12 There is only one reference to the existing trees in this area, which are a very strong component of the visual character of the Unitec Building 1 frontage. Clause 3.10 states that "Trees and the existing open space layout can be modified and enhanced, while retaining landscape features of value to the amenity of the open space." The landscape design plan in previous documentation shows retention of the existing trees in the area. AO4 pg 23 shows 6 trees retained, but there are other significant trees in this area which should be retained.

79.5

**Recommendation:** That the applicant be required to reference the landscape plan showing retention of all the significant trees in this area.

##### Central Open Space

3.20 Landscaping: There is no detail provided as to the design of this space with reference to the sentence "There is opportunity for enhancement with planting of trees and other

vegetation at an appropriate scale to support the recreational use and amenity offered by the large open space area.”. As this area has been a sports field with no tree plantings, it seems appropriate to know what the character and location of the proposed planting would be.

79.6

**Recommendation:** That the applicant be required to provide a landscape plan for this open space area as part of the plan change documentation.

### Te Auaunga Access Park

3.28 **Visibility.** No mention is made of the adjacent Mahi Whenua Sanctuary Gardens. It seems appropriate to acknowledge and describe the relationship between the Te Auaunga Access Park and the Mahi Whenua Sanctuary Gardens. These highly valued community gardens are utilised by multiple families in the surrounding community and archaeological evidence (see above) suggests that it has been continuously gardened since pre-European times.

79.7

The Mahi Whenua Sanctuary Gardens are shown as part of the Waiohua – Tamaki Rōpū Lots. Why is it not identified as being as Open Space, which we understood had already been agreed with Auckland Council?

### Knoll Open Space

3.34 **Character.** A strong characteristic of this open space is its relationship to Unitec’s Building 48, built in 1896. The building used for teaching by the School of Architecture has no heritage classification but has strong heritage value nevertheless. Building 48 was the Māori Mental Health unit in the psychiatric hospital era. The Knoll Open Space constitutes the landscape grounds of Building 48. It sits on the ridge with treed lawns rolling down to the north and west of the building to the Spine Road. The Open Space Assessment describes the Notable protected trees appropriately, but neglects to describe that they, and the other trees adjacent relate inherently to the building. As such they should be retained as part of the Unitec campus and continue to be protected as part of the educational precinct around Building 48.

79.8

### South Open Space

3.47 This clause states that the open space area has no stormwater function.

79.9

3.48 This clause states that about a third of the land comprises an artificial high amenity stormwater pond, that clearly has a stormwater function. These clauses seem contradictory. The heavy clay soil in this area does render parts of it wet and boggy in winter. Perhaps these clauses could be amended to give clarity.

There is no indication whether these areas of proposed Open Space will be vested / zoned as such in the Unitary Plan. This needs to be done. It would ensure that remaining trees within

79.10

these areas would be legally protected, providing they survive the development process. This will indicate whether there is in fact additional Open Space being provided by this development or whether existing education land open space is simply being repurposed and counted twice as serving both educational and residential purposes. This is disingenuous.

## 6. Landscape and botanical character around Building 48

79.11

**The Knoll Open Space constitutes the landscape grounds of Building 48.** It sits on the ridge with treed lawns rolling down to the north and west of the building to the Spine Road. The Open Space Assessment describes the Notable protected trees appropriately, but neglects to describe that they, and the other trees adjacent relate inherently to that building. As such they should be retained as part of the Unitec campus and continue to be protected as part of the educational precinct around Building 48.

### Recommendation:

That the notable trees around Building 48 remain as part of the Unitec campus, connected to their *raison d'être*. This would require moving the plan change boundary by 20m to the north of Building 48 to include the notable scheduled *Erythrina crista-galli* (coral tree), *Ginkgo biloba* (ginkgo), and 40m to the west of Building 48 to include the notable scheduled *Jacaranda mimosifolia* (jacaranda) and the stand of 120 year old natives including puriri, pohutukawa, totara and rimu.

Additionally, a covenant should be required to ensure the trees are retained in perpetuity.

## 7. Masterplan

79.12

The documentation lacks a masterplan to enable the public to evaluate detailed plans for the open space designs ie. which trees will be retained.

### Conclusions:

Our submission limits its scope to insisting that that level of intensification proposed demands balancing with open space and large scale vegetation ie. trees.

The Council rightly requires the open space plan to be documented, for the amenity and health of the 12,000 people who may come to live in the precinct. However it is noted that this is achieved by removing the open space areas from Unitec campus. Using an old expression - this seems like robbing Peter to pay Paul. Has a calculation of the remaining open space been done for the Unitec campus to ensure it remains sufficient for student and staff wellbeing? Or is the open space counted for both zones, therefore a kind of double-dipping exercise?



The application demonstrates a notable lack of rigour in providing a comprehensive consideration of all the elements on site. The trees present in the landscape to be developed, represent strong aesthetic, amenity, ecological and heritage values worth preserving.

Thorough assessment and carefully delineated protection protocols built into planning permission will ensure that this large residential development will meet best practice standards. It has the opportunity to become an exemplar of good urban development through ensuring the provision of quality open space in both the residential and educational precincts, and through keeping as many elements as possible of this heritage landscape intact.

Careless destruction will significantly diminish the quality of the development and its surrounding environments.

The value of the remaining trees in the precinct is enormous. Amenity, ecology, water management, pollution control and visual character values make mature trees valuable assets in establishing a new development. However the documentation provided is totally inadequate in even identifying the existing trees, let alone evaluating their quality, health and value and identifying how they will be retained and protected.

The track record of the development activities thus far have taken a 'tabula rasa' approach, with tree removal being undertaken wherever conflict arises, without alternative design solutions being considered in order to retain trees. Therefore we have no confidence that this will not continue to be the approach taken, unless the trees are individually identified for retention and given legal protection via either scheduling or covenant, or retained within Open Space provisions as part of the Plan Change. There needs to be a clear plan for how works will be undertaken without damaging the health of retained trees. This is missing.

The trees around Building 48, the Mana Whenua Sanctuary Garden trees and vegetation and the trees in front of Building 1 are all vital green infrastructure on the site and of high value for the residents of Auckland as a whole, not just for this development, as their Notable status demonstrates

The Tree Council considers it imperative that these public tree assets are identified, evaluated and permanently protected and looks for assurance of this protection within the precinct documentation, which is missing at present.

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Annabel Firth  
**Date:** Thursday, 1 February 2024 8:30:48 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Annabel Firth

Organisation name:

Agent's full name:

Email address: annabel.firth@gmail.com

Contact phone number:

Postal address:

1025

Mt Albert

Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address: Unitech development

Map or maps:

Other provisions:

Lack of any schooling planned

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

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

The reason for my or our views are:

Our children attend Gladstone. Its has a very large roll, one of the smallest sized fields for that roll with ports rooms on the field. The school cannot take anymore children. Astonished for a development this size that the provision for a school hadn't been made. In addition Mt Albert Grammar is one of the biggest schools  
In the country already, they cannot absorb anymore pupils.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Add a primary & secondary school

Submission date: 1 February 2024

| 80.1

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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



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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Rosemary McGlynn  
**Date:** Thursday, 1 February 2024 8:30:49 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Rosemary McGlynn

Organisation name:

Agent's full name:

Email address: mcglynn\_family@xtra.co.nz

Contact phone number:

Postal address:  
8 Norgrove Avenue  
Mt Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Plan change 94

Property address: Unitec

Map or maps:

Other provisions:

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

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

The reason for my or our views are:  
Sanctuary Gardens; no schools, traffic infrastructure not adequate

| 81.1  
| 81.2

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Rachel Simpson  
**Date:** Thursday, 1 February 2024 9:00:50 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Rachel Simpson  
Organisation name:  
Agent's full name:  
Email address: rachel\_simpson@xtra.co.nz  
Contact phone number:  
Postal address:  
7 Hadfield Avenue  
Waterview  
Auckland 1026

