

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of **Private Plan Change 99** – 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven to the Auckland Unitary Plan

HEARING DIRECTION #1 FROM THE HEARING PANEL

1. Pursuant to section 34A of the RMA, Auckland Council (the Council) has appointed the chair of the Hearing Panel – Karyn Kurzeja (Chairperson). The hearing panel members will be appointed shortly. The Hearing Panel's function is to hear the application and submissions and to make a decision on the Plan Change proposal, including any changes to it that are within scope of the notified Plan Change. It is also to deal with any procedural matters.
2. Plan Change 99, in summary, aims to rezone 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven from Residential Single House to Residential – Mixed Housing Urban. It also proposes a precinct for the land to include the Medium Density Residential Standards in Schedule 3A of the RMA in accordance with section 77G of the RMA.
3. Before the hearing timetable is set down, the Chair directs the applicant to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions. This memorandum should be lodged with the Council's Hearings Advisor, Bevan Donovan, by 5pm, Thursday 25 July 2024.
4. The reason for this is, in accordance with Part 2 of Schedule 1 of the RMA, any modifications to the plan change application must be made prior to the Local Authority considering the request under S25 of Schedule 1. As this private plan change has already been notified, the S42A report will be based on the private plan change as notified. The chair, in setting the hearing timetable, will take into consideration the extent of any proposed changes to ensure all parties have sufficient time to prepare for the hearing.
5. Any enquiries regarding these Directions or related matters should be directed to the Council's Hearings Advisor, Bevan Donovan, by email at bevan.donovan@aucklandcouncil.govt.nz.



Karyn Kurzeja, Chairperson
17 July 2024

To: Karyn Kurzeja – Chairperson
From: Rachel Morgan – Barker & Associates Limited
Date: 25 July 2024
Re: Private Plan Change 99 - Response to Hearing Direction #1

This memo responds to Hearing Direction #1 from the PC99 Panel Chair. The Direction requests that the applicant file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions.

The applicant team has meet with some submitters and is considering a range of amendments to the proposed Precinct, however, this is still being worked through.

As such, I list below the high-level amendments that are being considered at this stage. This will be confirmed in evidence.

The amendments being considered include:

- Amendments to ensure that infrastructure capacity is assessed at the resource consent stage for development on the site. This may include targeted amendments to the relevant objectives, policies, rules and assessment criteria. This responds to the issues raised in the Auckland Council and Watercare submissions.
- Amendments to reduce the building height allowed in the Precinct, potentially to 8m + 1m for roof form. This is still being worked through and is subject to a qualifying matter assessment. This responds to the issues raised in the submissions from directly affected neighbours.
- Amendments to limit the existing access from Beach Haven Road so that it is 'pedestrian only'. This responds the issues raised in the submission for Airedale Property Trust.

Further amendments may be proposed in response to issues raised in submissions, however, the above provides an indication on the preliminary approaches being considered.