

# Memo

Date 12/05/2021

To: Phill Reid, Auckland-wide Manager  
From: Teuila Young, Policy Planner, Regional Planning

Subject: **Plan Modification: Clause 20A Amendment to Chapter I of the Auckland Unitary Plan (AUP) Operative in part (15 November 2016).**

Delegated authority to T4 manager through Schedule 2A of the Auckland Council Combined Chief Executives Delegation Register (Updated May 2017).

This plan modification requires decision-making pursuant to clause 20A of the First Schedule to the Resource Management Act 1991, as corrections are required to the Auckland Unitary Plan (Operative in Part).

<b>Rule or Section of Unitary Plan</b>	Chapter I: Precincts <ul style="list-style-type: none"><li>• I604 Hobsonville Marina Precinct<ul style="list-style-type: none"><li>○ I604.10.1 Hobsonville Marina: Precinct plan 1 - Height</li></ul></li></ul>
<b>Nature of change</b>	<p>A minor change is required to correct text under I604.6.1(1)(e) to the Operative in Part version.</p> <p><b>Discussion</b></p> <p>A discrepancy was identified between a height listed in diagram I604.10.1 Hobsonville Marina: Precinct plan 1 – Height and a height listed under I604.6.1(1)(e).</p> <p>Height area 5 is listed in the text as follows:</p> <ul style="list-style-type: none"><li>▪ I604.6.1. Building height<ul style="list-style-type: none"><li>...</li><li>(e) Height area 5 – 9m (up to 13m Mean Sea Level)</li></ul></li></ul> <p>In the diagram (I604.10.1) the height area 5 is listed as being up to 15m above Mean Sea Level.</p> <p>An investigation into this issue determined that the error is in the diagram and this needs to be corrected from 15m to 13m to accurately reflect what is in the text.</p> <p><b>Evidence</b></p> <p><b>Current precinct text and map:</b></p> <p><b>I604.6. Standards</b></p> <p>The Auckland-wide, overlay and underlying zone standards apply in this precinct unless otherwise specified.</p> <p>All activities listed as permitted in Tables I604.4.1 and I604.4.2 must comply with the following permitted activity standards.</p> <p><b>I604.6.1. Building height</b></p> <p>(1) Buildings must not exceed the following heights limit in the areas identified in I604.10.1 Hobsonville Marina: Precinct plan 1:</p> <ul style="list-style-type: none"><li>(a) Height area 1 – 8m (up to 14m Mean Sea Level);</li><li>(b) Height area 2 – 12m (up to 18m Mean Sea Level);</li><li>(c) Height area 3 – 15m (up to 18m Mean Sea Level);</li><li>(d) Height area 4 – 15m (up to 21m Mean Sea Level); and</li><li>(e) Height area 5 – 9m (up to 13m Mean Sea Level).</li></ul>

## 1604.10. Precinct plans

### 1604.10.1 Hobsonville Marina: Precinct plan 1 – Height



## IHP history

- Evidence from Craig Shearer (see page 13 where building height for Height Area 5 appears as it is currently – 9m (up to 13m above mean sea level))

### APPENDIX: CHANGES PROPOSED

#### 1. Policy 1

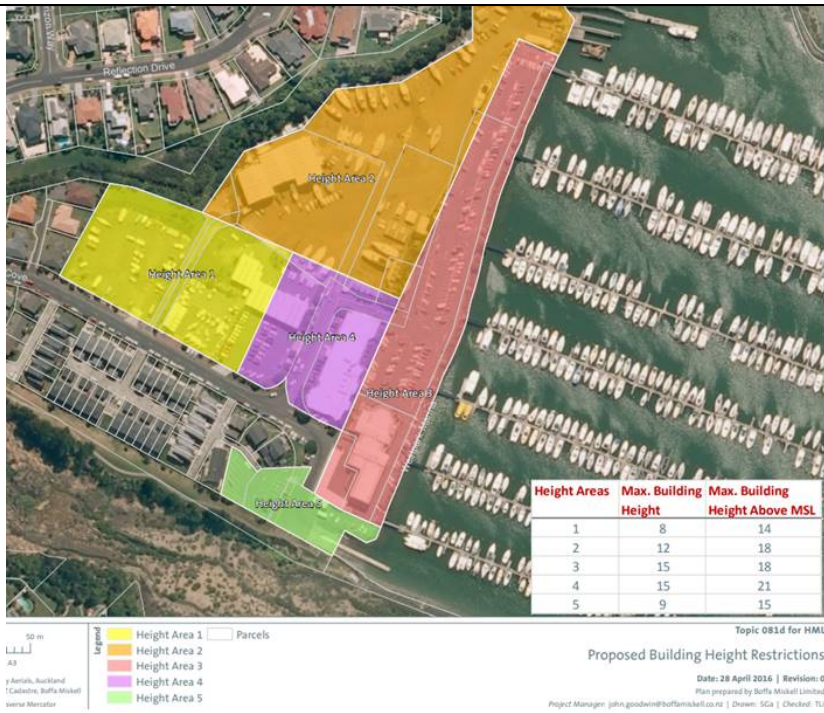
Require new development to be designed and located in a manner that is:  
d. maintains, and **or where possible** enhances, public access to and along the coastal edge.