**Submission details**

**This is a submission to:**  
Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Building height of Wairaka proposal

Property address:

Map or maps:

Other provisions:  
72 metres is excessive, daylight blocking and a way to increase 4000 to 6000 dwellings. | 82.1  
Not enough proof of infrastructure support available, eg provision for local schools to extend capacity, sewerage , traffic congestion etc | 82.2  
The density of people is excessive and is the equivalent of a small town

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

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

The reason for my or our views are:  
Lack of proven infrastructure for schooling capacity, stage and traffic congestion

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Joanna Waddington  
**Date:** Thursday, 1 February 2024 9:15:51 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Joanna Waddington

Organisation name:

Agent's full name:

Email address: joanna.waddington@xtra.co.nz

Contact phone number: 021852969

Postal address:

Mt Albert  
1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Plan Change 94 Wairaka precinct

Property address:

Map or maps:

Other provisions:  
Lack of large park space/sports grounds  
Lack of education facilities  
Lack of adequate roading in particular when car rail crossings are closed by waka kotahi and we are left with two lane bridge at the Mt Albert shops

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

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

The reason for my or our views are:  
 Considering the number of houses/apartments being proposed in this site and therefore the number of people residing there, there is a totally inadequate amount of facilities being developed. Having lost spaces such as the community gym and indoor sports centre, the squash courts, basketball court, and large playing fields where my children spent many hours growing up what are the children and families who live here going to do to be active and keep out of trouble? I am loathe to say this but we have already seen a sharp increase in crime with the recent development of apartments in the area. Rawalpindi Street, Tasman Ave and Martin Ave. I also cannot believe that a long running community garden is to be sacrificed when it could be providing education and food for the surrounding families.

83.1

83.2



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

Submission date: 1 February 2024

**Attend a hearing**

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

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

**Declaration**

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

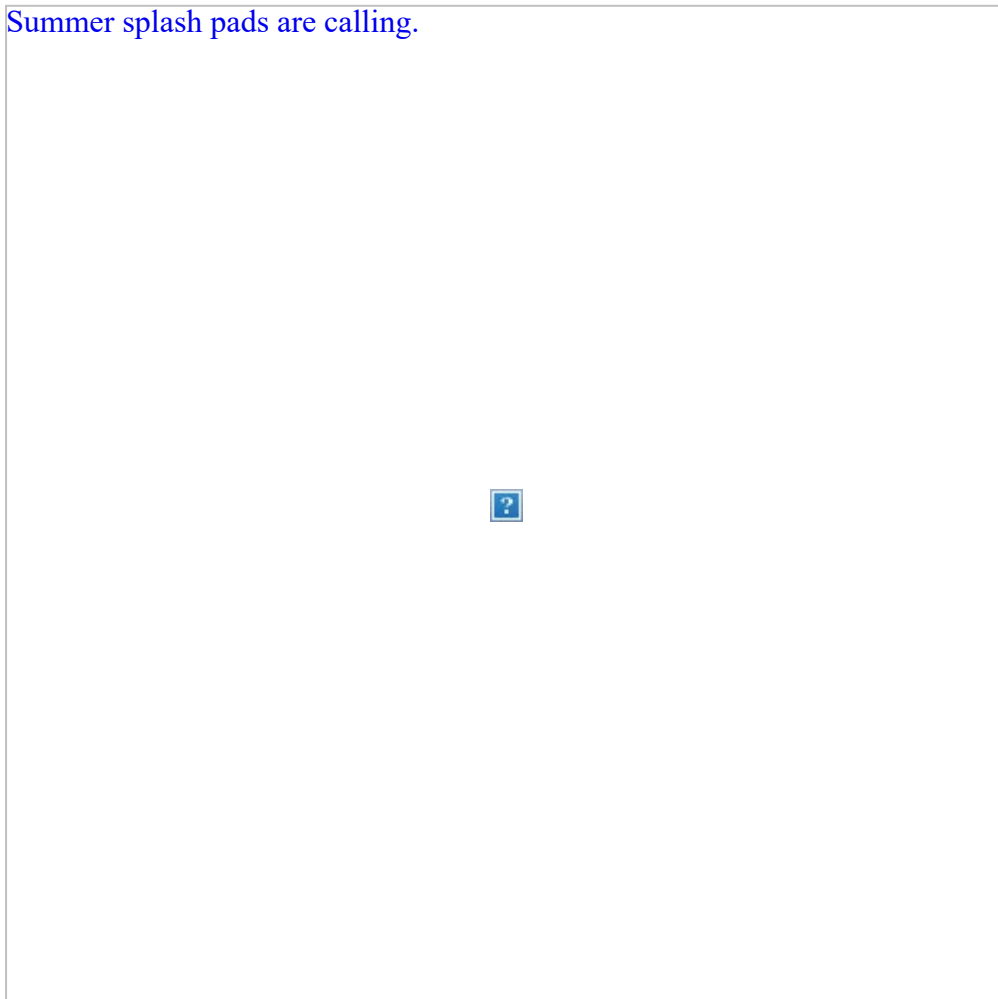
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Roberta Schmulian  
**Date:** Thursday, 1 February 2024 9:15:54 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Roberta Schmulian  
Organisation name:  
Agent's full name:  
Email address: robertaschmulian@gmail.com  
Contact phone number:  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
No land set aside for schools  
Green space not sufficient for number of people & community  
Keep thriving current community projects alive - namely the community gardens  
Stop increasing the amount of homes allowed until we see the impact of 4500 extra homes in the area

Property address: Wairaka Precinct Carrington rd

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Schools in the area are already under pressure and over their capacities. | 84.1

The amount of green space 4.5 h split into 5 areas is definitely not enough to be of benefit to 4500-6000 homes! You will create an unhealthy & closed in housing estate. Think ahead! | 84.2

The community gardens are something many in this area are proud of and invested in. Keep them and protect this space | 84.3

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Sarah Bailey  
**Date:** Thursday, 1 February 2024 9:30:48 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sarah Bailey

Organisation name:

Agent's full name:

Email address: dr.sarahbailey@gmail.com

Contact phone number:

Postal address:

Mount Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
PC 94

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The sanctuary garden needs to be preserved as originally promised. This is a valued community space. I object to the plan change to increase the number of housing as there is inadequate infrastructure to support this many people, ie no new school , not enough recreational land for the amount of people. The suburb of Mount Albert is already extremely busy with lots of traffic.

85.1
85.2
85.3

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Danielle Chew  
**Date:** Thursday, 1 February 2024 9:45:47 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Danielle Chew

Organisation name:

Agent's full name:

Email address: dell\_rouse@yahoo.com

Contact phone number:

Postal address:

23 Maranui Ave

Point Chev

Auckland 1022

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address:

Map or maps: Overall area

Other provisions:

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

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

The reason for my or our views are:

No additional schooling planned

Business mix used but largely plan is to include homes, reducing quality outcomes for those homes  
Set back from Oakley creek is very small, especially considering the flooding impacts in this area in 2023

86.4

Limited green space for volume of homes and residents

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Add schooling facilities, rezone correctly, create appropriate open spaces and set backs from waterways

86.1  
86.2  
86.3

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Sophie Bostwick  
**Date:** Thursday, 1 February 2024 10:00:52 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sophie Bostwick

Organisation name:

Agent's full name:

Email address: sophiejo1974@gmail.com

Contact phone number:

Postal address:

18 Verona Ave

Auckland

Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address: Wairaka precinct

Map or maps:

Other provisions:

The plan change would change the location and amount of open space, and create homes that are zoned Business-Mixed use. It also would allow for a population of 11,000+ without land zoned to support the education of these new residents.

