

**IN THE ENVIRONMENT COURT  
AT AUCKLAND**

**ENV-2016-AKL-**

**IN THE MATTER** of the Local Government (Auckland Transitional Provisions) Act 2010 (**LGATPA**) and the Resource Management Act 1991 (**RMA**)

**AND**

**IN THE MATTER** of an appeal under section 156(3) of the LGATPA against a decision of the Auckland Council on a recommendation of the Auckland Unitary Plan Independent Hearings Panel (**Hearings Panel**) on the proposed Auckland Unitary Plan (**Proposed Plan**)

**AND**

**IN THE MATTER** 080 Rezoning and Precincts (General)

**BETWEEN** **THE PUHOI COMMUNITY FORUM INCORPORATED**  
Appellant

**AND** **AUCKLAND COUNCIL**  
Respondent

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**NOTICE OF APPEAL**

**Dated 14 September 2016**

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The Puhoi Community Forum Incorporated  
126 Ahuroa Road  
Puhoi 0951

Contact: Mike Swain  
Email: [mike@hiko.co.nz](mailto:mike@hiko.co.nz)

To:           The Registrar  
              Environment Court  
              **Auckland**

1. The **Puhoi Community Forum (The Forum)** appeals against a decision of the Auckland Council (the **Council**) on the proposed Auckland Unitary Plan (**Proposed Plan**).
2. The Forum has a right to appeal the Council's decision –
  - (a) under section 156(3) of the LGATPA because the Council accepted a recommendation of the Hearings Panel that the Hearings Panel should have identified as being beyond the scope of the submissions made on the Proposed Plan. The Council's decision resulted in a provision being included in the proposed plan or a matter being excluded from the Proposed Plan. The Forum will be unduly prejudiced by the inclusion of the provision.
3. The Forum provides further details of the reasons for its appeal below.
4. The Forum is not a trade competitor for the purposes of section 308D of the RMA.
5. The Forum received notice of the decision on 19 August 2016.
6. The decisions that The Forum is appealing is:
  - The decision to rezone the whole of the land at 97 Saleyards Road Puhoi, and adjacent land, as Coastal and Rural Settlement.
  - The decision to change the minimum lot size in the Coastal and Rural Settlement zone from 4000m<sup>2</sup> to 2500m<sup>2</sup>
  - The Topic Numbers relevant to the decision s referred to are 080 and 081.
7. The reasons for the appeal are as follows:
  - The Appellant filed a submission (no. 3944) to the Council in respect of the Puhoi precinct including the general nature and zoning of the precinct, that was supported by the Council in the proposed unitary plan.
  - A submission was also lodged by Chris Dickson (no.5882) seeking a change of zone from Rural Production to Coastal and Rural Settlement for part of the land at 97 Saleyards Road Puhoi. No change was sought to the minimum lot size.
  - The Independent Hearings Panel recommended to the Council that the whole of the land at 97 Saleyards Road Puhoi together with further adjacent (in respect of which no submissions were made) be rezoned as Coastal and Rural Settlement.
  - The Independent Hearings Panel recommended to the Council that the minimum lot size in the Coastal and Rural Zone be reduced to 2500m<sup>2</sup> from 4000m<sup>2</sup>.

- The effect of the Hearings Panel recommendations was to very significantly extend the Coastal and Rural Settlement zone and to almost double the permitted housing density of the land at 97 Saleyards Road, and other land at Puhoi.
- The effect of the two recommendations would be to significantly change the nature and character of the Puhoi Historic Village.
- The Council accepted the recommendations of the Independent Hearings Panel on these two matters.
- The two recommendations referred to were beyond the scope of any submissions made to The Independent Hearings Panel in relation to 97 Saleyards Road Puhoi..
- The Independent Hearings Panel should have identified the two changes recommended to the Council as being beyond the scope of any submissions it received but failed to do so.

8. The Forum seeks the following relief:

1. A Declaration that the recommendations made by the Hearing Panel (or either of them) were beyond the scope of the submissions made on the Proposed Plan.
2. A Declaration that the Hearings Panel, in its report to the Council, should have identified the recommendations as being beyond the scope of submissions.
3. The rezoning of the land at 97 Saleyards Road Puhoi and the adjacent land from Coastal and Rural Settlement to Rural Production and/or;
4. The restoration of the minimum lot size to 4000m2 and /or;
5. The reduction of the Coastal and Rural Settlement zone at 97 Saleyards Road Puhoi to the area originally sought by the owner of that land in his submission.
6. Such further or other relief as may be appropriate.

An electronic copy of this notice is being served today by email on the Auckland Council at [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz). \*[A copy of the notice is also being served on the Minister of Conservation.] Waivers and directions have been made by the Environment Court in relation to the usual requirements of the RMA as to service of this notice on other persons.

*\* Only include sentence in square brackets if the subject matter of the notice of appeal relates to the coastal marine area, otherwise delete.*

9. I attach the following documents to this notice:

- (a) a copy of the relevant part of the decision:
- (b) any other documents necessary for an adequate understanding of the appeal;
  - Submission of the Appellant to the Auckland Council
  - Submissions of Chris Dickson to the Auckland Council
  - Auckland Council Submission to the Hearings Panel
- (c) a list of names and addresses of persons served with a copy of this notice.
  - Auckland Council.

.....

Signature of appellant (or person authorised to sign  
on behalf of appellant)

.....

Date

Address for service of appellant:

Telephone:

Fax/email:

Contact person: [*name and designation, if applicable*]

AUCKLAND UNITARY PLAN  
INDEPENDENT HEARINGS PANEL

*Te Paepae Kaiwawao Motuhake o te Mahere Kotahitanga o Tāmaki Makaurau*

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**Report to Auckland Council -  
Changes to the Rural Urban  
Boundary, rezoning and precincts**

**Hearing topics 016, 017 Rural Urban  
Boundary, 080 Rezoning and precincts  
(General) and 081 Rezoning and precincts  
(Geographic areas)**

**July 2016**

# Report to Auckland Council - Changes to the Rural Urban Boundary, rezoning and precincts

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# 1. Hearing topic overview

## 1.1. Topic description

Topics 016, 017, 080 and 081 address the Rural Urban Boundary, precinct and rezoning plan provisions of the proposed Auckland Unitary Plan relating to:

Topic	Proposed Auckland Unitary Plan reference	Independent Hearings Panel reference
016 and 017	Changes to the Rural Urban Boundary (RUB)	G1 Rural Urban Boundary Planning maps in the GIS viewer
080	Special Purpose Zones	Special Purpose Zones Chapter I Precincts Planning maps in the GIS viewer
081	Precincts (Auckland-wide, North, South and West)	Chapter I Precincts Planning maps in the GIS viewer

Under the Local Government (Auckland Transitional Provisions) Act 2010, section 144 (8) (c) requires the Panel to set out:

the reasons for accepting or rejecting submissions and, for this purpose, may address the submissions by grouping them according to—

- (i) the provisions of the proposed plan to which they relate; or
- (ii) the matters to which they relate.

This report covers all of the submissions in the Submission Points Pathways report (SPP) for these topics. The Panel has grouped all of the submissions in terms of (c) (i) and (ii) and, while individual submissions and points may not be expressly referred to, all points have nevertheless been taken into account when making the Panel's recommendations.

Because the Panel has grouped matters rather than addressed individual submission points, submitters need to read this report to understand the Panel's approach and how this has been applied, then read the relevant sections in the annexures to this report and refer to the maps in the GIS viewer which forms part of the Panel's recommendation and report to Auckland Council.

## 1.2. Overview

The specific changes to the Rural Urban Boundary, zones and precincts are based on the policy approach recommended by the Panel in the regional policy statement and relevant regional and district plan provisions. For convenience the recommendations on specific locations are contained in the separate annexures to this report.

**Section 4** below provides a list of these annexures.



**Appendix 1** below lists all the precincts considered by the Panel as part of the hearing process on topics 080 and 081.

The changes recommended by the Panel can be seen at an individual property level in the planning maps on the GIS viewer which forms part of the Panel's recommendation and report to Auckland Council.

The topics addressed in this report are collectively referred to as the site specific topics and received the largest number of submissions, had the most submitters attending a hearing, the highest rate of submitter participation in the hearings and the most hearing days.

Many submissions relating to a specific site sought changes to the Rural Urban Boundary combined with proposals for rezoning and creation of or change to existing precincts, as these changes are closely interrelated. For this reason the Panel took a flexible approach to these hearings and has combined these topics into a single report so that its recommendations and reasons can address changes to a particular location as an integrated whole.

There was limited mediation on these topics because the nature of the relief sought applied to individual properties, so the matters are mostly between the submitter and the Council rather than involving multiple interests. The Panels focussed on the matters raised in submission points and presented at the hearings.

### **1.3. Interim guidance**

To assist parties in their preparation of submissions and representations for the Rural Urban Boundary, rezoning and precinct hearings scheduled for the first half of 2016, and ensure that the panel was provided with a robust evidence base, the Panel released in July 2015 its interim guidance - Best practice approaches to re-zoning, precincts and changes to the Rural Urban Boundary (RUB).

The overall approach was to ensure that a principled approach was applied to specific locations to achieve as far as appropriate a sensible and consistent pattern of development across the region and to strengthen integration across the plan by ensuring that higher order plan principles were given effect to (see the Panel's Report to Auckland Council – Overview of recommendations July 2016 for a more detailed explanation of the Panel's approach).

The Panel's interim guidance requested that parties should ensure any evidence provided for the hearings on these topics clearly and succinctly addresses the matters identified in the guidance. The Panel's guidance is set out on the following pages.

