

I hereby give notice that a hearing by commissioners will be held on:

Date: Thursday 12 & Friday 13 September 2024
Time: 9.30am
Meeting room: Council Chambers
Venue: Ground Floor, Auckland Town Hall
301-303 Queen Street, Auckland

**PRIVATE PLAN CHANGE 99
HEARING REPORT**

**13 CRESTA AVENUE AND 96 BEACH HAVEN
ROAD, BEACH HAVEN**

BEACH HAVEN ROAD APARTMENTS LIMITED

COMMISSIONERS

Chairperson Karyn Kurzeja
Commissioners Peter Kensington
Cherie Lane

**Bevan Donovan
KAITOHUTOHU WHAKAWĀTANGA/
HEARINGS ADVISOR**

Telephone: 09 890 8056 or 021 325 837
Email: bevan.donovan@aucklandcouncil.govt.nz
Website: www.aucklandcouncil.govt.nz

Note: The reports contained within this document are for consideration and should not be construed as a decision of Council. Should commissioners require further information relating to any reports, please contact the hearings advisor.

WHAT HAPPENS AT A HEARING

Te Reo Māori and Sign Language Interpretation

Any party intending to give evidence in Māori or NZ sign language should advise the hearings advisor at least ten working days before the hearing so a qualified interpreter can be arranged.

Hearing Schedule

If you would like to appear at the hearing please return the appearance form to the hearings advisor by the date requested. A schedule will be prepared approximately one week before the hearing with speaking slots for those who have returned the appearance form. If changes need to be made to the schedule the hearings advisor will advise you of the changes.

Please note: during the course of the hearing changing circumstances may mean the proposed schedule may run ahead or behind time.

Cross Examination

No cross examination by the applicant or submitters is allowed at the hearing. Only the hearing commissioners are able to ask questions of the applicant or submitters. Attendees may suggest questions to the commissioners and they will decide whether or not to ask them.

The Hearing Procedure

The usual hearing procedure is:

- **The chairperson** will introduce the commissioners and will briefly outline the hearing procedure. The Chairperson may then call upon the parties present to introduce themselves. The Chairperson is addressed as Madam Chair or Mr Chairman.
- **The applicant** will be called upon to present their case. The applicant may be represented by legal counsel or consultants and may call witnesses in support of the application. After the applicant has presented their case, members of the hearing panel may ask questions to clarify the information presented.
- **Submitters** (for and against the application) are then called upon to speak. Submitters' active participation in the hearing process is completed after the presentation of their evidence so ensure you tell the hearing panel everything you want them to know during your presentation time. Submitters may be represented by legal counsel or consultants and may call witnesses on their behalf. The hearing panel may then question each speaker.
 - Late submissions: The council officer's report will identify submissions received outside of the submission period. At the hearing, late submitters may be asked to address the panel on why their submission should be accepted. Late submitters can speak only if the hearing panel accepts the late submission.
 - Should you wish to present written evidence in support of your submission please ensure you provide the number of copies indicated in the notification letter.
- **Council Officers** will then have the opportunity to clarify their position and provide any comments based on what they have heard at the hearing.
- The applicant or their representative has the right to summarise the application and reply to matters raised by submitters. Hearing panel members may further question the applicant at this stage. The applicants reply may be provided in writing after the hearing has adjourned.
- **The chair** will outline the next steps in the process and adjourn or close the hearing.
- If adjourned the hearing panel will decide when they have enough information to make a decision and close the hearing. The hearings advisor will contact you once the hearing is closed.

Please note

- that the hearing will be audio recorded and this will be publicly available after the hearing
- catering is not provided at the hearing.