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

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

The reason for my or our views are:

I support intensification, going up rather than urban sprawl, however, it has to be done well to enable strong and healthy communities. This means supporting wellbeing through sufficient open spaces, amenities such as education (many local schools are at or near capacity), and homes that have nice outlooks / balconies for example. The proposed plan changes do not allow for these standards. This development is the first of its kind and its success would set a positive precedent elsewhere - however this plan change puts this success at risk.

87.1  
87.2  
87.3

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Dan Blanchon  
**Date:** Thursday, 1 February 2024 10:15:51 pm  
**Attachments:** [Location of threatened lichen populations.pdf](#)

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Dan Blanchon

Organisation name:

Agent's full name:

Email address: danblanchon@hotmail.com

Contact phone number:

Postal address:

1025

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

##### **My submission relates to**

Rule or rules:

Property address: Proposed Private Plan Change 94 relates to the Wairaka Precinct in Carrington Road, Mount Albert.

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The proposed plan and changes fail to take into account the ecological sensitivity of the overall site and its value as green space to the surrounding community. There are three issues with the proposed plan:

1. The high ecological value of the basalt outcrops appear to have been missed in the ecological surveys. Two rare lichen species are found in the precinct: *Cladia blanchonii* (listed by the Department of Conservation as 'Threatened/Nationally Vulnerable', and *Porpidia albocaerulescens*, listed by DoC as 'At Risk/Naturally Uncommon' (see attached PDF map). These lichen species are likely to be negatively affected by developments, and a management plan should be created as a matter of urgency. The Ministry of Housing and Urban Development was informed of the presence of these lichen species on 1st July 2021, and reminded on 26th August 2022.

2. The long-standing Sanctuary Gardens, which were supposed to be preserved in any development of the Wairaka precinct, appear to be slated to destruction and development as housing. This decision should be reversed.

3. The proposed increase in housing density and decrease in quality vegetated spaces is unwise in the context of climate change and increased flood risks. The severe reduction in green spaces and increase in built up areas will make the area an urban heat island. This will lead to poor environmental and human health outcomes.

I would like the council to require:

1. Protection of the threatened lichen species. | 88.1
2. Protection of the sanctuary gardens. | 88.2
3. A decrease in buildings and increase in quality green spaces (including trees). | 88.3

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

Submission date: 1 February 2024

Supporting documents

Location of threatened lichen populations.pdf

### **Attend a hearing**

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

### **Declaration**

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

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

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

No

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0 10 20 30  
Meters

Scale @ A4  
= 1:2,500

Date Printed:  
26/08/2022

**Place Names**

**Public Open Space Names (8,000)**

Public Open Space Names (8,000)

**Place Name Search**

Place Name Search

**Rail Stations**

**Rail Stations (8,000)**



Rail Stations (8,000)

**Railway Lines**

**Railway (2,500)**



Railway (2,500)

**Auckland Council Boundary**



Auckland Council Boundary

**Roads**

**Roads (2,500)**

Motorway



Motorway Under Construction

Secondary Arterial Road



Secondary Arterial Road Under Construction

Primary Arterial Road



Primary Arterial Road Under Construction

Collector Road



Collector Road Under Construction

Local Road



Local Road Under Construction

**Property**

Property

**Rate Assessment**

Rate Assessment

**Parcels**



Parcels

**Coastline**

**Base Region (CRS)**



Land Outside



Water

**Region Cache Public Open Space Extent**



Region Cache Public Open Space Extent

**LIDAR2006 1m DEM Hillshade**



High : 254 - Low : 0

**NZ Hillshade**



High : 254 - Low : 0

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**Legend**

Date Printed:  
26/08/2022

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Helen Fitness  
**Date:** Thursday, 1 February 2024 10:30:49 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Helen Fitness

Organisation name:

Agent's full name: Helen Fitness

Email address: [hello@helen-fitness.com](mailto:hello@helen-fitness.com)

Contact phone number:

Postal address:  
3/39 Woodward Rd  
Mt Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
It says this is optional to complete

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The proposed density is significant for this piece of land, with no parking required. I support more public transport but there needs to be a happy medium since not everyone can or will use it, and need car parking. I'm also concerned that the heritage trees in the precinct will be felled. Finally, no schooling is planned for a large population increase while nearby schools are near capacity. Quality of life and improved health and environmental outcomes do not appear to have been factored into this plan.

| 89.1  
| 89.2  
| 89.3

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

Submission date: 1 February 2024

**Attend a hearing**



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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Simone Connell  
**Date:** Thursday, 1 February 2024 10:30:50 pm

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Simone Connell

Organisation name:

Agent's full name:

Email address: sconnell@mags.school.nz

Contact phone number:

Postal address:

Mt Albert  
Auckland 1025

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

##### **My submission relates to**

Rule or rules:

Property address: 1-139 Carrington Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Open Space:

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018.

90.1

Clause 25.4 of the “Agreement varying agreement for sale and purchase in Wairaka Precinct” between Unitec and the Crown, March 2018. This agreement was to preserve some 7000 square metres occupied by the Sanctuary Mahi Whenua gardens and food forest.

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

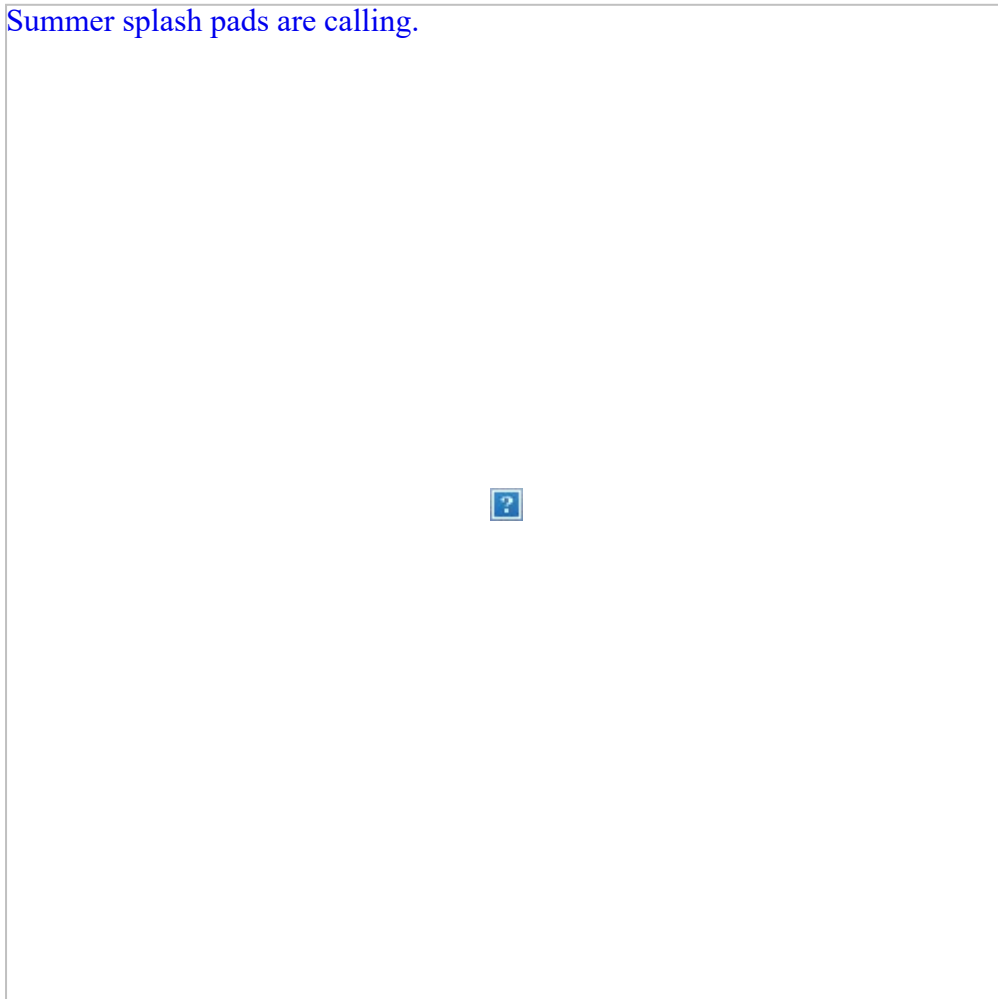
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

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our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Lesley Mitchell  
**Date:** Thursday, 1 February 2024 10:30:57 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Lesley Mitchell  
Organisation name:  
Agent's full name:  
Email address: lesleychristinemitchell@gmail.com  
Contact phone number:  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Threat to the sanctuary māra whenua as a protected space

| 91.1

Property address: Wairaka Development

Map or maps: Sanctuary gardens by oakley creek

Other provisions:

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

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

The reason for my or our views are:

The sanctuary gardens should be viewed as a wonderful existing asset to this new development and were to be kept under the original plans. Now they appear to be under threat. This is a perfect opportunity to create a vibrant community which can have a range of green spaces for people to enjoy in their surroundings. The sanctuary gardens are a well loved and visited space by many and the hard work that has gone into them over the years should be respected and utilised as a strength to a newly established community.