## **1. BEST PRACTICE APPROACHES FOR RE-ZONING**

- 1.1. The change is consistent with the objectives and policies of the proposed zone. This applies to both the type of zone and the zone boundary.
- 1.2. The overall impact of the rezoning is consistent with the Regional Policy Statement.
- 1.3. Economic costs and benefits are considered.
- 1.4. Changes should take into account the issues debated in recent plan changes.
- 1.5. Changes to zone boundaries are consistent with the maps in the plan that show Auckland-wide rules and overlays or constraints (e.g. hazards).
- 1.6. Changes should take into account features of the site (e.g. where it is, what the land is like, what it is used for and what is already built there).
- 1.7. Zone boundary changes recognise the availability or lack of major infrastructure (e.g. water, wastewater, stormwater, roads).
- 1.8. There is adequate separation between incompatible land uses (e.g. houses should not be next to heavy industry).
- 1.9. Zone boundaries need to be clearly defensible e.g. follow roads where possible or other boundaries consistent with the purpose of the zone.
- 1.10. Zone boundaries should follow property boundaries.
- 1.11. Generally no "spot zoning" (i.e. a single site zoned on its own).
- 1.12. Zoning is not determined by existing resource consents and existing use rights, but these will be taken into account.
- 1.13. Roads are not zoned.

### **Supporting information required**

- 1.14. A list of the layers in the Proposed Auckland Unitary Plan (PAUP) that apply to your site.
- 1.15. The proposed change is supported by a pdf map marked up to show:
  - a. address(s);
  - b. zone (current and the changes you seek);
  - c. any property boundaries;that are the subject of your submission. If you have GIS software, provide this map as both a pdf and shape file.
- 1.16. If the zoning relates to someone else's land, provide details of your consultation with the owner and their position on the proposed change.

## **2. BEST PRACTICE APPROACHES FOR PRECINCTS**

- 2.1. The purpose of the precinct is clearly stated and justified in terms of the purpose of the Resource Management Act 1991 (i.e. sustainable management of natural and physical resources).
- 2.2. Precincts should take into account the issues debated in recent plan changes.

- 2.3. Precincts should not override an overlay.
- 2.4. The purpose of the precinct can't be achieved through the use of the underlying zone and Auckland-wide provisions.
- 2.5. The purpose of the precinct can't be achieved through applying for a resource consent.
- 2.6. When the proposal changes most of the underlying zone, a new zone should be created instead of a precinct.
- 2.7. A precinct is not determined by existing resource consents and existing use rights, but these will be taken into account.
- 2.8. The structure should be simple - ideally no more than one layer.
- 2.9. Precinct boundaries should follow property boundaries.
- 2.10. Precincts must use the definitions in the PAUP.

#### **Supporting information required**

- 2.11. A list of the layers in the proposed PAUP that apply to the site.
- 2.12. Proposals for new precincts should be complete i.e. should include objectives, policies, activity table, development and use controls, notification provisions, matters of discretion, assessment criteria and any special information requirements.
- 2.13. The proposal is supported by the following maps:
  - a. a pdf zoning map, marked up to show the exact sites that are the subject of your submission;
  - b. a precinct plan map. This map needs to be as accurate as possible.

### **3. BEST PRACTICE APPROACHES FOR CHANGES TO THE RURAL URBAN BOUNDARY (Rural Urban Boundary)**

- 3.1. The change enables the efficient provision of development capacity and land supply for residential, commercial and industrial growth.
- 3.2. The change promotes the achievement of a quality compact urban form.
- 3.3. Where moving the Rural Urban Boundary results in rezoning, the provision of infrastructure is feasible.
- 3.4. The change avoids:
  - a. scheduled areas with significant environmental, heritage, Māori , natural character or landscape values;
  - b. the Waitakere Ranges Heritage Protection Area;
  - c. mineral resources that are commercially viable;
  - d. elite soils.
- 3.5. The change avoids, where possible:
  - a. areas prone to natural hazards, including coastal hazards;
  - b. conflicts between residents and infrastructure.

3.6. The Rural Urban Boundary should aim to follow property boundaries.

**Supporting information required**

3.7. A summary of the layers in the Proposed Auckland Unitary Plan (PAUP) that apply to the site.

3.8. The proposed change is supported by a pdf map marked up to show:

- a. address(s);
- b. the Rural Urban Boundary line (current and the changes you seek);
- c. any property boundaries;

that are the subject of your submission. If you have GIS software provide this map as both a pdf and shape file.

3.9. If the Rural Urban Boundary change (and any related zone changes) relates to someone else's land, provide details of your consultation with the owner and their position on the proposed change.

The Panel observes that all parties generally agreed with this overall approach and took careful notice of this interim guidance, indeed many reading it as a prescription (and certainly as an assessment checklist). It was, however, published as 'guidance' and, as observed by Mr Duguid for Council with reference to the precinct/overlay relationship, the circumstances of a particular matter could, and if properly construed and justified, ought to be able to depart from that guidance. While the Panel has not generally accepted those instances where Council has proposed a subordinate relationship between precinct and overlay, it agrees with the principle as stated.

On 1 March 2016 the Panel issued further interim guidance regarding rezonings and precincts sought in greenfield situations proposed to be located within the Rural Urban Boundary. It cautioned that given the extensive submissions made and the time available to it, the Panel might not be able to satisfactorily resolve all outstanding Resource Management Act 1991 matters and be in a position to make a detailed recommendation in support of adopting the precinct at this time. Following receipt of legal submissions on this interim guidance, further clarification was given at the hearing on 7 March 2016.

## 2. Rural Urban Boundary

### 2.1. Summary of recommendations

The Panel recommends the location of the Rural Urban Boundary as notified in the Proposed Auckland Unitary Plan remain except in the following situations:

- i. extended in Warkworth to the east in the direction of Sandspit Road, to the west to the new motorway designation, to the southeast to Thompson Road and to include Valerie Close;
- ii. extended north at Hatfields Beach (reasons in Annexure 4);

- iii. extended to the west of Orewa from the Grand Drive motorway interchange and south to Wainui;
- iv. extended between Wainui and Dairy Flat Highway to include the Pine Valley Road area;
- v. extended at Dairy Flat to include the land bounded by Wilks Road, Postman Road and the Dairy Flat Highway, and including land at the intersection of Kahikatea Flat Road and Dairy Flat Highway;
- vi. extended at Dairy Flat east of the motorway to include an area around and to the north of the Penlink designation;
- vii. extended south at Dairy Flat;
- viii. extended north at Albany Village;
- ix. extended to the northwest at Long Bay to include a portion of Okura (reasons in Annexure 4);
- x. extended to the north of Kumeu-Huapai to align with the Kumeu River (reasons in Annexure 4);
- xi. retracted in the west of Kumeu-Huapai to align with a ridge line;
- xii. extended to the north west at Riverhead to align with the Wautaiti Stream;
- xiii. extended west of Henderson Valley to include three small areas (reasons for the extension at Christian Road are in Topic 075 Waitakere Ranges and otherwise are in Annexure 6);
- xiv. extended at Takanini/Alfriston to the west of Mill Rd, and to the east of Cosgrove Road and north of Old Wairoa Road;
- xv. expanded around Puhinui (reasons in Annexure 3);
- xvi. expanded to include the Pararekau and Kopuahingahinga Islands (reasons in Annexure 3).
- xvii. expanded to include the; wing' near Wesley College, Paerata (reasons in Annexure 3).
- xviii. extended east at Pukekohe and retracted from an area close to Pukekohe Hill.

The Panel's reasons for each of these changes are either in the relevant annexure where the area is discussed in relation to precincts or zoning (marked 'reasons in Annexure' above), or set out below.

The notified Proposed Auckland Unitary Plan included approximately 10,100 hectares of land zoned Future Urban Zone (almost all of which was within the Rural Urban Boundary) and the Council in evidence proposed an increase to that area. The changes to the Rural Urban Boundary recommended above would result in an expansion of those areas to approximately 13,000 hectares (an increase of about 30 per cent relative to the Proposed Auckland Unitary Plan as notified). Within those areas the Panel recommends live zones for

approximately 1,900 hectares (all within the recommended Rural Urban Boundary) and that the remaining 11,100 hectares be zoned Future Urban Zone.

As discussed in the Panel's report to Auckland Council – Overview of recommendations July 2016, the Panel considers the Rural Urban Boundary an appropriate planning tool to define the extent of the large urban areas (including the satellites of Warkworth and Pukekohe). The Panel recommends also placing the Rural Urban Boundary around Kumeu-Huapai because its proximity to the main urban area of Auckland puts it under particular growth pressure. The Panel does not consider it appropriate to place the Rural Urban Boundary around rural and coastal towns and villages because they do not exhibit the same growth pressures. Instead, the Panel considers that structure planning of any proposed change from rural zones to urban zone should adequately address growth issues.

## **2.2. Scope**

The Panel considers that all its recommendations on the location of the Rural Urban Boundary are within scope of submissions.

## **2.3. Criteria for determining Rural Urban Boundary location**

The Panel has included in B2.2.2 (2) of the regional policy statement a policy, with criteria, for determining when it is appropriate to shift the location of the Rural Urban Boundary. During the life of the Plan these criteria would need to be used, along with structure planning, to determine any changes in the location of the Rural Urban Boundary. The Panel used these same criteria when determining its recommended changes to the location of the Rural Urban Boundary.

The Council's expert witnesses, Ms Trenouth and Dr Fairgray, considered the location of the Rural Urban Boundary should be determined with a view to supporting the development of a compact urban form (i.e. intensification) within the existing metropolitan area. This view led to Dr Fairgray recommending that the Rural Urban Boundary should be set to attempt to match the supply of future urban land with the estimated demand for that land over the next thirty years. Dr Fairgray considered the Council's proposed Rural Urban Boundary location would satisfy estimated demand and that significant extensions of the Rural Urban Boundary would undermine the development of a compact urban form in the existing metropolitan areas.