#### 2. Development Controls

##### 3.1 Building height

1. Buildings must not exceed the following heights in the areas set out in the Westpark Marina Height Plan.
  - a. Height Area 1 – 8m (up to 14m MSL)
  - b. Height Area 2 – 12m (up to 18m MSL)
  - c. Height Area 3 – 15m (up to 18m MSL)
  - d. Height Area 4 – 15m (up to 21m MSL)
  - e. Height Area 5 – 9m (up to 13m MSL)

- IHP recommendation report states the following (<https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/history-unitary-plan/ihp-designations-reports-recommendations/Documents/ihp016017080081ann5.pdf>)
  - The notified heights in the sub-precincts ranged between 8 metres, 10 metres and 12 metres. The submission sought a uniform height of 18 metres across Sub-precincts A, B and C. Hobsonville Marina Limited commissioned a detailed study by Boffa Miskell, with assistance from Mr D Gibbs (architect/master planning). This was to obtain an understanding of the different ground levels within the precinct and then to determine the most appropriate heights, after considering visual and landscape effects on other properties and the desirability of enabling reasonable intensification of land use in the precinct. The results of the study were presented as joint evidence of Mr Goodwin and Mr Jeffcock from Boffa Miskell. Mr Shearer, expert planner for the submitter, also addressed this matter in his evidence. As a result of that expert advice, the Panel was advised that Hobsonville Marina Limited was no longer seeking 18 metres across the whole of Sub-precincts A, B and C. It now sought to retain the notified building heights for a large part of the land, although the detailed study referred to in the evidence showed that some additional height could be accommodated in specific areas. To give effect to this approach to maximum height, Hobsonville Marina Limited proposed a simple height plan to be included in the precinct with maximum heights specified for the different areas shown there. The Panel agrees with and supports this approach for the reasons set out in the expert evidence.
- Relating to the above proposed simple height plan: In their statement of evidence submitters John Goodwin and John Jeffcock (on behalf of Hobsonville Marina Limited) provided the following maps from the detailed study by Boffa Miskell – *note Height Area 5 has a Max. Building Height of 15m Above MSL*



- In addition to the above map the following evidence was also given by John Goodwin and John Jeffcock on behalf of Hobsonville Marina Limited – *note they have stated their support of the notified Height Area 5 Max height limit up to 13m MSL*

#### Height Area 5

3.15 We support the maximum height limit remaining as notified in this area (9m to allow for a two storey building up to 13m MSL), due to its proximity to the existing residential dwellings at the eastern end of Clearwater Cove Road.

#### 4. SUMMARY




4.1 Overall, and from a visual perspective, we are of the opinion that an enabling framework which allows a variation of building heights across the Precinct is appropriate.

4.2 Our analysis has led us to believe that increases in maximum building heights can occur across parts of the Precinct without undue visual amenity consequences. In this regard, we support the inclusion of an additional height control plan within the Precinct provisions, and in relation to that plan, consider that any future development should not exceed the following maximum heights as to do so may result in adverse visual amenity effects:

- **Height Area 1** – 8m (up to 14m MSL)
- **Height Area 2** – 12m (up to 18m MSL)
- **Height Area 3** – 15m (up to 18m MSL)
- **Height Area 4** – 15m (up to 21m MSL)
- **Height Area 5** – 9m (up to 13m MSL)

John Goodwin / John Jeffcock  
10 February 2016

<b>Effect of change</b>	The change is minor in nature. The amendment does not change the application or intent of the provisions but rather it ensures the correct administering of the plan as was originally intended. There is no effect nor impact upon either the environment or persons.																		
<b>Changes required to be made</b>	Amend I604.10.1 in Chapter I in the Operative in Part version of the Auckland Unitary Plan as follows: <table border="1" data-bbox="470 454 1273 701" style="margin-left: 40px;"> <thead> <tr> <th>Height Areas</th> <th>Max Building Height</th> <th>Max Building Height Above MSL</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>8</td> <td>14</td> </tr> <tr> <td>2</td> <td>12</td> <td>18</td> </tr> <tr> <td>3</td> <td>15</td> <td>18</td> </tr> <tr> <td>4</td> <td>15</td> <td>21</td> </tr> <tr> <td>5</td> <td>9</td> <td><u>15</u> 13</td> </tr> </tbody> </table>	Height Areas	Max Building Height	Max Building Height Above MSL	1	8	14	2	12	18	3	15	18	4	15	21	5	9	<u>15</u> 13
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1	8	14																	
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5	9	<u>15</u> 13																	

<b>Prepared by:</b> Teuila Young Policy Planner	<b>Diagram prepared by:</b> Dean Thompson Senior Geospatial Specialist
<b>Signature:</b> 	<b>Signature:</b> 
<b>Reviewed by:</b> Teuila Young Policy Planner	<b>Signed off by:</b> Phill Reid Manager Planning, Auckland-Wide Unit
<b>Signature:</b> 	<b>Signature:</b> 