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

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Karen Burge  
**Date:** Thursday, 1 February 2024 11:00:48 pm

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Karen Burge  
Organisation name:  
Agent's full name:  
Email address: karen@goodthing.co.nz  
Contact phone number:  
Postal address:  
7 Stilwell Road  
Mt Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Property address: Former Unitec site  
Map or maps:  
Other provisions:

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

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

The reason for my or our views are:

This is a once in a lifetime to get this right, a beautiful piece of inner city land full of beautiful mature trees, green spaces and historic buildings. I am very worried that we will put intensification of housing ahead of creating a world leading inner city intensive suburb with beautiful nature trees, community gardens, community facilities, connected open space, plenty of parklands and sports facilities and definitely a school!! The Gladstone school site is already over subscribed. It is not a big site at all.

92.1

92.2

Please save the beautiful trees, there was an arboretum on the site with maid to all the beautiful trees. The community garden is legacy and provides people living in intensive housing a way to connect with the earth, don't allow development so close to the creek, the creek is an inner city wilderness, keep it that way. Pls pls don't let this be a bodged together mess.... Let it be world leading!!

92.3

92.4

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: As above, save community garden. Save nature trees, build a school, more community facilities, parks and sports fields. A primary school!

Submission date: 1 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - weicheng huang  
**Date:** Friday, 2 February 2024 12:15:52 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: weicheng huang  
Organisation name:  
Agent's full name:  
Email address: Qqsquare123@gmail.com  
Contact phone number:  
Postal address:

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94  
Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Mixed Housing Urban

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:  
Too crowded

93.1

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

Submission date: 2 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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## Submission on Plan Change 94 (Private): Wairaka Precinct – November 2023

### To:

Auckland Council - [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)

### Name of Submitter:

Ngā Ringa o Te Auaunga - Friends of Oakley Creek

### Introduction:

Ngā Ringa o Te Auaunga - Friends of Oakley Creek Te Auaunga (FofOC) is a community-based organisation that acts as on-the-ground kaitiaki for our local awa and whenua, and concerns itself with the protection, restoration and enhancement of the natural ecological values of Te Auaunga and its environs.

Te Auaunga - Oakley Creek is one of the few remaining open waterways on the Auckland isthmus, flowing through an extensive network of green space and parks, from the northern slopes of Hillsborough Road across the isthmus and out into a marine reserve of national significance – the Motu Manawa Pollen Island Marine Reserve, and Waitemata Harbour. It provides a range of values, including open space, heritage, habitat, recreation and connectivity for both people and wildlife. It is significant as a natural resource and has unique Māori and early European heritage.

Since 2004, FofOC has worked in partnership with Auckland Council, local boards and the community to protect and restore our precious awa and environment. With the support of volunteers, we have planted tens of thousands of trees, undertaken extensive pest plant and animal control, and we regularly monitor the water quality across the catchment.

Whenever the opportunity arises, we advocate for greater protection of the natural environment and improved freshwater quality through policy and regulations, and have submitted on relevant bills, plans and policies, both locally and nationally.

### Submission:

Ngā Ringa o Te Auaunga - Friends of Oakley Creek (FoOC) welcomes the opportunity to submit on *Plan Change 94 (Private): Wairaka Precinct*. (**NB** – When referring to Te Auaunga (the valley) this also includes Te Auaunga (the awa)).

We support the overall concept of the proposed plan change, specifically with regards to the change to allow for a greater use of the land and the development of more housing.

However, we have a number of issues that we wish to raise. These include:

- The proposed name change of the precinct from ‘Wairaka’ to ‘Te Auaunga’.
- The lack of a detailed Master Plan that determines the overall vision for the precinct, in particular, the limited amount of open (and green) space in proportion to the projected density.
- The removal of any reference to a *Stormwater Management Plan*, other than that there should be one - **I334.6.3. Stormwater (1)**.
- The need for the protection of the Significant Ecological Areas (SEAs) – both within the precinct and on Te Auaunga (the valley).
- The protection of Te Auaunga (the valley) from negative the impact from tall buildings.
- The protection and enhancement of the natural and cultural heritage – open / green space, awa, aquifers and springs / puna, and special geological features.
- Need for inclusion of Te Ao Māori Principles to include capacity for the restoration and enhancement of the ‘whenua / environmental / biodiversity / ecology’.
- The threat to the flora and fauna SEAs from uncontrolled pets.
- The need for a pest plant management plan, both during and post construction.
- The need for parking areas for public to access Te Auaunga (the valley).

***NOTE : 1. This private plan change request applies to the existing Wairaka Precinct. This plan change seeks to rename this precinct the Te Auaunga Precinct.***

We oppose the proposed change of the name of the precinct from ‘Wairaka’ to ‘Te Auaunga’.

94.1

The name ‘Wairaka’ has important historical and cultural connections to the precinct, particularly for Māori, but also for pakeha. Wairaka was a female ancestor, the daughter of Toroa, of the Mātaatua waka, which landed in Tamaki Mākaaurau. She is commemorated in the naming of the awa / stream that flows through the precinct.

The Wairaka Stream is fed from a number of puna / springs across the precinct. The main ones are the puna by the ‘hub’ in Unitec, and the two puna by the old pumphouse and community gardens (photo below – Image 1). These latter two were partially uncovered as part of the ‘early works’ undertaken by MHUD, which included partial daylighting of the undergrounded section of the Wairaka Stream. They have not been identified in any of the documentation regarding the site development or assessments of environmental effects. The puna and awa were an important source of fresh water for Māori who lived locally, for use for both daily living and gardening, as is evidenced by finds of pre-European cultivation implements in the community gardens, as well as by legend, describing how Wairaka, when living here, stamped her foot and caused drinking water to flow from the ground. These springs were also important for Pakeha as the source of water for early settlement in the area. The location of the Pumphouse, built in the early 1900s would confirm this.

The proposed name of Te Auaunga is not appropriate for this precinct as this is the Māori name of Oakley Creek which flows for some 14 kilometers across the isthmus, including through Council reserve land immediately to the west of the precinct (Te Auaunga – the valley). But, it is not within the boundaries of the precinct, whereas the Wairaka Stream is, for almost its entire length.

Te Auaunga, is a taonga and the name should be reserved for the awa. Changing the precinct name to Te Auaunga will not only devalue the awa, but it will also cause considerable confusion. In a number of clauses throughout the document (some outlined in our submission), when the term Te Auaunga is used, it is confusing and unclear as to whether it is referring to the awa / Council reserve or the precinct. There will be confusion for both the residents / tenants of the precinct and the wider public with the name being used for both the awa and the precinct. This will include when people are wanting to visit Te Auaunga, the awa / reserve, and they come up with a development {on the internet and with signage). And to get to Te Auaunga (the awa), in most instances, they will have to go through Te Auaunga (the precinct).