A NOTIFIED PRIVATE PLAN CHANGE TO THE AUCKLAND UNITARY PLAN BY BEACH HAVEN ROAD APARTMENTS LIMITED

TABLE OF CONTENTS		PAGE NO.
Reporting officer’s report		7 - 94
Attachment One	Private plan change request documents (as notified) This appendix has not been re-produced in this agenda but is available on council’s website here https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=262	
Attachment Two	Clause 23 Further information request and response This appendix has not been re-produced in this agenda but is available on council’s website here https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=262	
Attachment Three	Relevant AUP zone provisions – Chapters H3 and H5	95 – 148
Attachment Four	Submissions	149 – 384
Attachment Five	Kaipātiki Local Board views	385 – 390
Attachment Six	Auckland Council specialist memos	391 – 458
Attachment Seven	Recommended amendments to notified precinct provisions	459 - 476
Attachment Eight	Section 32AA for s42A recommended amendments	477 – 500
Attachment Nine	Section 42A report author qualifications and experience	501 - 504

Reporting officer, Jo Hart, Senior Policy Planner

Reporting on the proposed Private Plan Change 99 request to rezone 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven from Residential Single House to Residential – Mixed Housing Urban and introduce a new precinct to incorporate the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the RMA.

APPLICANT: BEACH HAVEN ROAD APARTMENTS LIMITED

SUBMITTERS:	
Page 161	Emma Elizabeth Poyner
Page 163	Blair Baldock
Page 165	Pero Garlick
Page 167	Tim Merkens
Page 169	Anne-Marie Brill
Page 171	Timothy James Orr
Page 173	Keegan goodall
Page 175	Jose Dooley
Page 177	Francois du Plessis
Page 179	Sharron Frances
Page 181	Shane Dooley
Page 183	Tom Greer
Page 185	Martin Coleman
Page 187	Angela D Lewis
Page 189	Fran Lowery
Page 190	Peter Douglas
Page 192	Jessica Maree Dodd
Page 195	Marais Business Architects Ltd
Page 197	Royda Ann Kavalinovich
Page 199	Kevin Warne
Page 201	Peter Kerrigan
Page 204	Brian Williams
Page 205	Louise Riddell
Page 207	Kate Ann Sandford
Page 215	Alastair Mackay
Page 216	Jeb and Rochelle Warren
Page 218	KC Foong
Page 221	Kimberley Anne Lind
Page 223	Cherylee Lonsdale
Page 225	Paige Louise Mekkelholt

Page 227	Victoria Mowbray
Page 229	Elizabeth bell
Page 231	Mitchell Houlbrooke
Page 233	Kim Mekkeholt
Page 235	Lauren Oneill
Page 237	Josephine Hawke
Page 239	Nina Pettersson-Fox
Page 241	Thomas Flexton
Page 243	Cheryll Bicar
Page 245	Alison lewis
Page 247	Sarah Blaney
Page 249	Matt Pullin
Page 251	Paul
Page 253	Kathy Williams
Page 255	Abbagail Head and Benjamin Collings
Page 258	James Markwick
Page 260	Carol and Bob Hamilton
Page 263	Barbara Janis Rothwell
Page 265	Geoffrey Wilding
Page 267	Anna Lee Smith
Page 269	Helen Lesslie
Page 271	Keitha Turner
Page 273	Alison Ann McGlashan
Page 276	Keith Salmon
Page 278	Mel and Max ChapmanGataua
Page 280	Craig Stanton
Page 282	Elisabeth Morgan-Reeve
Page 284	Stephen Hogg
Page 286	Catherine Reina Conrad
Page 288	Sean Crawford
Page 290	Meinita Crerar Baker
Page 292	Auckland Council
Page 298	Geoffrey John Dawson
Page 300	Harriet Bennett Allan
Page 304	Charles Ronald Grinter
Page 308	Sarah Menzies
Page 310	Cameron Mark Thorpe
Page 312	Bilney Lodge Properties Limited

Page 314	Eion Martin Bryant
Page 316	Tarn Drake
Page 318	Daisy Kay
Page 323	New Zealand Defence Force
Page 326	Airedale Property Trust
Page 331	Paul Heiplik
Page 333	Elizabeth Hurley
Page 335	Frances Hogg
Page 337	Crispin Robertson
Page 344	Simon Richard Taylor
Page 346	Watercare Services Limited
Page 362	Anne Mutu
Page 364	Maria Mutu
Page 366	Inger Bennett
Page 368	Tania McBeth-Stanton
Page 370	Judith Rochelle Lardner Rivlin
Page 372	Kirk David Vette
Page 374	Rian Drake
Page 376	Alex Hurley
Page 378	Andrew Mcmanus
Page 380	Robyn Plummer
Page 382	Gallo Boyle and James Boyle



Hearing Report for Proposed Private Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven to the Auckland Unitary Plan (Operative in part)

Section 42A Hearing Report under the Resource Management Act 1991

Report to:	Hearing Commissioners
Hearing Date/s:	12 and 13 September 2024
File No:	
File Reference	
Report Author	Jo Hart, Senior Policy Planner, Planning – Regional, North, West, and Islands, Planning and Resource Consents
Report Approvers	Eryn Shields, Team Leader, Planning – Regional, North, West, and Islands. Planning and Resource Consents
Report produced	12 August 2024

Summary of Proposed Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven.

