

# Additional Topic<sup>1</sup> Allocation Form

<b>Submitter name</b>	Geoffrey John Beresford
<b>Submission number</b>	1245
<b>Further submission number</b>	-
<b>Date</b>	24/3/23

This form is to be completed by submitters who wish to have their submissions allocated to additional hearing topics. Please use the [Guide to creating topic and subtopic parties lists](#) to determine your current hearing topics.

You must send your Additional Topic Allocation Form (Form) to the Hearing Advisor [npsudhearings@aucklandcouncil.govt.nz](mailto:npsudhearings@aucklandcouncil.govt.nz), as soon as possible or no later than 10 working days before the council's evidence is due.

On receipt of your Form, the Independent Hearing Panel (IHP) chair will determine whether to allow the request.

The IHP will make all Forms and its decision available on the Independent Hearing Panel webpage.

Note: Submitters will retain allocation of original hearing topics whether or not the chair grants the request.

## Additional Topic Allocation Criteria

The allocation request will only be permitted where:

- The primary submission is directly 'on' the requested topic, or if indirectly 'on' the requested topic reasons are to be provided why the additional allocation should be granted.
- The requested topic has not already been heard.
- The request is received no later than 10 working days prior to the council evidence exchange for the hearing topic (generally 25 working days before the hearing)
- The decision is consistent with the principles set out in [IHP Hearing Procedures](#) document dated December 2022 and any other Panel document.

*Please complete the table(s) below:*

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<sup>1</sup> Topic in this context means topic or subtopic depending on specificity of the request.

Request 1

Submission point number (if any)	-
Requested topic allocation	<b>Qualifying Matters</b>
Requested subtopic allocation	<b>010A</b>
Reasons	My submission specifically raises qualifying matters.
Text of submission 'on' the topic	<p>11. The position that Auckland Council has taken on Qualifying Matters (QMs) is opposed. The Auckland Council is being far too timid and needs to display backbone. This submission calls for the Council to adopt a more robust approach and use QMs to better protect our fair city from poor planning outcomes.</p> <p>...</p> <p>38. The submitter Seeks:</p> <p>(a) That Auckland Council withdraws the changes.</p> <p>...</p> <p>(g) Any consequential amendments to other parts of the AUP to address the matters outlined above</p>

Request 2

Submission point	-
Requested topic allocation	<b>Areas with long term infrastructure constraints</b>
Requested subtopic allocation	<b>012B</b>
Reasons	My submission specifically raises infrastructure constraints.

Text of submission 'on' the topic	<p>11. The current infrastructure overlay is weak and is unlikely to reflect genuinely the true infrastructure deficit in Auckland.</p> <p>12. Where Auckland Council considers there are infrastructural capacity constraints it should be very clear that this is the case.</p> <p>13. The Changes risk adverse results. They will assist development to occur at random. They will lead to more intensive development away from established public transport networks and urban centres. They will create intensive developments that are reliant on private vehicles. This will exacerbate congestion.</p> <p>...</p> <p>38. The submitter Seeks:</p> <p>(a) That Auckland Council withdraws the changes.</p> <p>...</p> <p>(g) Any consequential amendments to other parts of the AUP to address the matters outlined above</p>
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You are welcome to attach additional pages if more space is required.

*Request 3*

Submission point	-
Requested topic allocation	<b>Special Character Areas</b>
Requested subtopic allocation	<b>011</b>
Reasons	My submission specifically raises Special Character.
Text of submission 'on' the topic	<p>14. The Auckland Council's assessment of Special Character is woefully wrong. It is inaccurate because it is based upon the AUP assessment which took place in 2014, 8 long years ago. Developments since that time have rendered the Auckland Council's current assessment obsolete. Many buildings that were not previously considered to have special character, now do. This especially applies to villas and bungalows in older suburbs. These buildings are masterpieces compared to some contemporary developments.</p> <p>15. Auckland Council therefore needs to start its assessment again with reference to the real-world state of Auckland's streets and suburbs. Each suburb, and arguably, each street requires individual review and carefully considered assessment. This has not happened to date, and the Changes suffer for this considerable omission.</p> <p>...</p>

	<p>38. The submitter Seeks:</p> <p>(a) That Auckland Council withdraws the changes.</p> <p>(c) That Auckland Council abandons all proposed rezoning and instead undertakes an updated assessment of the current status of every suburb and street in Auckland, so that it is possible for members of the Auckland public to be consulted specifically on changes that affect them at their properties and with reference to materials provided by Council which show that Council has reviewed, considered, and understood the existing urban environments in Auckland.</p> <p>(g) Any consequential amendments to other parts of the AUP to address the matters outlined above</p>
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*Request 4*