We, thus, oppose the proposed name change. The name Wairaka should be retained for the precinct because of its historical and cultural significance, and connection with Wairaka, after whom it was named, and with the Wairaka Stream, which flows through it.



Image 1.

**PART B AMENDMENT TO I334:**

**Page 4:**

**I334.1:**

Para 3:

We support the change (from Plan Change 75) to include - *The interfaces between different activities are a key part of providing this amenity, and will be managed by provisions including setbacks and landscaping.*

94.2

However, we would request that an addition to this clause be made to give mention of setbacks from the natural and sensitive environment of the puna / springs on the precinct, the Wairaka Stream, and the Significant Ecological Area (SEA) land both within the precinct and the Council reserve land surrounding Te Auaunga – Oakley Creek, and any future open / green space within the precinct.

Para 7:

We support the clause - *The .... Precinct provides objectives for the restoration and enhancement of Māori capacity building and Māori cultural promotion and economic development within the precinct.*

However, we are concerned that there is no mention of providing capacity for the restoration and enhancement of the ‘whenua / environment / biodiversity / ecology’ from a Te Ao Māori perspective, which has so much to offer with regards to the outcome of the precinct development and environment.

**Page 5:**

Para 4 [Open Space]:

We support the addition (from Plan Change 75) of - *‘The open space network for the precinct is provided for by way of a combination of identified areas, and indicative areas, including walking paths and shared paths (shown on Precinct plan 1) and future areas and walkways / shared paths which are to be identified and developed as a component of the future urban intensification envisaged.’*

However, we are concerned at the lack of detail on *Precinct plan 1 (Page 55)*, and that there is no Master Plan for the precinct. Before any development commences, a detailed Master Plan must be in place that is visionary, and that defines what / how much open space there will be, where it is to be, from an overall precinct perspective, and what type of open space it will be / what it is to be used for. Without this, there is a serious risk of the precinct ending up with an open space network that is far from adequate, and that is not fit for purpose from both an environmental and human health and wellbeing perspective.

94.3

**Page 7:**

(6) *Identified heritage values are retained through the adaptation of the scheduled buildings and retention of identified trees, together with the management of the historic heritage, and Māori sites of significance on ~~Oakley Creek~~ Te Auaunga land, and the contribution they make to the precinct's character and landscape, are recognised, protected and enhanced in the precinct.*

94.4

We assume that, originally, this was referring to the Oakley Creek (the valley / Council) land since it originally read ‘Oakley Creek’. If this is the case, this clause should not be included. The developers of the Precinct have no jurisdiction over the management of Te Auaunga (the valley / Council reserve).

However, we recommend that the clause is retained and changed to read *‘Identified ..... on the Wairaka Precinct land ...’* to ensure the protection of the ‘natural heritage’ across the precinct.

**Page 8:**

(12) *The restoration and enhancement of Māori capacity building and Māori cultural and economic development within the precinct is provided for, promoted and achieved.*

As per above (**Page 4, Para 7**) - we support this clause, but are concerned that there is no mention of the protection of, nor restoration and enhancement of the 'whenua / environmental / ecological' capacity from a Te Ao Māori perspective.

94.5

We, thus, request that the plan include the capacity for the protection of, and restoration and enhancement of the 'whenua / environmental / biodiversity / ecology' from a Te Ao Māori perspective. This would include further planting of areas of native bush / ngahere to provide improved habitat for our native terrestrial fauna, and more shade over the Wairaka Stream to protect and enhance the habitat for, and to protect our native aquatic fauna.

- (13) *Provide for increased heights in appropriate parts of the precinct so as to provide greater housing choice, increase land efficiency, benefit from the outlook from the precinct, and create 'landmark' buildings in the north western part of the precinct.*

We support greater intensification of our urban environment. However, with regards to the height of the buildings surrounding any of the open space network, and specifically the Significant Ecological Areas (SEAs) both within the precinct (refer Image 2 below) and on the adjacent reserve land of Te Auaunga (the valley), we request that buildings do not tower over these lands. This is to ensure the protection of the bush and reserve land, both from an ecological perspective, and the retention of it as a quiet, restful and healing space where people can go to escape the stresses of city life, as they have been doing for decades. This refers, in particular, to the western *Height Area 2*, which is proposed to allow for build of up to 35m - which is much higher than other areas along the creek boundary - 16m for Terrace and Apartment Zone and 27m for the Business - Mixed Use Zone.

94.6

### ***I334.3. Policies***

#### ***Precinct – General:***

#### **Page 9:**

- (4) (i) *Identification and protection of significant landscape features, the adaptation of the scheduled historic buildings, identified trees and **integrated** open space network;*

As mentioned above (**Page 5, para 4**) – a successful '*integrated open space network*' can only be achieved if there is a visionary and detailed Master Plan that covers this.

- (10) *Enable subdivision and development that is compatible with and sensitive to the ecological qualities of the ~~Oakley Creek~~ Te Auaunga and the Motu Manawa Marine Reserve.*

This is another example of confusion that would ensue if the name of the precinct is changed to Te Auaunga. In this instance it was obviously referring to Te Auaunga (the awa / Council reserve). While it is clear to those of us who are local and know the area, with the proposed change of the name of the precinct this clause may be unclear as to whether it is referring to the 'precinct' or the 'awa / Council reserve'. And Te Auaunga (the precinct) can definitely not claim to have the level 'ecological qualities' that Te Auaunga (the awa) does.

Page 10:

***Built Form and Character***

(14) We support the addition of the wording ‘... *to provide appropriate native landscaping* ...’.

However, we oppose the loss of the wording ‘*to be sympathetic*’, as ‘*contemporary and high quality design*’ does not, necessarily, imply that it is ‘*sympathetic*’ to the surrounding landscape – i.e. in this instance sympathetic to ‘... *the significant ecological area of ~~Oakley Creek~~ Te Auaunga ...* (the valley)’.

Also, as we have referred to previously, there is some ‘significant ecological area’ (SEA) land within the precinct – bordering on the SEA land of Te Auaunga (the valley), on the west side of Ngati Whatua land in the south-west of the precinct (see below - Image 2).

We, thus, recommend that the clause be changed to read – *Require proposals for new buildings, structures and infrastructure or additions to existing buildings, structures and infrastructure adjoining or adjacent to the significant ecological areas both within the Wairaka Precinct and Te Auaunga (the valley) to be sympathetic to them, and to provide appropriate native landscaping and provide contemporary and high-quality design, which enhances the precinct's built form and natural landscape.*



Image 2

(14B) If the precinct name changes this is yet another example of confusion. Will the clause be talking about the ‘proximity and amenity’ of Te Auaunga (the valley) or Te Auaunga (the precinct). Also, since we are assuming the part of the clause ‘... *leverage the proximity and amenity of Te Auaunga*’ is referring to the awa and reserve land, we are unclear as to what this implies. Does this mean allowing for additional height of the buildings to give a view of the Te Auaunga (the valley)?



As we have mentioned above, we are concerned about the impact that tall buildings will have on Te Auaunga (the valley). Research has shown that an increase in the levels of artificial light can lead to an imbalance in biodiversity, including greater levels of predation, particularly on our native fauna such as invertebrates and smaller birds.

Also, again, if there is passive surveillance over reserve, it will take away people's ability to recreate in a quiet, restful and restorative space – as is currently the situation.

**Page 10 Cont'd:**

**Open Space:**

As per above (**Page 5**, Para 4 [Open Space]) we are concerned that there is a limited amount of detail with regards to the open space on the precinct. If the proposed plan change is approved the amount will be unspecified. Also, there will be no mention of how the public space is to be apportioned and utilised.

We are particularly concerned that, without an adequate amount of quality open and green space, the pressure on the adjacent reserve land (SEA) on Te Auaunga (the valley) will be extensive and detrimental to this valuable resource. And, the same will apply to other local parks / reserves such as Waterview, Howlett and Eric Armishaw.