The Panel was not convinced that the location of the Rural Urban Boundary of itself is an appropriate planning tool to support development of a compact urban form in the existing metropolitan area. The Panel considers the planning tool to best achieve that form of development is the appropriate zoning to enable intensification in and around centres and transport corridors (the Centres and Corridors strategy). It appears to the Panel the only meaningful way in which the Rural Urban Boundary could be used to support compact urban development is to signal a tight and firm restriction on the supply of future urban land, with a view to forcing more intensive use of the existing metropolitan areas than otherwise would be the case. Mr Thompson and Mr Norgrove provided evidence that such an approach would drive urban land prices higher than otherwise would be the case and would be

contrary to the objective of promoting more affordable access to appropriately-zoned land for housing, commercial and industrial use. The Panel agrees.

The Panel was also not convinced by the related proposition that the Rural Urban Boundary should be located so as to attempt to match the supply of future urban land with estimated demand (and no more) over the next thirty years. The Panel simply does not have available to it the necessary information or a recognised method to attempt to match with any confidence the supply of urban land with its estimated demand across the Auckland region over the next ten years (let alone for thirty years). The Panel also received evidence, which it accepts, that the costs to people and communities of under-enabling supply are much more severe than those arising from over-enabling supply.

Council staff, assisted by other experts, prepared very useful demand and supply estimates for land use (residential, commercial and industrial) within the Auckland region, focusing on the next ten years but extending for thirty years. These estimates were improved considerably over the course of the hearings and the Panel appreciated the effort and expertise that was invested in them. The Panel has used these estimates to indicate the minimum amount of land that needs to be contained within the Rural Urban Boundary. That is, the Panel has treated these estimates as a floor (and not as a cap). The Panel considers it imprudent to interpret such forecasts as a cap or maximum amount of land that should be within the Rural Urban Boundary. The important thing is to ensure sufficient land for the long term (thirty years) is enabled for urban use (i.e. is within the Rural Urban Boundary).

Thus when assessing requests to change the location of the Rural Urban Boundary the Panel used the criteria from B2.2.2 (2) and considered each request on its merits. The Panel did not consider it needed to, or should restrain the resulting total area within the Rural Urban Boundary to a particular amount.

The estimates on supply and demand for urban land uses for the next thirty years indicate that the Panel's recommended location of the Rural Urban Boundary should provide for sufficient supply, but not with a large margin. This outcome reinforces the Panel's view that proposals to change the location of the Rural Urban Boundary in the future should be open to private plan changes (as well as to Council's) should the quantum of supply prove inadequate or if more efficient land supply is identified. This would be achieved if the Rural Urban Boundary is defined (i.e. mapped) in the district plan, with the objectives and policies related to it in the regional policy statement.

## **2.4. Reasons for specific Rural Urban Boundary changes**

This section provides the Panel's reason for the changes to the Rural Urban Boundary, except for those changes that are associated with a precinct or zoning change. In those cases, the reasons are provided in the relevant annexure with precinct or zoning reasons.

In making these recommendations the Panel records that it has taken into account all the submissions seeking changes to the Rural Urban Boundary, noting that these submissions are many and varied and relate to locations across the Auckland area. In addition, the Panel has taken account of the evidence of the Council. The detailed nature of this material from submitters and the Council means it is not practical in this report to include commentaries on

all the points raised but they have nonetheless been considered in the Panel's recommendations.

In all cases the Panel concluded that the areas recommended to be included within the Rural Urban Boundary satisfy the regional policy statement policy criteria regarding shifts to the Rural Urban Boundary. They also meet the Panel's Best Practice Approaches for Changes to the Rural Urban Boundary. There are three areas west of Henderson Valley that extend into the Wāitakere Ranges Heritage Area and in Puhinui a small area of compromised elite soil is included. These recommendations are explained in the relevant Annexures or reports.

#### **2.4.1. Extensions at Warkworth**

This extension includes land to the west, east and south of the existing urban area in order to provide for the continuation of the growth occurring at Warkworth and that expected from the improved link to the city from the approved State Highway 1 realignment from Puhoi through to Warkworth. That realignment will serve to reinforce the extent of the Rural Urban Boundary by providing a defined western and north-western edge defined by the resultant roading pattern.

The land areas forming the extension are readily developable, provide for substantial growth to meet demand and also provide options at Warkworth regarding where that growth can occur. The areas are contiguous with the existing urban development, thereby supporting the development of a compact urban form, and can be provided with the required infrastructure to support significant extensions to the settlement of Warkworth.

The extensions avoid areas identified as having significant values, those including Māori, natural character and landscape values along with areas affected by natural hazards.

There were submissions seeking additional land to be included within the Rural Urban Boundary but the Panel is of the view that the reasonably foreseeable future needs for urban growth at Warkworth are provided for in the extended areas.

#### **2.4.2. Extensions at Orewa, Wainui, Pine Valley and Dairy Flat**

These areas form the basis of a substantial new urban area which will assist in meeting the demand for continuing growth north of the city. The areas are close to the urban areas of Orewa and Silverdale and are located:

- i. West of Orewa - on the western side of State Highway 1 and opposite Grand Drive motorway interchange, and south to Wainui;
- ii. along Pine Valley Road;
- iii. at Dairy Flat - immediately west of the Dairy Flat airfield, and an area to the south and lying either side of SH17 at Dairy Flat;
- iv. to the eastern side of motorway – adjacent to the Penlink designation route to the Whangaparāoa Peninsula.



The land is typically of easy topography and is situated close to the motorway. It has largely been subdivided in a manner more than would normally be expected in a rural area, that being a function of its proximity to the existing urban areas and also being readily developable. The overall area is contained by the motorway to the east (excepting for that portion east of the motorway) and by steeper hill country to the west.

The respective land units make up an extensive area which can provide for large scale development and the opportunity for it to be planned and developed in a coherent manner, linking with the existing urbanised areas. Infrastructure services are feasible.

Much of this area was included in the Proposed Auckland Unitary Plan as notified and the Council supported significant expansions to these boundaries in its evidence and closing comments. The resulting boundaries established a major new urban area. The main reason the Council did not expand this area further was that it considered there was already sufficient land area within the Rural Urban Boundary for long-term demand. As mentioned above the Panel is not convinced that is the case and furthermore the Panel considers it should err on providing more rather than less land area within the Rural Urban Boundary than is projected to be demanded over the long term. The Panel therefore included within the Rural Urban Boundary those areas that it considered meet the criteria in the regional policy statement for shifting the Rural Urban Boundary and which are consistent with its best practice approaches.

The above extensions to the areas included in the Rural Urban Boundary are consistent with many of the requests from submitters within the wider area.

#### **2.4.3. Extension at Albany**

This is an area at the bottom of the Albany Hill where future development would be an extension of the Albany Village. It is of easy topography and readily developed without impacting on the bush covered slopes to the north which provide a natural boundary for future development. It is easily accessible and infrastructure services can be extended readily to the area given its close proximity to the Village.

The Panel has therefore agreed with submitters in relation to this area.

#### **2.4.4. Retraction at Kumeu-Huapai**

The Council's planning witness Mr Ryan Bradley and its landscape expert Mr Stephen Brown recommended retracting a portion of the western Rural Urban Boundary north of Trigg Road and south of state highway 16 to at least the ridge line. They considered this ridgeline would provide a more defensible visual boundary and would better contain this edge of Kumeu-Huapai. Some other submitters supported this retraction while others requested the Rural Urban Boundary be extended to Foster Road. The Panel preferred the evidence of Messrs Bradley and Brown and recommends retracting the Rural Urban Boundary to the ridge line in this area.

#### **2.4.5. Extension at Riverhead**

The Proposed Auckland Unitary Plan as notified included at Riverhead a Rural Urban Boundary and future urban-zoned area to the west of Cambridge Road. Aberdeen Adventures Limited and others requested this Rural Urban Boundary be extended north-west to the Wautaiti Stream to include an additional area of about eight hectares. Engineering evidence was provided to demonstrate how this additional area could be used to more efficiently develop this and the adjoining areas and improve the amenity of development in this area. The Panel was persuaded by this evidence and recommends an extension of the Rural Urban Boundary to include this area.

#### **2.4.6. Extensions at Takanini/Alfriston**

D E Nakhle Investment Trust and others sought movement of the Rural Urban Boundary west of Mill Road and in the vicinity of Ardmore Airfield. That request was not supported by Council, particularly because stormwater modelling for the area is not yet completed and the Council sees no immediate need for further expansion. At the hearing the submitters and Council recorded their agreement on the issues to be resolved and, on that basis, the submitters accepted Council's proposed Rural Urban Boundary as the interim location.

The Panel generally accepts the position reached except that it sees merit in an expansion of the Rural Urban Boundary in the southern corner adjacent to Takanini Sub-precinct C, east of Cosgrove Road and north of Old Wairoa Road, and also west of Mill Road. Accordingly those areas are recommended to be included within an expanded Rural Urban Boundary.

#### **2.4.7. Retraction and extension at Pukekohe**

The Panel recommends the removal of about 170 hectares of land on Pukekohe Hill (south-east Pukekohe) from within the Rural Urban Boundary and its rezoning from Future Urban Zone to Rural - Rural Production Zone. Horticulture New Zealand and the Pukekohe Vegetable Growers' Association sought this area of land be excluded from the Rural Urban Boundary as notified in the notified Plan. The land contains elite and prime soils. The Council supported this change and the Panel agrees.

The Panel recommends about 230 hectares of land between Grace James Drive and Runciman Road in north-east Pukekohe be included within the Rural Urban Boundary and be rezoned from Rural - Countryside Living Zone to Future Urban Zone.

P L and R M Reidy, A J and P M Kloeten and Ruatotara Limited (the Reidys) sought that this land be included in the Rural Urban Boundary and be rezoned from Rural - Countryside Living Zone to Future Urban Zone. Horticulture New Zealand supported the relief sought by the Reidys. The Grace James Road residents did not support this change. The Council did not support the relief sought by the Reidys on the basis of the lack of need for the development capacity and perceived issues with the future servicing of the land.