Submission point	-
Requested topic allocation	<b>Residential Zones</b>
Requested subtopic allocation	<b>015F</b>
Reasons	<p>My submission specifically raises issues going to residential zoning. It refers to Mt Albert, Green Bay, Titirangi, other Waitakere Ranges adjacent suburbs, New Lynn, Henderson, Avondale, Glen Eden and Blockhouse Bay. Generally speaking there is not much participation from some of these areas (only 16 submissions were received from within the Whau local board area).</p>
Text of submission 'on' the topic	<p><b>Mt Albert</b></p> <p>...</p> <p>21. The Auckland Council does not appear to have properly appreciated the special characteristics of Mt Albert – which is occasionally described as Auckland’s second oldest suburb (after Remuera). From the materials reviewed in support of the Changes, there is a clear absence of analysis by the Council of the built environment that characterises Mt Albert in 2022.</p> <p>22. The number of dwellings enabled by the Changes far exceeds even the high growth scenario for Auckland. The planned character of the THAB zone in Mt Albert includes 5 to 7 story urban development, however, the areas being rezoned contain existing communities where most people live in one to two storey houses. Those houses, particularly villas and bungalows built from NZ native timbers, have considerable character. Many of these buildings are well maintained family homes.</p> <p>23. As a specific example, much of Allendale Road is proposed to be changed to THAB. Many buildings located in the proposed THAB zone on Allendale Road obviously ought to not be zoned THAB but have some level of protection so that the character of Mt Albert is preserved. The same could be said of many streets in Mt Albert and including certain stretches of houses along New North Road, Carrington Road, Mt Albert Road, Richardson Road as examples.</p>

24. The Changes undermine certainty for the existing community within Mt Albert. Given the specific characteristics of Mt Albert, it is no exaggeration to say that one sale, and one bad development, in the wrong place may significantly decrease the social good provided by the existing urban environment.

25. Overall, it is submitted that Auckland Council has not adequately considered, let alone protected, the existing urban environment in Mt Albert when proposing the Changes. The extent of development enabled by the Changes is opposed, as it risks undermining the character of Mt Albert. Green

#### **Bay / Titirangi / Waitakere Ranges Adjacent suburbs**

26. The above areas differ from most of Auckland because of the high level of amenity provided by the natural environment. The Changes are inappropriate in these areas because they do not give adequate recognition to, or protection of, these urban environments and the close connections to the bush that people who live in these suburbs have cultivated.

#### **New Lynn / Henderson / Avondale / Glen Eden**

27. The above areas are earmarked for considerable intensification. This has been the case for some time. However, each area needs to be handled with care to ensure that the relatively lower value of land in these locations (compared to other locations) and reduced barriers to development contemplated by the Changes do not result in proliferation of low-quality developments.

#### **Blockhouse Bay**

28. Auckland Council may wish to give some consideration to how it remedies the adverse effects of infill to date in this suburb

...

38. The submitter Seeks:

(a) That Auckland Council withdraws the changes.

...

(f) The Changes be amended to address the concerns stated in this submission, including by way of example:

(i) Maximising notification provisions and public participation.

(ii) Requiring improved interface/integration of existing and new development to preserve residential amenity

...

(g) Any consequential amendments to other parts of the AUP to address the matters outlined above

*Request 5*

Submission point	-
Requested topic allocation	<b>Urban Environment</b>
Requested subtopic allocation	<b>008</b>
Reasons	My submission specifically raises aspects of urban development and living that affect the Urban Environment which are typically addressed by development controls in Urban Environments.
Text of submission 'on' the topic	<p><b>Laundry</b></p> <p>29. In the suburb of Mt Albert there is approximately one place where property occupants' drying laundry is visible from the roadside. That is a recent apartment development that was finished 2022.</p> <p>30. In this instance the developer has failed to provide suitable private laundry management options for occupants to the detriment of the Mt Albert community.</p> <p>31. Fortunately, the eyesore of laundry is easily addressed by a simple planning change – that balconies in all new residential developments which are visible from the roadside must be opaque.</p> <p>32. This change would allow laundry to be dried on apartment balconies but also hidden away from public view to mitigate the adverse effect of visible drying laundry.</p> <p><b>Visible Plant</b></p> <p>33. Some recent developments, Kainga Ora and private, have been built with air-conditioning plant visible to the road frontage and prominently displayed on roofs. This is raised as an issue because it is an eyesore that undermines even otherwise good recent development.</p> <p>34. The submitter requests Auckland Council requires air-conditioning plant (and similar services) to be required to be hidden away from public view in all new residential and commercial developments.</p> <p><b>Bins</b></p> <p>35. There is, generally, insufficient provision for and control over the storage of rubbish/recycling bins and the collection of the same. Intense residential development results in higher concentrations of bins, and adverse environmental effects as a result. Mitigations of these adverse effects are required in all developments in Auckland and should be highly prioritised by Auckland Council.</p>

## **Trees**

36. Due to difficulties with the RMA, there are insufficient provisions for new trees and for the protection of existing trees. The purpose of creating well function urban environments in Auckland will need to be supported by provisions which result in more trees

...