As per the *Reference Masterplan & Strategic Framework, Ngā Mana Whenua o Tāmaki Makaurau & Crown 2019* (page 12, section 1.4) the original area of open space was 11.28 ha (7.72 + 3.56 ha from road reserve) for 26.6 ha the Crown owned at the time – approx 42%. The Crown has since purchased a further 10.67 ha, giving a total of 37.37 ha. Proportionally, if the amount of road reserve stayed the same (3.56 ha), compared with the 'reference master plan', the overall area of open space should be approx 15.67 ha, with the non-road reserve being a minimum of 12.14 ha.

The plan should specify the amount of open space (as above), including what proportion is to remain private open space (not vested with Auckland Council), and what is public open space (vested with Auckland Council - should they accept it).

94.8

The amount of open space needs to provide for the number of people who will, eventually, reside / live / work on the precinct. The public open space should, also, clearly outline how it will be used e.g. for conservation / ecology, informal recreation, active recreation, civic spaces and community spaces.

94.9  
94.10

Also, any of the land that serves as a 'utility' e.g. stormwater detention ponds, and is not available for the public to utilise, should not be included as part of the 'open space' area.

94.11

(Also refer to **Page 52 - I334.10.1 ~~Wairaka~~ Te Auaunga: Precinct plan 1.**)

- (16) *Provide public connections to ~~Oakley Creek~~ Te Auaunga from Carrington Road through public roads and open space, giving quality public access to this ecological area.*

This is yet another example of the potential for confusion with the proposed name change to the Te Auaunga Precinct.

## Page 12:

### Integrated development

- |   |       |
|---|-------|
| (27) (c) We recommend that the clause be changed to read - <i>‘Require graduated building heights ..... that adjoin Mixed Housing Suburban residential areas to the south of the precinct, and the significant ecological areas (SEAs) both within the precinct and in Te Auaunga (the valley) .’</i> | 94.12 |
| (28) We support the existing clause – <i>‘Encourage ... public open spaces .... to be planned and designed on a comprehensive land area basis, rather than on an individual site basis.’</i> This clause is essential to ensure there is a ‘precinct wide’ approach to the open space.                | 94.13 |

However, as mentioned previously, this will only happen if there is a comprehensive Master Plan that is visionary and defines what / how much public open space there will be (a minimum of 12.14 ha), where it will be, and what it will be used for.

## Page 14:

### Sub-Precinct C:

- |   |       |
|---|-------|
| (40) <i>‘Provide quality dwellings which face west across <del>Oakley Creek</del> Te Auaunga, providing passive surveillance of the public lands within <del>Oakley Creek</del> Te Auaunga Valley.’</i> | 94.14 |
|---|-------|

We are *opposed* to the proposal that dwellings provide ‘passive surveillance’ over Te Auaunga (the valley), not just in Sub-Precinct C, but over the entirety of the western boundary of the precinct. As we have mentioned previously, Te Auaunga (the valley) is a quiet, bush walk where people go to get away from the hustle and bustle of urban life; and where they can enjoy this special, restful and healing space that Te Auaunga (the valley) provides. The public do not want tall buildings that provide ‘passive surveillance’ towering over their quiet space. (We refer to (27) (3) which refers to ‘graduated building heights’ – with ‘higher buildings away from the precinct boundary’.)

## Page 20

### 1334.6.3. Stormwater

- (1) *All subdivision and development of the land in the precinct must be consistent with ~~the~~ an approved stormwater management plan.*

Also refer to our comment on *1334.9 – Stormwater Management Plan* below.

## Page 52

### 1334.9. Special information requirements

#### Stormwater Management Plan

We oppose and query why it is proposed that this clause be deleted. This removes any reference to a Stormwater Management Plan (SMP), other than, as per **1334.6.3** which is proposed to be changed to '**an**' *approved stormwater management plan*'. A plan was prepared and approved in May 2021 – (*Wairaka SMP Final May 2021 Combined*). And, we understand that some of the early works have been / are being undertaken under this. If this SMP is no longer fit for purpose, what is planned to replace it? It is essential that an SMP is in place before any further development takes place.

**Page 55:**

**1334.10. Precinct Plans**

**1334.10.1 - Precinct plan 1**

We are concerned at the lack of detail in the plan, particularly with regards to the open space and its uses. While the plan does show open space and walking and cycling connections, the extent of open space appears small in relation to the projected density of residential development and the number of residents who will be living there in the future, particularly with the proposed plan change and rezoning.

Also, the width of the open space connection to Te Auaunga (the valley) at the south end of Sub-Precinct A has been significantly reduced, compared to what was planned prior to some of the land changing hands (now owned by the WDHB).

We, thus, request that details be added to specify the amount of open space required across the precinct - both public and private, and the proportional allocation for the various uses (as per above), and to clearly indicate the what and where of the land.

(Also refer above - **Page 5: Para 4 & Page 10 – Open Space.**)

**Other:**

**Protection of natural heritage – awa, aquifers, puna / springs, geology:** Apart from the mention of *identified trees (Page 7(6))*, we are concerned that there is no mention of the protection of the natural heritage, including and the awa and puna / springs, nor of the geological features across the precinct such as the basalt outcrops.

As outlined under **Note 1** (page 1 above) the protection of the Wairaka Stream and the puna / springs that feed it is critical. The puna include one by the 'hub' in Unitec; and two by the old pumphouse and community gardens, which were partially uncovered as part of the 'early works' and daylighting of the Wairaka Stream that was undertaken by MHUD. These are all significantly and culturally importance to both Māori and pakeha, and it is essential that they are protected

**Pest plant management:** It has been our experience that, since work commenced on the precinct, the level of pest plant growth, particularly on temporarily bare / unused ground, has been exponential. We are already seeing signs of some of the more invasive weeds spreading into Te Auaunga (the valley). Volunteers, along with Council contractors, have been working for over 20

years to clear Te Auaunga (the valley) of weeds, and to restore it. So, it is critical that these pest plants are controlled across the precinct.

We, thus, request that a pest plant management plan, that all parties to the development across the precinct must adhere to, be included and put in place asap to prevent further spread of invasive weeds, particularly into the surrounding SEA land, both within the precinct and on Te Auaunga (the valley).

**Control of pets:** Because the precinct includes an area of, and borders with a Significant Ecological Area (SEA) – Te Auaunga (the valley), we are concerned about the potential for serious impact that uncontrolled pets will have on the biodiversity of these areas, if they are not kept under control. We thus request that the precinct plan include a policy covering the management of pets to avoid any negative impact on the biodiversity, particularly the native fauna. This would include cats needing to be kept in side, and dog owners being informed and adhering to the Council bylaw that Te Auaunga (the valley) is a ‘dogs on leash’ area.

94.17

**Parking areas for access to Te Auaunga (the valley):** There is reference, in a number of places, to providing access to Te Auaunga (the valley). However, there is no mention of providing parking for the general public, once they find their way through the precinct. We, thus, request the inclusion in the plan of parking areas, including with bicycle racks for ease of access to Te Auaunga (the valley) by the general public.

94.18

#### Summary of issues:

1. **Name change** - We oppose the proposal to change the name of the precinct as outlined in *Note 1*. The name Wairaka should be retained for the precinct because of its historical and cultural significance, and connection with the land / whenua.
2. **Master Plan** -We request that the precinct plan include the requirement for a detailed ‘Master Plan’ that is prepared in consultation with the local community. As per above (Open Space) it should specify the amount of open space (minimum of 12.14 ha), including where it will be located. Also, it should include the make-up of the open space with regards to its uses and accessibility to the general public e.g. for conservation / ecology (to include planting of native bush areas), informal recreation, active recreation, civic spaces and community spaces.
3. **Stormwater Management Plan** – We request that clause *I334.9. Special information requirements – Stormwater Management Plan* be retained, or an amended version be included to ensure guidelines are in place for the appropriate management of stormwater, and the protection of the receiving environments - Te Auaunga and the Motu Manawa Marine Reserve.
4. **Protection of Significant Ecological Areas (SEAs)** - We request that the ‘*setbacks from the natural and sensitive environment*’ apply to all SEA land, both within the precinct and on Te Auaunga (the valley), to ensure the protection of the biodiversity, and allow for the potential for greater restoration and ecological enhancement of these valuable areas.