Mr Hodgson provided planning evidence for the Reidys as to why the area is suitable for urban development. His reasons included that the area does not contain the same high quality land values as Pukekohe Hill, is currently used for countryside living but not of

sufficient lot sizes to enable urbanisation, is well served by roads and has linkages to arterials, has linkages to the Rural - Countryside Living Zone and a school, contains contours and natural features that would be attractive in an urban setting, and avoids the Pukekohe Tuff Ring. Mr Hodgson also provided an assessment of the proposed Rural Urban Boundary extension against the Panel's interim guidance on best practice approaches to changes to the Rural Urban Boundary.

The Panel was persuaded that the area requested to be included within the Rural Urban Boundary satisfies the regional policy statement criteria regarding shifts to the Rural Urban Boundary and meets the Panel's best practice approaches. The Panel recommends its inclusion within the Rural Urban Boundary.

## **2.5. Reasons for not supporting specific requests to change the Rural Urban Boundary**

There were a number of requests for changes to the Rural Urban Boundary that the Panel does not support. The Council also did not support these changes (for a summary of the Council's views see its closing comments on Topic 016/017 of 19 February 2016). The Panel considered these requests and the supporting evidence and concluded they did not meet the recommended criteria in the regional policy statement for changes to this boundary and the Panel's best practice approaches. On this basis the Panel's view concurs with the Council's position.

The Panel's reasons for not supporting three areas, namely Karaka Peninsula, Bombay and the extensions to Kingseat (that were not part of Plan Change 28 to the Auckland Council District Plan – Operative Franklin section) are in Annexure 6 (for Karaka and Bombay) and Annexure 3 (for Kingseat).

A small number of submitters requested changes to the Rural Urban Boundary on Waiheke Island. As noted above the Panel recommends the Rural Urban Boundary be located in the district plan and the district plan in the recommended Plan does not cover Waiheke Island or the other Hauraki Gulf Islands. Within this context the Panel considers any changes to the Rural Urban Boundary on Waiheke Island are best left to a district plan review for the Hauraki Gulf Islands, at which time such possible changes can be considered in the wider context of other district plan issues. The Panel therefore has not recommended changes to the Rural Urban Boundary on Waiheke Island.

## **3. Rezoning and precincts**

### **3.1. Overview**

Having heard and considered the extensive evidence and representations made on rezoning and precincts, the Panel further refined the approach signalled in its interim guidance. The main elements of the Panel's approach are explained in section 3.3 below

Where Council and all other affected parties were in agreement on a precinct or rezoning matter, other than satisfying itself that the provisions meet the relevant requirements of the

Resource Management Act 1991, the Panel generally saw no need to inquire further. There were however a number of instances with respect to precincts where the Panel upon further enquiry has not recommended that an 'agreed' precinct be supported. Further explanation of the reasons why the Panel has taken this approach are set out below.

Proposed precincts have generally been supported where those contribute in a material way to the overall strategic direction of the regional policy statement (including the facilitation of housing and employment choice). Provisions that generally duplicate overlay, Auckland-wide, or zone provisions (for example relating to stormwater management) have been removed as those general provisions apply unless otherwise specified.

Appendix 1 below provides a full list of precincts considered as part of the hearing process.

### **3.1.1. Precincts that have been supported**

The precincts shaded in green in Appendix 1 are the precincts that the Panel recommends to be included in the Auckland Unitary Plan. The Panel's recommendations and reasons are contained in the annexures to this report.

### **3.1.2. Precincts that have not been supported**

The precincts in Appendix 1 with no coloured shading are the precincts that the Panel does not recommend for inclusion in the proposed Auckland Unitary Plan.

Many of these are precincts that failed the Council gateway test and the Panel agrees with the Council that these precincts not be included in the proposed Auckland Unitary Plan for the reasons set out in the legal submissions and evidence presented on behalf of the Council.

In his evidence 080 General – Precincts evidence (saved to the aupihp website 5 December 2015) Mr Duguid in his Attachment E – provided a list of precincts that failed the Council 'gateway test' together with those precincts that were no longer being pursued by submitters. The Panel agrees with Mr Duguid's evidence and recommends that these precincts not be included in the Unitary Plan, unless individual submitters on that list have subsequently presented evidence to the Panel and the Panel has been persuaded by that evidence to recommend a precinct.

An example of where a precinct failed the Council gateway test, but has been recommended by the Panel is the Redhills Precinct.

Some of the precincts not supported by the Panel were in fact supported by Council. The Panel, in applying the best practice approaches to rezoning and precincts, has been able to take into account additional matters that the Council and submitters were not aware of when they presented evidence to the Panel. In most instances the zonings, the Auckland-wide provisions, or in the case of Akoranga 1 Precinct, the designation being recommended by the Panel for specific sites, will enable the development outcomes that had been sought by precinct provisions. In such cases a precinct is no longer required.

Further, the Panel has in some cases deleted precincts where the development of the area has now occurred or is close to completion and no longer needs to be closely controlled by precinct provisions. Similarly, where resource consent has been granted to provide for the development to occur the precinct has in some cases been deleted. The Panel's recommendations and reasons for are contained in the annexures to this report.

The precincts that were not supported have not been assigned a number as they do not appear in the recommended version of the Plan.

## **3.2. Scope**

The Panel considers that all recommendations made on rezoning and precincts are within scope, other than the matters referenced below.

The Panel's approach to scope has been explained in the Panel's Report to Auckland Council – Overview of recommendations July 2016. In determining this matter for Precincts, the Panel recognises Council's role as a submitter – which has brought many matters in scope. For example, where the Panel agrees with Council's submissions that a precinct should be deleted then, even if no other submitter sought that relief, that is a matter considered to be in scope. Furthermore, where the Panel has made a general finding, for example with respect to deleting a layer or element such as the Green Infrastructure Corridor Zone or indicative roads from the Plan, then that is automatically deleted from the precincts as a consequential amendment and is not considered to be out of scope. Similarly amendments made in the interest of conformity and consistency with the general provisions of the Plan are held to be in scope.

Those precinct matters remaining that the Panel identifies as out of scope are listed in Appendix 4 of the panels' report to Auckland Council – Overview of recommendations July 2016 and also noted in the respective precinct narratives contained in the Annexures 1-5 of this report.

## **3.3. General principles**

### **3.3.1. Caselaw and scope**

With respect to recent Court decisions (primarily but not exclusively relating to plan changes/variations), the Panel has taken careful note of the extent to which the 'ground' remains essentially the same or has changed materially since that decision was issued. Where it has been persuaded that the latter applies, and is also persuaded on the wider effects evidence, it has been prepared to recommend a different outcome. However it has done that cautiously. An example is the Clevedon Waterways Precinct where the Panel has accepted the submitter's legal submissions that the statutory framework is sufficiently different as a gateway to further consideration.

A particular concern of the Panel in deciding whether to recommend rezonings and precincts has been the reasonableness of that to persons who were not active submitters and who might have become active had they appreciated that such was a possible consequence.

Where the matter could reasonably have been foreseen as a direct or otherwise logical consequence of a submission point the Panel has found that to be within scope. Where submitters, such as Generation Zero, have provided very wide scope for change the Panel has been guided by other principles – such as walkability; access to multi-modal transport; proximity to centres; and so forth – in finessing such change.

The Panel's recommended changes from the notified Proposed Auckland Unitary Plan have been mapped onto and use Council's 26 January 2016 zoning data (which represented Council's position prior to the 24 February 2016 decision of the Governing Body). However, the Panel has cross-checked for full consideration those zonings with the post 24 February 2016 position advised by Council and the Panel has either confirmed those zonings or modified them.

As noted in the Overview in section 6.2.1 at page 50, the two submissions that had the greatest potential effect on residential capacity were the Council in-scope submissions and those of Housing New Zealand as they covered large areas of the region and provided specific mapped zoning recommendations.

Recognition has been given to the operative special housing areas that have been completed since the proposed Plan was notified (including contiguous or consequential changes that logically arise from these – such as Drury South). See the Panel's Report to Auckland Council – Overview of recommendations July 2016 for a discussion of special housing areas and the Panel's recommendations.

### **3.3.2. Capacity**

The capacity modelling (both residential and business) has, as discussed in the Panel's Report to Auckland Council – Overview of recommendations July 2016, pointed the Panel in the direction of increased enablement of capacity. The Panel's approach has been in line with the Auckland Plan's promotion of a quality compact urban form by focusing capacity in and around centres, transport nodes and corridors. That has resulted in recommending a more focussed concentration of increased capacity through rezoning around those identified metropolitan and town centres (in particular) so that their function and role is appropriately strengthened, while recognising the multi-modal transportation efficiencies thereby gained through road, rail and ancillary access linkages. This has also resulted in rezoning a number of business areas from Business - Light Industry Zone to Business - Mixed Use Zone (particularly in the isthmus at Ellerslie and Morningside, for instance) and supporting centres with higher residential densities through zoning these Residential - Mixed Housing Urban Zone and Residential - Terrace Housing and Apartment Buildings Zone. In doing so the Panel has generally avoided rezoning the inner city special character areas (such as Westmere and Ponsonby), although it has done so in limited defined areas (such as in Mount Albert) where other strategic imperatives dominate.

### **3.3.3. Constraints**

The Panel's approach to land use controls has been to, as far as practicable, establish a clear and distinct descending hierarchy from overlay to zone to precinct (where applicable) based on relevant regional policy statement provisions. It has not accepted Council's



particular proposition that precincts should, in certain defined circumstances, override overlays.

In a small number of circumstances precincts based on character have been recommended despite the Panel having reservations about the necessary extent of those precincts. It has made those recommendations on the cautionary basis that at least interim protection should be afforded pending a fuller consideration by Council. An example is Rosella Precinct at Middlemore, where its strategic proximity to the rail station would otherwise warrant an upzoning to Residential - Mixed Housing Urban Zone.