38. The submitter Seeks:

(a) That Auckland Council withdraws the changes.

...

(f) The Changes be amended to address the concerns stated in this submission, including by way of example:

...

(iii) Requiring balconies in all new residential developments that are visible from the roadside to be opaque.

(iv) Requiring air-conditioning plant (and similar services) to be hidden away from public view in all new residential and commercial developments.

(v) Requiring the location of waste bins in new developments to be located away from the boundaries.

(vi) Retaining and strengthening the assessment criteria that seek to integrate car-parking with development, including ensuring that where on-site car parking spaces or driveways are provided in new developments the dimensions are sufficient to avoid vehicles encroaching on yards, landscaped areas, pavements, or roads.

(vii) Strengthen assessment criteria requiring dwellings to be designed with adequate storage and space to accommodate typical furnishings.

(viii) Retain and strengthen the deep soil area requirements and facilitate trees with these and also with set-backs

Request 6

Submission point	-
Requested topic allocation	Plan Change 80
Requested subtopic allocation	003
Reasons	My submission proposed amendments to the AUP(OP). The proposed amendments are set out in red in the below box on the text of the submission on the topic.
Text of submission 'on' the topic	<p>38. The submitter Seeks:</p> <p>(b) Amendments to PC80 as set out in Schedule 1.</p> <p>SCHEDULE 1 – PROPOSED AMENDMENTS TO PC80</p> <p>Proposed Amendments to the Auckland Unitary Plan (Operative in Part) Chapter B Regional Policy Statement</p> <p>B2. Tāhuhu whakaruruhau ā-taone Urban growth and form B2.1.</p> <p>Issues Growth needs to be provided for in a way that does all of the following:</p> <p><u>(1A) contributes to well-functioning urban environments;</u></p> <p><u>(1B) improves resilience to the effects of climate change...</u></p> <p><u>(1C) protects the amenity and character of existing urban environments.</u></p> <p>B2.2.1. Objectives</p> <p><u>(1A) A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future and which protects the amenity and character of existing urban environments,</u></p> <p>(1) A quality compact urban form <u>and well-functioning urban environment</u> that enables all of the following...</p> <p>(5) The development of land within the Rural Urban Boundary, towns, and rural and coastal towns and villages is:</p> <p>(a) integrated with the provision of appropriate infrastructure; and (b) resilient to the effects of climate change. And <u>(c) sympathetic to the amenity and character of existing towns, and rural and coastal towns and villages.</u></p> <p>...</p> <p>B2.3. A quality built environment B2.3.1. Objectives</p>



(1) A quality built environment and well-functioning urban environment where subdivision, use and development do all of the following...

(f) are resilient ~~respond and adapt~~ to the effects of climate change.

(g) protect the amenity and character of existing urban environments.

#### B2.3.2. Policies

(1) Manage the form and design of subdivision, use and development so that it contributes to a well-functioning urban environment and protects the amenity and character of existing urban environments. and does all of the following... ..

(h) improves resilience to the effects of urban heating resulting from the effects of climate change, including by improving urban tree canopy cover; and

(i) provides for water reuse and rainwater collection and use.

#### B2.4. Residential growth

...

##### B2.4.2. Policies

###### Residential intensification

(2) Enable higher residential intensities in areas closest to centres, the public transport network, large social facilities, education facilities, tertiary education facilities, healthcare facilities and existing or proposed open space, except where qualifying matters reduce building height and/or density of urban form, which contribute to a well-functioning urban environment or where enabling higher residential intensities may adversely impact on the amenity or character of existing urban environments.

(3) Provide for medium residential intensities in areas that are within five minutes moderate walking distance to centres, public transport, social facilities and open space, whilst limiting height and/or density of urban form in areas where there are qualifying matters or where required to protect the amenity or character of existing urban environments.

(4) Provide for lower residential intensity in areas:

(a) where required to protect the amenity or character of existing urban environments.

...

(5) Avoid intensification in areas:

(a) where required to protect the amenity or character of existing urban environments.

...

#### B2.5. Commercial and industrial growth

##### B2.5.1. Objectives

...