94.19

5. **Protection of Te Auaunga (the valley) from the negative impact of overshadowing, light spill and passive surveillance from tall buildings** – We request that buildings on the border with Te Auaunga (the valley) conform with 27 (c) .... ‘*graduated building heights*’ ... with ‘*higher buildings away from the precinct boundary*’ to minimise any light spill, and to ensure the ‘valley’ is maintained as a quiet, restful and healing natural environment that the public can continue to enjoy, and also to protect the native fauna.
6. **Protection and enhancement of natural and cultural heritage** – We request that the plan ensure full protection of the awa, aquifers and puna / springs and the surrounding natural environment, as well as the geological features such a basalt outcrops. This includes the sensitive and culturally appropriate treatment of Te Wai Unuroa o Wairaka, and the two springs / puna that were uncovered as part of the daylighting works of the Wairaka Stream. The source of these springs should be further investigated and further daylighting of them undertaken as part of the ‘daylighting’ of the stream. (They should not be covered up again.) 94.20
- This should also include the culturally and archaeologically significant site of the Mahi Whenua Sanctuary Gardens (refer to Sanctuary Mahi Whenua submission). 94.21
7. **Te Ao Māori ecological principles** - We request that the plan include the need to provide capacity for the protection of, and restoration and enhancement of the ‘whenua / environmental / biodiversity / ecology’ from a Te Ao Māori perspective. This would include further planting of areas of native bush / ngahere to provide improved habitat for our native terrestrial fauna, and more shade over the Wairaka Stream to protect and enhance the habitat for, and to protect our native aquatic fauna 94.22
8. **Control of pets** - We request that provision be made for the control of pets that pose a threat to the natural environment and native fauna, both within the precinct and in the adjacent Te Auaunga (the valley).
9. **Pest plant management** – We request that a pest plant management plan be included and implemented asap to prevent further spreading of invasive weeds, particularly into the surrounding SEA land, both within the precinct and on Te Auaunga (the valley).
10. **Parking areas for access to Te Auaunga (the valley)** – We request the inclusion of parking areas, including with bicycle racks for ease of access by the general public to Te Auaunga (the valley).

We wish to speak to our submission, should the opportunity arise.

With thanks.

Sincerely,

Wendy John  
 Project Manager  
 4/65 Woodward Road  
 Mt Albert, Auckland 1025  
 027 232 6454  
[info@oakleycreek.org.nz](mailto:info@oakleycreek.org.nz)  
[www.oakleycreek.org.nz](http://www.oakleycreek.org.nz)

1<sup>st</sup> February, 2024

**Other submissions:**

We support the submission of:

- Sanctuary Mahi Whenua
- The Tree Council
- Birds New Zealand

**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Sonny Rahman  
**Date:** Friday, 2 February 2024 5:00:32 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sonny Rahman

Organisation name:

Agent's full name:

Email address: s\_rs@hotmail.co.uk

Contact phone number: 0221750762

Postal address:

2 Mark Road  
Mount Albert  
Auckland 1025

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

I'm opposing to anything more than ) stories high.

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I don't wanna be surrounded by these high rise buildings and have no views of the surrounding area. We've owned a house in this area for 20 years and don't wanna see this beautiful neighbourhood getting ruined by these so called high rise dwellings. You must be out of your mind to even think of putting dwellings as high as 70 metres across carrington road and turning Mark Road into a high traffic area.

95.1

95.2

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Max 6 story high buildings no more than that.

Submission date: 2 February 2024

**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

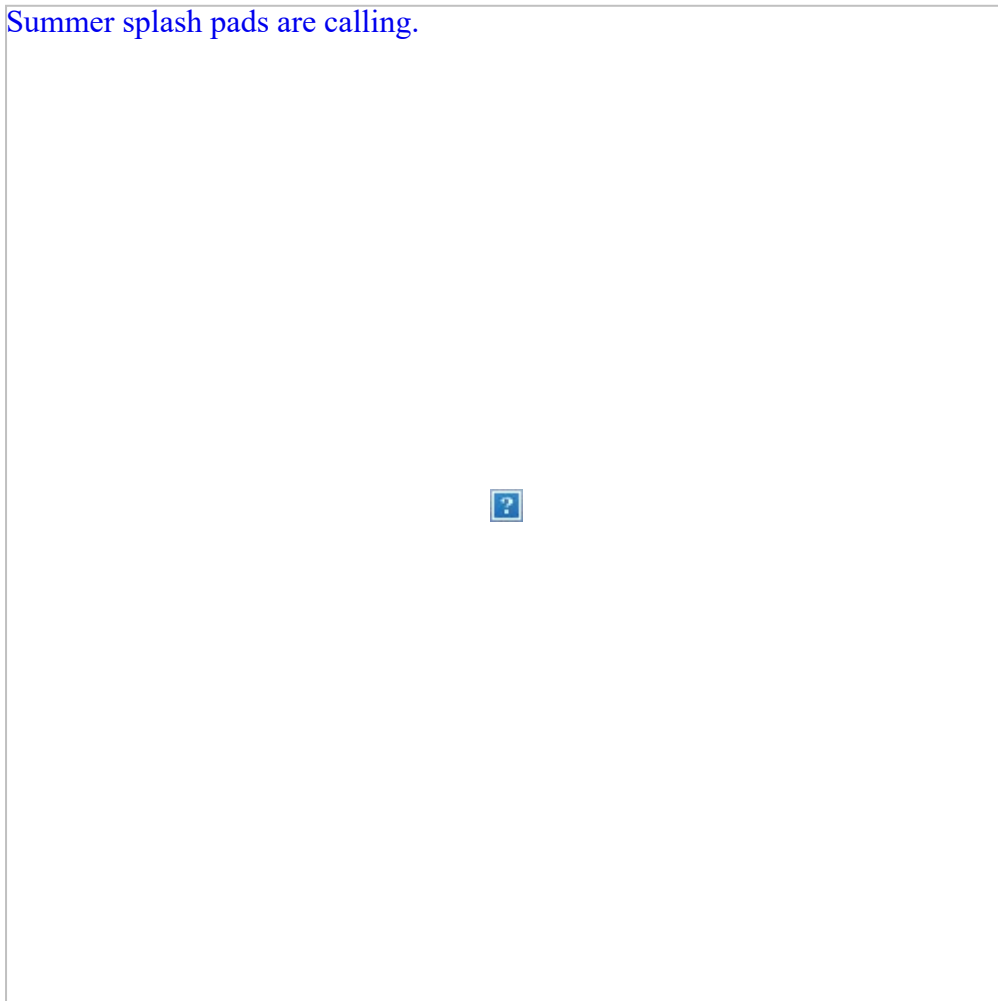
Are you directly affected by an effect of the subject matter of this submission that:

- 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.

[Summer splash pads are calling.](#)



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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Karine DAVID  
**Date:** Friday, 2 February 2024 8:00:27 am

---

The following customer has submitted a Unitary Plan online submission.

#### Contact details

Full name of submitter: Karine DAVID

Organisation name:

Agent's full name:

Email address: [kdavid014@yahoo.fr](mailto:kdavid014@yahoo.fr)

Contact phone number:

Postal address:  
7C Raetihi Crescent  
Mt Albert  
Auckland 1025

#### Submission details

##### This is a submission to:

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

##### My submission relates to

Rule or rules:  
Property address: 1-139 Carrington Road

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Oppose the name change.