As noted above, overlay constraints (for example flooding, height-sensitive areas, and volcanic viewshafts) have generally not been taken into consideration as far as establishing the zoning is concerned. That is, the 'appropriate' land use zoning has generally been adopted regardless of overlays. That approach leaves overlays to perform their proper independent function of providing an important secondary consideration, whereby solutions and potential adverse effects can be assessed on their merits. It also avoids the risk of double-counting the overlay issue both at the zone definition and then at the overlay level. In many instances this has resulted in consequential rezoning changes. In Newmarket, for example, the Panel has upzoned the centre to Business - Metropolitan Centre Zone; removed the particular building height restrictions; and relied upon the Volcanic Viewshaft and Height Sensitive Areas Overlay (along with general development controls) to govern individual site structure heights.

As a consequence of the approach to zoning noted above, typically the setting aside of an overlay from a residential site for the purpose of establishing the zoning, has resulted in upzoning of that site by one order of dwelling typology – commonly from Residential - Single House Zone to Residential - Mixed Housing Suburban Zone for instance (indeed, the Residential - Mixed Housing Suburban Zone has become the new 'normal' across many parts of the city). This residential upzoning has most commonly arisen from the uplifting of the flooding overlay, which in no way diminishes the relevance of that, or any other, overlay because of its importance in the hierarchy of controls.

The Panel has recommended the deletion of the pre-1944 overlay, see the Panel's Report to Auckland Council – Overview of recommendations July 2016.

#### **3.3.4. Residential zoning**

At the interface of zones the Panel recommends a rule that imposes the stricter of the two zones' standards. Accordingly the Panel does not consider it necessary always to step up the zones in sequence (from Residential – Single House Zone to Mixed Housing Suburban Zone, to Residential - Mixed Housing Urban Zone to Residential - Terrace Housing and Apartment Buildings Zone for instance). While the concept of concentric zone patterning has a certain logic, that is neither practical nor efficient in many on-the-ground circumstances.

In terms of applying higher density zones, the Panel has preferred a wider walkability metric than the 200-400m proposed by Council. While accepting that a 400-800m metric as proposed by the Housing New Zealand Corporation is not appropriate in all circumstances, or likely realisable within the current medium-term, ten-year planning horizon, the Panel considers that approach to be more appropriate strategically when taking the longer-term

2041 planning horizon into account. As many submitters noted, rezoning merely provides the opportunity; it does not by itself ensure an outcome. Not to zone appropriately and sufficiently, however, can certainly frustrate wider strategic and longer-term objectives.

The Panel also notes that in some cases, for example in Belmont, it has proceeded with upzoning around the centres despite there being clear infrastructural constraints presently. In Belmont, for instance, this relates to Lake Road and its current congestion. However, in such cases the Panel has proceeded because improvement works are reliably forecast or scheduled within the current 10-year lifespan of the Plan and the rezoning is likely to facilitate a resolution of that existing issue. Furthermore, that particular infrastructural issue is the sole significant constraint to an otherwise strategic location at Belmont – and therefore upzoning a wider area around the centre to Residential – Mixed Housing Urban Zone and Residential – Terrace Housing and Apartment Buildings Zone has been adopted.

The Panel also records that in a number of areas that are characterised by more dense Housing New Zealand Corporation property ownership, such as around Mangere township for example, where Housing New Zealand Corporation has sought to upzone in order to achieve higher densities, the Panel has infilled the upzoning across other properties where that makes a more logical block as consequential changes.

Live zonings have been adopted for land brought within the Rural Urban Boundary where justified by evidence. Where this has not occurred it has usually been for the reason either that insufficient work has been undertaken to satisfactorily answer outstanding questions about, for example, infrastructure provision, or because the Panel has not been able to resolve detailed concerns in the available time. In many instances it anticipates that those matters will be able to be brought forward through plan changes/variations in the near future because of the work undertaken to date.

The Panel has not accepted Council's principle that the Future Urban Zone should only be used within a Rural Urban Boundary. As discussed in the Panel's Report to Auckland Council – Overview of recommendations July 2016, the Panel has adopted a Rural Urban Boundary only around the main urban area, the two satellite towns of Warkworth and Pukekohe, and Kumeu-Huapai and Riverhead. It sees no sensible planning purpose in placing a Rural Urban Boundary around smaller settlements but sees considerable merit in signalling areas that are suitable as land zoned Future Urban Zone.

The Panel notes that, contrary to a number of submitters, it has not assumed that Future Urban Zone areas will necessarily all come into live zoning as residential land. As noted elsewhere, the Panel has specifically assumed that these will encompass both business and residential activities, as well as a mix of recreational, open space and other zones, but has not attempted to predetermine those outcomes.

### **3.3.5. Business zoning**

While the Panel accepts the thrust of Council's evidence from Messrs Wyatt, Akehurst and Ms Fairgray in respect of the geographic shortage of land zoned Business - Light Industry Zone, it has recognised the existing reality of many of those proposed zones. That is, many of these proposed zones are not currently used for or by light industry, and the clear commercial evidence is that they are most unlikely to revert to light industry even if zoned as



such. Accordingly the Panel has rezoned many instances to the underlying zone sought, being either Business - Mixed Use Zone or Business - General Business Zone. This further reduces the amount of land zoned Business – Light Industry Zone in the Plan, making more transparent this issue of shortage raised by Council. However, the Panel does not consider that hiding the reality under what is effectively a false zone would address the shortage. The Panel notes that large areas of land zoned Future Urban Zone will be available as Business – Light Industry Zone if that is deemed appropriate at the time of structure planning for live zoning. That has been taken into account in zoning Future Urban Zone areas.

The Panel notes that the Interim Guidance on ‘spot zoning’ was not intended to apply to small neighbourhood centre zones or larger complex sites such as retirement homes or large-format retail outlets. Those activities by their very nature tend to be ‘spots’ in a pure sense. The Panel has not, therefore, accepted that as a reason for not zoning such activities appropriately.

### **3.3.6. Countryside living**

The Panel has further increased the amount and locations of land recommended to be rezoned Residential - Countryside Living Zone seeing this both as a reasonable lifestyle choice option in a maturing city context as well as strategically serving to buffer the edges of future urban expansion. Rezoning has not been recommended where the integrity of the Rural Urban Boundary would be undermined or the expansion of urban areas, including Future Urban zoned land, would be compromised. An example of this is between the western extent of land zones as Future Urban Zone at Brigham Creek and the emerging urban areas of Riverhead and Kumeu-Huapai. The Panel recommends that the Council undertake further strategic work in this locality to determine if in the longer term a buffer is to be retained between urban Auckland and the emerging urban areas to the west, or alternatively that eventually the emerging urban areas would be joined to the western expansion of urban Auckland.

In addition the Panel had particular regard to the matter of land containing elite soils and the clear preference of Council (and others) to prefer rural productive activities. The Panel's approach is consistent with the regional policy statement provisions at B9 – Rural environment with respect to the provision of new rural lifestyle subdivision. In broad terms the recommended countryside living zones have been concentrated in close proximity to existing urban areas and around some smaller rural and coastal settlements where land zoned as countryside living already exists. An exception to this general approach is that requests to rezone land zoned Rural - Rural Coastal Zone to Rural – Countryside Living Zone have not been recommended, consistent with the regional policy provisions.

Requests for new countryside living zoning not adjacent to existing urban areas, settlements or existing land zoned countryside living have not been recommended. In being persuaded that Rural - Countryside Living Zone was an appropriate zone, the Panel has taken into consideration the substantial volume of evidence indicating that many of these areas are already in comparatively small lot sizes (i.e. less than five hectares) and are not generally used for commercial production purposes. In other words, they already have the functional characteristics of countryside living.

The Panel notes that extending the Rural - Countryside Living Zones will also increase the receiver areas for Transferable Rural Site Subdivision as the Rural - Countryside Living Zones are the only areas that may receive transferred titles. There was some criticism from submitters that there were insufficient receiver areas. Extending the areas zoned Rural - Countryside Living Zone will, to some extent, address this concern. In addition the two hectare average lot size and associated pattern of subdivision and development contemplated for the Rural - Countryside Living Zone, is less likely to be compromised by the transfer in of additional titles by having more extensive receiving areas.

## 4. Annexures to the report

The annexures to this report contain the detail of the Panel's recommendations and reasons in respect of specific sites and locations. The precincts are grouped by geographic location into the annexures as follows:

- i. Annexure 1 Auckland-wide precincts;
- ii. Annexure 2 Precincts – central;
- iii. Annexure 3 Precincts – south;
- iv. Annexure 4 Precincts – north;
- v. Annexure 5 Precincts – west.
- vi. Annexure 6 Changes to the Rural Urban Boundary

Each annexure has a table of contents.

The Panel has provided recommendations and reasons for precincts recommended to be included in the Plan as well as for those it has recommended should not be included in the Plan. Appendix 1 below provides a complete list of precincts, shows whether the Panel has recommended the precinct to be included or not included, and shows which annexure contains the Panel's recommendations and reasons for that location.

The precincts recommended to be included are listed in the first part of the annexure, while the precincts recommended not to be included are listed in the second part of the annexure.

## 5. Reference documents

The documents listed below, as well as the submissions and evidence presented to the Panel on this topic, have been relied upon by the Panel in making its recommendations.

The documents can be located on the aupihp website ([www.aupihp.govt.nz](http://www.aupihp.govt.nz)) on the hearings page under the relevant hearing topic number and name.

You can use the links provided below to locate the documents, or you can go to the website and search for the document by name or date loaded.

(The date in brackets after the document link refers to the date the document was loaded onto the aupihp website. Note this may not be the same as the date of the document referred to in the report.)