(3) Industrial growth and activities are enabled in a manner that does all of the following...

(d) manages conflicts between incompatible activities by applying relevant qualifying matters and protects the amenity or character of existing urban environments;

#### B2.5.2 Policies

(2) Support the function, role, and amenity and character of centres by encouraging commercial and residential activities within centres, where consistent with the amenity and character of centres, and ensuring development that locates within centres is compatible with the purposes of those centres and contributes to a well-functioning urban environment and the following...

(4) Enable new metropolitan, town and local centres which contribute to a well-functioning urban environment following a structure planning process and plan change process in accordance with Appendix 1 Structure plan guidelines, having regard to all of the following...

(g) any significant adverse effects on the environment, including upon the amenity and character of the urban environment, qualifying matters or on natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage or special character...

#### B2.7. Open space and recreation facilities B2.7.1.

Objectives (1) Recreational needs of people and communities are met through the provision of a range of high quality open spaces and recreation facilities which contribute to a well- functioning urban environment.

(4) Open space and recreation facilities are resilient to the effects of climate change.

#### B2.7.2. Policies

(1) Enable the development and use of a wide range of high quality open spaces and recreation facilities to provide a variety of activities, experiences and functions and which contribute to a well-functioning urban environment...

#### B2.8. Social facilities B2.8.1.

Objectives

...

(5) Social facilities enhance the amenity and character of urban environments.

#### B2.8.2. Policies

(1) Enable social facilities that are accessible to people of all ages and abilities and which enhance the amenity and character of urban environments to establish in appropriate locations which contribute to a well-functioning urban environment as follows...

(4) In growth and intensification areas identify as part of the structure plan process where social facilities will be required and enable their establishment in appropriate locations which contribute to a well-functioning urban environment and which enhance the amenity and character of urban environments....

B2.9. Explanation and principal reasons for adoption ...

Para 4

A compact urban form can deliver a range of benefits and contributes to a well-functioning urban environment by...

- limiting intensification where there are qualifying matters
- promoting an integrated approach to land use and transport; and
- providing investment certainty about use and development strategies; and
- improving resilience to the effects of climate change. and
- protecting and enhancing the amenity and character of urban environments.

**Panel Decision** – if granted in part, please specify below.

Request 1

Granted



Declined

Request 2

Granted



Declined

Request 3

Granted



Declined

Request 4

Granted



Declined

Request 5

Granted

Declined



Request 6

Granted

Declined



Date: 24 April 2023

Signature:



Reasons:

The requested topics have not been heard. The requests were received more than 10 working days prior to the council's exchange of evidence.

**Request 1 is granted** the submission is additionally allocated to Topic 010A Qualifying Matters (Other) Appropriateness of QMs (Other) as the submission is 'on' the topic. Paragraph 10 of the submission broadly comments on the Council's approach to qualifying matters which would reasonably include the appropriateness of Council proposed 'other matter' qualifying matters under ss77I(j) and 77O(j) of the Act. Topic 010A relevantly addresses this matter.

**Request 2 is Granted** the submission is additionally allocated to Topic 012B Qualifying matters (Infrastructure) – Areas with long-term infrastructure constraints as the submission is 'on' the topic. The submission submits broadly on infrastructure as a constraint limiting intensification. Topic 012B is one of the topics which address the relationship between infrastructure and the intensification proposed to be enabled by PC78.

**Request 3 is Granted** the submission is additionally allocated to Topic 011 Qualifying Matters (Special Character) as it is 'on' the topic. Paragraph 14 and 15 of the submission challenges the Council's methodology for assessing Special Character and the relationship between Special Character and appropriate zoning response. Topic 011 addresses this matter.

**Request 4 is Granted** submission points 1245.6, 1245.7, 1245.8, 1245.9, 1245.10, 1245.11 and 1245.12 are additionally allocated to Topic 015F Residential zones (general or other) and Residential zones general as they are 'on' the topic. The submission points seek specific relief relating to ensuring residential zone provisions are sufficiently robust to manage potential effects on amenity values. Topic 015 directly addresses this matter; Topic 015F is the most appropriate to the extent that it provides for submissions relating to multiple and/or all residential zones.

**Request 5 is Declined** as it is not 'on' the topic. Topic 008 Urban Environment addresses zoning proposals for specific sites, while the changes sought by the requester relates to the interaction between planning provisions and managing effects on amenity values. The requester's substantive concerns are addressed through the additional allocation of submission points to topic 015F Residential zones (general or other) and Residential zones general (see above)

**Request 6 is Declined** as the submitter is already allocated to the various topics under Topic 003 Plan Change 80. They are parties to the process and is involved in the respective hearings accordingly.