1. No reason has been given for the name change proposal.

Also;

The name 'Wairaka has historically important connections to this site, particularly to Maori but also to pakeha. Wairaka was a female ancestor, with links to numerous iwi who lived here and is commemorated in the naming of the stream that flows through the precinct, and in the puna or springs that contribute to the awa. The name Wairaka should be retained for the development because of its historical and cultural significance, and because it is a meaningful feature of the site.

It should be noted that a large part of the water flow in the Wairaka stream is contributed by sizeable springs, located in the area near the SMW community gardens. Yet these springs have not been identified in any of the documentation regarding the site development or assessments of

environmental effects. They were confirmed to exist and revealed during 'daylighting' work on the stream

They are assumed to be an important source of fresh water for Maori who lived nearby, for both daily living and for horticultural production, as is evidenced by finds of pre-European cultivation implements in the community gardens, and by legend, describing how Wairaka, when living here, stamped her foot in anger and caused drinking water to flow from the ground. These springs were certainly also important for Pakeha as the source of water for early settlement in the area. The location of the Pump-house, built in the early 1900's would confirm this.

The proposed name of Te-Auaunga is not appropriate for this precinct as this is the original name of Oakley Creek which is some distance away to the west and is a waterway that flows from Hillsborough, through Mt Roskill and Waterview to the Waitemata by the Western motorway causeway, near Pollen Island. It is not within the boundaries of land in question, whereas the Wairaka stream is, for almost its entire length.

The Te Auaunga name is generally understood to translate as a reference to 'swirling waters', a name perhaps with less meaning than the reference to an important forebear. It is also found in the name of Nga Ringa o te Auaunga/ Friends of Oakley Creek, an organisation that has worked tirelessly for many years to protect and enhance Te Auaunga along its whole length. I believe this organisation, as the prior bearer of the name, would be better served by retaining the distinction from the current development so that its crucial work is not confused in the mind of the public.

2. Building height controls:

It is unclear if the increased height sought will allow more open space to be available to the community, by building up rather than out, or if the additional height is simply to increase yield.

96.2

3. Masterplan:

There is no masterplan to place in context the proposed public open spaces, private open spaces, and on-site services for a new community with diverse needs (eg schools etc.). The 2019 document the applicant considers a masterplan is a high level masterplan as noted in paragraph 5 of the Cabinet Business Paper of 29 June 2022 (available at www.hud.govt.nz).

96.3

4. Open Space:

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

96.4

The open space grassland areas by the Pump-house, and to the west of the southern park, become boggy when wet. This will require significant mitigation to be suitable for year-round use by the community for activities.

Under E3, request for information on the potential presence of rock forest with descriptions of substrate where vegetation cover is mapped in RFI E1, the applicant response was; "There is no rock forest present within the plan change area. ... There are two exposed rock outcrops within the plan change area which are either unvegetated or covered with exotic grasses. Elsewhere exposed rock has been fashioned into a rock wall to the south of the Central Wetland."

However, the outcrop by the road (stormwater management device) is the type locality for the native lichen species *Cladia blanchonii*.

"According to Blanchon, the *Cladia blanchonii* lichen is an important part of our ecosystem. "It's part of the native biodiversity of our campus. Most of our campus is exotic plants – all the grasses are exotic, many of the trees are exotic – but when you look at the rock outcrops, all the lichens that are growing on them are native. So the rocks are hotspots of native biodiversity, and *Cladia blanchonii* is one of those species." ""

96.5

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Provide a masterplan that gives context to the placement of significant

community services, facilities, and open space (whether public or private).

Submission date: 2 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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



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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Sara Remnerth  
**Date:** Friday, 2 February 2024 8:15:21 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Sara Remnerth

Organisation name:

Agent's full name:

Email address: remnerth.sara@gmail.com

Contact phone number:

Postal address:  
1/13 Alford street  
Waterview  
Auckland 1026

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

Property address: The new development suggested by the old united buildings by carrington road in mt Albert

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:

While I agree with the intensification of areas relatively close to the city centre - I'm of the opinion that this will be putting too much pressure on the infrastructure, schools and other facilities in the area.

97.1

I suggest for a smaller part of this area to be developed, with lower building heights and with more green areas.

97.2

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Less total amount of housing, lower buildings, more green/public areas

Submission date: 2 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz](mailto:UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Talia Browne Goodger  
**Date:** Friday, 2 February 2024 8:30:19 am

---

The following customer has submitted a Unitary Plan online submission.

#### **Contact details**

Full name of submitter: Talia Browne Goodger

Organisation name:

Agent's full name:

Email address: taliagoodger@hotmail.com

Contact phone number:

Postal address:  
34 Fergusson Ave  
Sandringham  
Auckland 1025

#### **Submission details**

##### **This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

##### **My submission relates to**

Rule or rules:

Property address: 1-139 Carrington Rd, Mt Albert

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Open Space:

Five open spaces amounting to 5.1 ha have been identified for potential vesting to Auckland Council, which is less than the 7.7 ha given in the 2019 Reference Plan based on 26.6 ha. In addition the 2019 document identified a further 3.56 ha as road reserve.

Subsequently a further 10.6 ha was purchased in the precinct, yet there is no indication how much this will contribute to extra open space.

At the moment 5.1 ha has been identified as potential public open space, but it is not clear where other open space (public or private) will be. The area on which the Sanctuary community gardens and food forest is based is not one of these identified open space areas. I expected it to be shown as an open space area as I understand this area was to be preserved through the sale and purchase agreement between Unitec and the Crown in 2018.

98.1

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

Submission date: 2 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

No

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Renee Mathews  
**Date:** Friday, 2 February 2024 8:45:19 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Renee Mathews

Organisation name:

Agent's full name:

Email address: reneecatmat@gmail.com

Contact phone number:

Postal address:

21 Fir Street  
Auckland  
Auckland 1026

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:

There is no provision made for schooling for the 12,000 plus new residents. Not enough green spaces.

Property address: Wairaka

Map or maps:

Other provisions:

The local schools are nearing capacity. It seems unwise for such a large development to not have provided schooling. I am also opposed to the culling of large old trees. After the flooding we have had recently in the area, this also seems extremely short-sighted and unwise.

99.1  
99.2  
99.3

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

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

The reason for my or our views are:

The local schools are nearing capacity. The removal of established trees increase flood risk. This needs to be thought through more deeply!!! We need more schools and more green spaces. Trees need to be incorporated into the plan. Yes we can provide more homes, but does it have to be rushed and poorly planned??

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Schools, more green spaces, consideration of existing mature tress.



Submission date: 2 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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**From:** [Unitary Plan](#)  
**To:** [Unitary Plan](#)  
**Subject:** Unitary Plan Publicly Notified Submission - Plan Change 94 - Evelyn McNamara  
**Date:** Friday, 2 February 2024 9:15:16 am

---

The following customer has submitted a Unitary Plan online submission.

**Contact details**

Full name of submitter: Evelyn McNamara

Organisation name:

Agent's full name:

Email address: [evelyn@ema-architects.com](mailto:evelyn@ema-architects.com)

Contact phone number:

Postal address:  
5 Howlett Street  
Waterview  
Auckland 1026

**Submission details**

**This is a submission to:**

Plan change number: Plan Change 94

Plan change name: PC 94 (Private): Wairaka Precinct

**My submission relates to**

Rule or rules:  
Plan change 94

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:

This development is embarrassingly short sighted and cheap. More thought needs to go into amenity and quality - if built this will become a slum. | 100.1  
Sure, build more houses here, but get it right and provide a school and park space. Point Chev already has yet another social housing block going in - you're destroying a suburb. | 100.2  
Not to mention clogging roads as the residents in this proposed development are not likely to work in the city. | 100.3  
| 100.4

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

Submission date: 2 February 2024

**Attend a hearing**

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

**Declaration**

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

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

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

Yes

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

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