## **5.1. Rural Urban Boundary (Topics 016, 017)**

The Submission Points Pathway report

[016 - Submission Points Pathway Report - 15 September 2015](#) (16 September 2015)

[017 - Submission Points Pathway Report - 3 December 2015](#) (04 December 2015)

The Parties and Issues Report

[016 - Parties and Issues Report - 15 September 2015 \(UPDATED VERSION\)](#) (15 September 2015)

[016 - Parties and Issues Report - 17 November 2014](#) (15 July 2015)

[017 - Parties and Issues Report - 15 September 2015 \(UPDATED VERSION\)](#) (15 September 2015)

[017 - Parties and Issues Report - 17 November 2014](#) (15 July 2015)

[017 - Parties and Issues Report - 5 August 2015 \(UPDATED VERSION\)](#) (05 August 2015)

Panel Interim Guidance

[Interim guidance Urban Growth February 2015](#)

[Best practice approaches to changes to the RUB rezoning and precincts 31 July 2015](#)

Council closing statement

[016&017 Hrg - Auckland Council - CLOSING COMMENTS](#) (20 February 2016)

Expert Conference Statements,

[016 - Expert Conference Joint Statement \(Okura\) - 15 October 2015](#) (16 October 2015)

[017 - Expert Conference Joint Statement \(RUB South Puhunui\) - 5 November 2015](#) (10 November 2015)

### **Other**

[016 - Auckland Council - Memorandum - 8 October 2015](#) (09 October 2015)

[017 - Record of Discussions \(RUB South Puhunui\) - 30 October 2015](#) (12 November 2015)

[016 - RUB Changes v3 25 Sept 2014](#) (15 July 2015)

[016 - RUB mapped Submissions North, West and Waiheke Island](#) (15 July 2015)

[016&017 - Procedural minute 6](#) (15 July 2015)

[016&017 - Procedural minute 7](#) (15 July 2015)

[016&017 - Council response to Procedural minute 6 and 7](#) (15 July 2015)

[017 - RUB Changes v3 25 Sept 2014](#) (15 July 2015)

[017 - RUB Place based Submissions South\\_ps](#) (15 July 2015)

### **Auckland Council**

016&017 Hrg - Auckland Council - Strategic Overview Evidence (Chloe Trenouth) - Strategic Planning Overview (14 October 2015)

016&017 Hrg - Auckland Council - Strategic Overview Evidence - Chloe Trenouth - Planning - REBUTTAL (21 December 2015)

016&017 Hrg - Auckland Council - Strategic Overview Evidence (Dr Douglas Fairgray) - Economic (20 October 2015)

016&017 Hrg - Auckland Council - Strategic Overview Evidence (Douglas Fairgray) - Economics - REBUTTAL - AMENDED MAPS 11 Jan 2016 (11 January 2016)

016&017 Hrg - Auckland Council - Strategic Overview Evidence (Douglas Fairgray) - Economics - REBUTTAL (18 December 2015)

## **5.2. Rezoning and precincts (Topics 080, 081)**

The Submission Points Pathway report

080 - Submission Point Pathway Report - 10 Nov 2015

081 - Submission Point Pathway Report - 12 Nov 2015

The Parties and Issues Report

080 - Parties and Issues Report - 12 October 2015

081 - Parties and Issues Report - 12 October 2015

Council evidence

080 Ak Cncl - Precincts (J Duguid) - General statement (5 December 2015)

080 Ak Cncl - Rezoning (J Duguid) - General statement (5 December 2015)

Council closing statement

080 Ak Cncl - Public Open Space, Tertiary (excl Wairaka), Schools, Maori, Major Rec & Coastal - CLOSING REMARKS (18 March 2016)

080 Ak Cncl - Retirement Villages - CLOSING REMARKS (18 March 2016)

080 Ak Cncl - Special Purpose Landfill Zone (Redvale Landfill) - CLOSING REMARKS (18 March 2016)

080 Ak Cncl - Strategic Overview Matters and Auckland-Wide Zoning - CLOSING REMARKS (18 March 2016)

081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 1 – General - Updated - 19 May 2016 (19 May 2016)

081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 1 – Specific Precincts - Attachments A-F - Updated - 19 May 2016 (19 May 2016)

081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 1 and 2 – Guide to changes made – 19 May 2016 (19 May 2016)

[081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 2 – Guide to changes made – 26 May 2016 \(26 May 2016\)](#)

[081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 2 – Revised Akoranga 1 Precinct provisions \(17 June 2016\)](#)

[081 Ak Cncl - Precincts - CLOSING REMARKS – Volume 2 – Revised Precinct Provisions and Maps – Attachments A-E - Updated - 26 May 2016 \(26 May 2016\)](#)

[081 Ak Cncl - Rezoning - CLOSING REMARKS – Including Attachments A-F \(16 May 2016\)](#)

Mediation Statements,

[080 - Mediation Joint Statement \(Wairaka Precinct - Unitec\) \(20 November 2015\)](#)

[081 - Mediation Joint Statement \(New Lynn\) - 7 December 2015 \(8 December 2015\)](#)

[081 - Mediation Joint Statement \(Puhinui New and Mangere-Puhinui\) - 8 December 2015 \(11 December 2015\)](#)

[081 - Mediation Joint Statement \(Te Arai South and Te Arai North\) - 10 December 2015 \(14 December 2015\)](#)

[081 - Mediation Joint Statement \(Te Arai South and Te Arai North\) – 15 January 2016 \(12 February 2016\)](#)

[081 Mediation Joint Statement \(Bayswater Marina\) - 2015-12-07 \(8 December 2015\)](#)

[081 Mediation Joint Statement \(Newmarket 2\) 2015-12-09 \(9 December 2015\)](#)

Panel Interim Guidance

[Interim Guidance - topic 081 - Approach to re-zoning and precincts in greenfield areas proposed to come inside the RUB \(1 March 2016\)](#)

[Direction from IHP Chairperson on Auckland Council's preliminary position on residential rezoning and waivers for late submissions \(14 January 2016\)](#)

[Direction from IHP Chairperson on Auckland Council's preliminary position on residential rezoning and waivers for late submissions - Clarification of directions \(18 February 2016\)](#)

[Direction from IHP to Auckland Council - Topics 080 and 081 - Council response \(11 Dec 2015\) \(22 December 2015\)](#)

## Appendix 1 Precinct overview

Appendix 1 lists in alphabetical order all the precincts heard in hearing topics 080 and 081.

### 1. Precincts included in the recommended Auckland Unitary Plan

The precincts shaded in green are the precincts that the Panel recommends to be included in the Auckland Unitary Plan. The Panel's recommendations and reasons are contained in the annexures to this report. These precincts have been assigned a number that matches the number in the table of contents for the Panel's recommended version of the Auckland Unitary Plan (see precinct numbering below).

### 2. Precincts *not* included in the recommended Auckland Unitary Plan

The precincts with no shading are the precincts that the Panel recommends to **not** be included in the Auckland Unitary Plan. As explained in section 3.1.2 above many of these precincts were not supported by Council and the Panel because they did not meet the best practice criteria for inclusion. For some of these precincts, however, the Panel has documented specific recommendations and reasons, either because Council supported the precinct and the Panel did not agree, or where there were matters raised by Council or submitters that the Panel felt warranted further explanation. These specific recommendations are in the annexures to this report.

The precincts that were not supported have not been assigned a number as they do not appear in the recommended version of the Plan.

### 3. Precinct numbering

The precincts heard as part of hearing topics 080 and 081 are not the only precincts in the Plan. Others include the city centre precincts, coastal precincts, Waitākere Ranges precincts airport precincts and major recreation precincts.

The precinct numbering in the Plan includes all of these precincts. This means that the precinct numbering in the following appendix of 080 and 081 precincts is not sequential. Where there appears to be a gap in the numbers, this will be because one of the precincts heard in another topic has been assigned that number in the table of contents for the Plan.

.Refer to the Panel's Overview of recommendations, Appendix 4 for a list of **all** precincts included in the proposed Unitary Plan, their precinct number and the topic in which they were heard.

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Akoranga		81	North		
Akoranga 1		80	North	Annexure 4	
Albany 2		81	North		
Albany 3	500	81	North	Annexure 4	
Albany 4		81	North		
Albany 5		81	North	Annexure 4	
Albany 6		81	North	Annexure 4	
Albany 7		81	North		
Albany 8		81	North		
Albany 9	501	80	North	Annexure 4	
Albany Centre	502	81	North	Annexure 4	
Ardmore3	400	80	South	Annexure 3	
Auckland War Memorial Museum	303	80	Central	Annexure 2	Auckland Museum
AUT Millennium Institute of Sport	503	80	North	Annexure 4	
Avondale 1	305	81	Central	Annexure 2	
Avondale 2	306	81	Central	Annexure 2	
Babich	600	81	West	Annexure 5	
Bayswater Marina	504	81	North	Annexure 4	Bayswater
Beachlands 1	403	81	South	Annexure 3	
Beachlands2	404	81	South	Annexure 3	
Belmont North		81	North		
Big Bay	405	81	South	Annexure 3	
Birdwood	602	81	West	Annexure 5	
Birkenhead		81	North		
Boat Building	100	80	Auckland-wide	Annexure 1	
Bombay 1	406	81	South	Annexure 3	
Bombay 2		81	South		
Botany Junction		81	South		

<b>Precinct Name</b>	<b>Precinct number</b>	<b>Topic #</b>	<b>Area</b>	<b>Annexure</b>	<b>Alternative Names</b>
Bremner Road, Drury		81	South		
Brick Bay		81	North		
Browns Bay		81	North		
Carlaw Park		81	Central		
Central Park	308	81	Central	Annexure 2	
Chelsea	505	81	North	Annexure 4	
Churchill Park		80	Central	Annexure 2	
Clarks Beach		81	South		
Clevedon	408	81	South	Annexure 3	
Clevedon 2		81	South		
Clevedon Waterways	409	81	South	Annexure 3	Clevedon 3
Coatesville		81	North		
Cornwall Park	309	80	Central	Annexure 2	
Dairy Flat	506	81	North	Annexure 4	
Devonport Naval Base	507	81	North	Annexure 4	
Devonport Peninsula	508	81	North	Annexure 4	
Drury South Industrial	410	81	South	Annexure 3	Drury South
East Tamaki		81	Central		
Eden Terrace		81	Central		
Ellerslie 1	311	81	Central	Annexure 2	
Ellerslie 2	312	81	Central	Annexure 2	
Ellerslie 3		81	Central		
Epsom	314	80	Central	Annexure 2	
Flat Bush	412	81	South	Annexure 3	



Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Franklin 1		80	South		See 405. Big Bay (405), Matingarahi (426), Patumahoe (430), Wattle Bay (440), Grahams Beach, Karaka South, Te Toro
Franklin 2 (Sub-precinct A)		81	South	Annexure 3	Wesley College
Gabador Place	315	80	Central	Annexure 2	Mount Wellington 1
Glenbrook 2		81	South		
Glenbrook Steel Mill	415	81	South	Annexure 3	Glenbrook 1
Glenbrook Village Railway		81	South		
Grafton	316	80	Central	Annexure 2	
Grahams Beach		81	South	Annexure 3	
Greenfield Urban		81	Auckland-wide		
Greenhithe	509	81	North	Annexure 4	
Grey Lynn		81	Central		
Gulf Harbour		81	North	Annexure 4	
Gulf Harbour Marina	510	81	North	Annexure 4	
Hatfields	511	81	North	Annexure 4	
Hatfields Beach 1		81	North	Annexure 4	
Hatfields Beach 2		81	North	Annexure 4	
Hayman Park		80	South	Annexure 3	
Helensville 1		81	North		
Helensville 2		81	North		
Helensville 3		81	North		
Henderson 2		81	West		
Henderson 3		81	West		
Henderson Corban Estate		81	West	Annexure 5	

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Herne Bay 1		81	Central		
Herne Bay 2		81	Central		
Hillsborough	317	80	Central	Annexure 2	
Hingaia		81	South		
HMNZ Dockyard	512	81	North	Annexure 4	
Hobsonville Corridor	603	81	West	Annexure 5	
Hobsonville Marina	604	81	West	Annexure 5	
Hobsonville Point	605	81	West	Annexure 5	
Huapai 3		81	North		
Huapai 4		81	North		
Huapai 5		81	North		
Huapai North		81	North		
Integrated Development Precinct		80	Auckland-wide		
Kakanui Point	514	81	North	Annexure 4	
Karaka 1	416	81	South	Annexure 3	Hingaia Bloodstock
Karaka North	417	81	South	Annexure 3	
Karaka South		81	South	Annexure 3	See 405 - Big Bay
Kaukapakapa		81	North		
Kawau Island	515	81	North	Annexure 4	
Kelly's Cove		81	South		
Kingseat	418	81	South	Annexure 3	
Kohimarama		80	Central		
Kumeū	516	81	North	Annexure 4	
Kumeū Showgrounds	517	81	North	Annexure 4	
Kumeū-Huapai		81	North		
Leigh Marine Laboratory	518	80	North	Annexure 4	
Lincoln	606	80	West	Annexure 5	
Long Bay	519	81	North	Annexure 4	

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Long Bay 1		81	South		
Mana Whenua Management	419	80	South	Annexure 3	
Māngere 1	420	81	South	Annexure 3	
Māngere 2	421	81	South	Annexure 3	
Māngere Bridge		81	South		
Māngere Gateway	422	81	South	Annexure 3	
Māngere Puhinui	423	81	South	Annexure 3	
Manukau	425	81	South	Annexure 3	
Manukau 2	424	80	South	Annexure 3	
Manukau 3		81	South		
Manukau 4		80	South		
Manukau Harbour		80	South		
Manurewa		81	South		
Maori Purpose		80	North		
Marae and Papakāinga		80	North		
Martins Bay	520	81	North	Annexure 4	
Matakana 1	521	81	North	Annexure 4	
Matakana 2	522	81	North	Annexure 4	
Matakana 3	523	81	North	Annexure 4	
Matingarahi	426	81	South	Annexure 3	See 405 - Big Bay
Matukutūruru		81	South	Annexure 3	Wiri 2
Maunga and Sites		80	Auckland-wide		
Maunga and Sites		81	Auckland-wide		
Milford 1		81	North		
Milford 2		81	North	Annexure 4	
Milford 3		81	North		
Mill Road		81	South	Annexure 3	
Mission Bay 1		81	Central		

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Monte Cecilia	318	80	Central	Annexure 2	
Mount Albert 1		81	Central		
Mount Albert 2	320	80	Central	Annexure 2	
Mount Wellington 5	322	80	Central	Annexure 2	
Mt Eden 1		80	Central		
Mt Eden 2		81	Central		
Mt Roskill 1		81	Central		
Mt Roskill 2		81	Central		
Mt Roskill 3		81	Central		
Mt Wellington 2		81	Central		
Mt Wellington 3		81	Central		
Mt Wellington 4		81	Central		
Muriwai		81	West		
New Lynn	607	81	West	Annexure 5	
New Windsor		81	Central		
Newmarket 1		81	Central		
Newmarket 2		81	Central	Annexure 2	
North-west		81	West		
Observatory	323	80	Central	Annexure 2	
Ōkahu Bay	324	80	Central	Annexure 2	
Ōkahu Marine	325	81	Central	Annexure 2	
Ōkura	527	Pan	North	Annexure 4	
Ōmaha		81	North		
Ōmaha Flats		81	North		
Ōmaha South	528	81	North	Annexure 4	
Ōnehunga 1		81	Central		
Ōnehunga 2		81	Central		
Ōnehunga 3 (Port)		80	South		Ōnehunga 3 (Ports of Auckland)
Ōrākei 1	326	81	Central	Annexure 2	
Ōrākei 2	327	81	Central	Annexure 2	

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Ōrākei 3		81	Central		
Ōrākei Point	328	81	Central	Annexure 2	
Oratia Village Precinct	608	81	West	Annexure 5	
Ōrewa 1	529	81	North	Annexure 4	
Ōrewa 2	530	81	North	Annexure 4	
Ōrewa 3	531	81	North	Annexure 4	
Ōrewa 4		81	North		
Ōrewa 5		81	North		
Ōrewa Countryside		81	North	Annexure 4	
Papakura	428	81	South	Annexure 3	
Papatoetoe		81	South		
Parakai 1		81	North		
Parakai 2		81	North		
Pararēkau and Kopuahingahinga Islands	429	81	South	Annexure 3	
Paremoremo		81	North		
Parnell 1		81	Central		
Parnell 2		81	Central		
Patumahoe	430	81	South		See 405 - Big Bay
Patumahoe 2		81	South		
Penihana North	609	81	West	Annexure 5	
Penrose 2		81	Central		
Penrose1		81	Central		
Pine Harbour	431	81	South	Annexure 3	
Pinewoods	532	81	North	Annexure 4	
Puhinui	432	81	South	Annexure 3	
Puhoi		81	North	Annexure 4	
Puhoi 1		81	North		
Pukekohe Hill	433	81	South	Annexure 3	
Pukewairiki	435	81	South	Annexure 3	Waiouru (Highbrook)

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Ramarama 1		81	South	Annexure 3	
Red Beach	533	81	North	Annexure 4	
Redhills	610	81	West	Annexure 5	
Redvale 1		81	West		
Redvale 2		81	West		
Regional Parks		80	Auckland-wide	Annexure 1	
Remuera		80	Central		
Retirement Village		80	Auckland-wide		
Riverhead 1		81	North	Annexure 4	
Riverhead 2		81	North	Annexure 4	
Riverhead 3	534	81	North	Annexure 4	
Riverhead 4		81	North	Annexure 4	
Riverhead South		81	North	Annexure 4	
Rodney area		81	North		
Rodney Landscape	535	81	North	Annexure 4	
Rodney Thermal Energy Generation		81	North		
Rosedale 1		81	North		
Rosedale 3		81	North		
Rosedale 4		81	North		
Rosella Road	436	81	South	Annexure 3	
Rowing and Paddling	102	80	Auckland-wide	Annexure 1	
Runciman	437	81	South	Annexure 3	
Saint Heliers	329	81	Central	Annexure 2	
Saint Lukes	330	81	Central	Annexure 2	
Sandspit		81	North		
Silverdale 1		81	North	Annexure 4	
Silverdale 2	536	81	North	Annexure 4	
Silverdale 3	537	81	North	Annexure 4	

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Silverdale 4		81	North		
Silverdale 5		81	North		
Silverdale North		81	North	Annexure 4	
Silverdale West		81	North		
Smales 1	538	81	North	Annexure 4	
Smales 2	539	81	North	Annexure 4	
St John's Theological College	331	80	Central	Annexure 2	Saint John's Theological College
Stillwater		81	North		
Stonefields		81	South		
Swanson		81	West		
Swanson North	611	81	West	Annexure 5	
Sylvia Park		81	Central	Annexure 2	
Takanini	438	81	South	Annexure 3	
Takanini 1		81	South		
Takanini 2		81	South		
Takanini 3		81	South		
Takapuna 1	540	81	North	Annexure 4	
Takapuna 2		81	South	Annexure 3	
Takapuna 3		81	South		
Tāmaki	332	80	Central	Annexure 2	Tāmaki 1
Tāmaki Drive		81	Central		
Tāmaki Redevelopment		81	Central	Annexure 2	
Te Arai North	541	81	North	Annexure 4	
Te Arai South	542	81	North	Annexure 4	

Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Te Atatū Peninsula		81	West		
Te Atatū South		81	West		
Te Atatū Town Centre		81	West		
Te Hana		81	North		
Te Toro		81	South	Annexure 3	See 405 - Big Bay
Three Kings	333	81	Central	Annexure 2	
Waiheke		81	Central		
Waikauri Bay		81	North	Annexure 4	
Waimana Point	543	81	North	Annexure 4	
Waimauku		81	North		
Waimauku 1		81	North		
Waimauku 2		81	North		
Wainui	544	81	North	Annexure 4	
Wairaka	334	80	Central	Annexure 2	
Wairau Valley 2		81	North		
Wairau Valley 3		81	North		
Wairau Valley 4		81	North		
Waitakere Quarry		81	West		
Waitemata Gun Club		80	West	Annexure 5	
Waiuku	439	81	South	Annexure 3	
Waiuku 1		81	South		
Waiuku 2		81	South		
Waiuku 3		81	South		
Waiwera	545	81	North	Annexure 4	
Waiwera 1		81	North		



Precinct Name	Precinct number	Topic #	Area	Annexure	Alternative Names
Warkworth 1		81	North		
Warkworth 2		81	North		
Warkworth 3	546	81	North	Annexure 4	
Warkworth 4		81	North		
Waterview 1		81	Central		
Wattle Bay	440	81	South		See 405 - Big Bay
Wēiti	547	81	North	Annexure 4	
Wēiti 2		81	North	Annexure 4	
Wesley College		81	South	Annexure 3	Franklin 2 (Sub-precinct A)
Westgate	615	81	West	Annexure 5	
Whangaparāoa	548	81	North	Annexure 4	
Whenuapai 3		81	West		
Whitford	441	81	South	Annexure 3	
Whitford 1		81	South		
Whitford 2		81	South		
Whitford 3		81	South		
Whitford Village	442	81	South	Annexure 3	
Wiri 1		81	South		
Wiri 3		81	South		
Woodhill		81	North		
Woodhill 1		81	North		

## **Note to appellant**

You may appeal only if—

(a) the Council rejected a recommendation of the Hearings Panel in relation to a provision or a matter you addressed in your submission on the proposed plan and the Council decided on an alternative solution that resulted in a provision being included in the proposed plan or a matter being excluded from the proposed plan; or

(b) you are, were, or will be unduly prejudiced by the inclusion of a provision in or the exclusion of a matter from the proposed plan in relation to which the Council accepted a recommendation of the Hearings Panel that the Hearings Panel had identified as being beyond the scope of the submissions made on the proposed plan.

Your right to appeal may be limited by the trade competition provisions in Part 11A of the RMA.

You must lodge the original notice with the Environment Court, and serve a copy on the Council (by email to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)), within 20 working days after the Council notifies its decisions in relation to the recommendations of the Hearings Panel under section 148(4)(a) of the LGATPA (i.e. by no later than **16 September 2016**).

You must pay the filing fee required by regulation 15 of the Resource Management (Forms, Fees, and Procedure for Auckland Combined Plan) Regulations 2013 at the time you lodge this notice with the Environment Court.

If your appeal concerns a regional coastal plan provision / the coastal marine area, you must serve a copy of this notice on the Minister of Conservation within 5 working days after this notice is lodged with the Environment Court.

However, you may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

## **Advice to recipients of copy of notice of appeal**

### *How to become party to proceedings*

You may become a party to the appeal if you are one of the persons described in section 274(1) of the RMA.

To become a party to the appeal, you must, within 15 working days after the period for lodging a notice of appeal ends, lodge a notice of your wish to be a party to the proceedings (in form 33 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003) with the Environment Court by email (to [unitaryplan.ecappeals@justice.govt.nz](mailto:unitaryplan.ecappeals@justice.govt.nz)) and serve copies of your notice by email on the Auckland Council (to [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz)) and the appellant.

Your right to be a party to the proceedings in the Court may be limited by the trade competition provisions in section 274(1) and Part 11A of the RMA.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see form 38 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003).

### *Advice*

If you have any questions about this notice, contact the Environment Court in Auckland.

**Astrid Caldwell**

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**From:** donotreply@aucklandcouncil.govt.nz  
**Sent:** Thursday, 27 February 2014 1:58 p.m.  
**To:** Unitary Plan  
**Cc:** evergreenheights@xtra.co.nz  
**Subject:** Proposed Auckland Unitary Plan Submission - Dr. Hans Everts  
**Attachments:** Puhoi - PCF - Proposed Auckland Unitary Plan submission 26.2.14.pdf

Thank you for your submission to the proposed Auckland Unitary plan.

You should receive an acknowledgement within 10 working days. Please retain this as your copy. If you do not receive this, could you email [unitaryplan@aucklandcouncil.govt.nz](mailto:unitaryplan@aucklandcouncil.govt.nz) or phone 09 301 0101.



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**Submitter details**

**Full name:** Dr. Hans Everts  
**Organisation:** Puhoi Community Forum  
**Postal address:** 445 Krippner Road, RD 1, Silverdale  
**Email address:** [evergreenheights@xtra.co.nz](mailto:evergreenheights@xtra.co.nz)  
**Post code:** 0994  
**Local board:** Rodney local board  
**Contact Person:** Dr. Hans Everts, Co-Chairman  
**Date of submission:** 27-Feb-2014

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**Scope of submission**

The specific provisions that my submission relates to are:

**Provision(s):**

**Property address:**

**Map:**

Puhoi - historic heritage, Unitary Plan Base Zone, and precincts

**Other:**

**Submission**

Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.

I wish to have the provisions identified above amended:

Yes

**The reasons for my views are:**

See attached submission

**I seek the following decision by Council:**

Accept the Proposed Plan with amendments as outlined below

**If the Proposed Plan is not declined, then amend it as outlined below:**

See attached submission

**I wish to be heard in support of my submission:**

No

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

No

**Telephone:**

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

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



## **Submission on the Proposed Auckland Unitary Plan by the Puhoi Community Forum**

As noted in our feedback to the Draft Unitary Plan in May 2013, the village of Puhoi in Rodney may be small in size but embodies features that are valued within the wider Auckland region – it has a distinctive heritage (150 years of Bohemian migration celebrated last year); it has 10 identified places of ‘considerable historical significance’: it is a gateway to regional parks; it has several areas of ‘significant ecological’ or ‘outstanding natural landscape’ value; and it is the home of Puhoi Valley Cheese.

In 2010 the Puhoi Structure Plan was officially adopted by the Rodney District Council, and this submission focuses on the relationship between the Puhoi Structure Plan and the Proposed Auckland Unitary Plan in enhancing the unique character of our village, and the extent to which the aims of the former continue to be reflected in the latter. In general, we wish to commend the way in which the Council has continued to recognise the special character of Puhoi in its Proposed Unitary Plan. Consequently, our submissions are relatively specific, limited in extent, and focus on the themes of heritage protection and residential rules.

### **Submission one – heritage protection**

*Both the former Convent School and the Convent should be included in the list of places of significant historic heritage value. (reference – maps, Puhoi, historic heritage)*

#### *Reason*

In the triangle of land between Puhoi Road and Krippner Road on the ‘historic heritage’ map, there are three places of significant historic heritage value mentioned, including (judging from their position on the map) the Church, the Convent School and the Presbytery. In the Rodney District Council-supported Puhoi Structure Plan, the Convent is also included, positioned between the Convent School and the Presbytery. It should be included in the Unitary Plan, since it was built in the same style and opened at the same time as the other historic Church-related buildings.

### **Submission two – zone designation**

*The zone designation of the existing sports fields under Public Open Spaces – Conservation should be changed to Public Open Space – Sports and Recreation. (reference – maps, Puhoi, Unitary Plan Base Zone)*

# PUHOI

HISTORIC VILLAGE

## Puhoi Community Forum

### Reason

An obvious but minor error.

### Submission three – zones and precincts

*We strongly submit that the proposed Puhoi Precinct be abolished as confusing, divisive, and redundant. It adds nothing necessary or new. The two zones outlined above, and the two-fold set of associated rules meet the aspirations of the community as expressed over many years and articulated in the Puhoi Structure Plan. (reference – maps, Puhoi, precincts)*

### Reasons:

1. The area of Puhoi village zoned as a Rural and Coastal Settlement in the Proposed Unitary Plan is the same as what was included in the Special 14 (Puhoi Historic Village) Zone in the Puhoi Structure Plan. Good – consistent. | 3
2. The area zoned as Sub-Precinct A in the Proposed Unitary Plan is the same as what was included in the Historic Precinct in the Puhoi Structure Plan. Good - consistent. | 4
3. The rules governing activities, controls and assessment criteria for Puhoi (reference – Part 3, chapter K, section 5.34 – Puhoi) echo what was included in the Puhoi Structure Plan, except that the location, scale and form of buildings and structures are now required to be in harmony with the general character of Puhoi, rather than being laid out in detail as in the Puhoi Structure Plan, Design Guidelines. Good – consistent with community consensus. | 5
4. The problem is that these rules are applied to a newly-defined Puhoi Precinct, as drawn in red on the map, and constitute a third type of zone that applies to the village of Puhoi. This Precinct is smaller than the area outlined under 1 above, arbitrarily leaves out parts of the village that have hitherto been defined as part of it, and applies a different set of rules to those left-out areas – thus being inconsistent with what is included in point 3 above. We as a community have never suggested such a division of our village, and no rationale is given for it in the Proposed Auckland Unitary Plan. | 6

### Note

A further motion was passed at the Forum meeting of February 25<sup>th</sup> that it is up to property owners directly affected (especially the hotel and general store) to decide about the nature and worth of the newly-defined Neighbourhood Centre. Thus this is a matter on which the Forum has no position of its own.

Submission entered on behalf of the Puhoi Community Forum  
by Dr. Hans Everts, Co-Chairperson  
26<sup>th</sup> February 2014