Plan subject to change	Auckland Unitary Plan (Operative in part), 2016
Number and name of change	Proposed Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven
Status of Plan	Operative in part
Type of change	Private Plan Change
Clause 25 decision outcome	Accept
Parts of the Auckland Unitary Plan affected by the proposed plan change	AUP GIS Geomaps viewer Chapter I: Precincts (North)
Date of notification of the proposed plan change and whether it was publicly notified or limited notified	18 April 2024 Publicly notified
Submissions received (excluding withdrawals)	90
Date summary of submissions notified	14 June 2024
Number of further submissions received (numbers)	Nil
Legal Effect at Notification	No legal effect at notification
Main issues or topics emerging from all submissions	<ul style="list-style-type: none"> • effects on character and amenity values on adjacent sites, the surrounding area and the Beach Haven Local Centre • traffic effects, including lack of parking and congestion • inadequate infrastructure to support development (stormwater, wastewater, social, and local business) • stormwater and flooding • intensification and future development of the sites • planning process including the resource consent for the same sites which was declined in an

	<p>Independent Hearing Panel’s decision in August 2023</p> <ul style="list-style-type: none">• relief sought for amendments to the proposed precinct provisions to:<ul style="list-style-type: none">○ enable control to be exercised over the management of stormwater effects at the time of subdivision○ ensure that subdivision and development of the land is co-ordinated with the provision of local and bulk water and wastewater infrastructure○ include reference to the Obstacle Restriction Limitation Surface and the requirements within Designation 4311 for the ‘Whenuapai Airfield Approach and Departure Path Protection’.
--	--

Contents

Executive Summary	6
1. Purpose of the proposed private plan change	7
2. Site description and background	8
3. Existing Auckland Unitary Plan Provisions	9
4. Proposed Plan Change Provisions	10
5. Analysis of the section 32 report and any other information provided by the requestor	15
6. Hearings and decision-making considerations	19
7. Statutory and policy framework	20
7.1. Resource Management Act 1991 – Regional and district plans	21
7.2. Resource Management Act 1991 – Regional Matters	22
7.3. Resource Management Act 1991 – District matters	23
7.4. National Policy Statements	23
7.5. National environmental standards or regulations.....	27
7.6. Auckland Unitary Plan	28
7.7.1 Proposed Plan Change 78	33
7.7. The Auckland Plan 2050.....	36
8. Any relevant management plans and strategies prepared under any other Act	37
9. Assessment of effects on the environment	38
9.1. Residential amenity and neighbourhood character effects	38
9.2. Transport effects	40
9.3. Infrastructure effects – water supply and wastewater.....	41
9.4. Stormwater effects and Natural Hazards - Flooding	45
9.5. Cultural effects	47
10. Consultation	49
10.1. Mana Whenua	49
10.2. Local Board	50
11. Notification and Submissions	51
11.1. Notification details	51
12. Analysis of submissions	51
12.1. Submissions supporting PPC99 in its entirety	51
12.2. Submissions supporting PPC99 subject to amendments	52
12.3. Submissions opposing PPC99 in its entirety	60
12.4. Submissions opposing PPC99 and seeking alternative relief if approved	65
13. Potential Changes within the Scope of Submissions	82
14. Section 32AA Analysis of Recommended Changes	85

15. Conclusions.....	86
16. Recommendations.....	86
17. Signatories.....	87

Abbreviations

Abbreviations in this report include:

Abbreviation	Meaning
PPC99	Proposed Private Plan Change 99
PC78	Plan Change 78: Intensification
RMA	Resource Management Act 1991
AUP	Auckland Unitary Plan
Watercare	Watercare Services Limited
ACS	Auckland Council (as a submitter)
NZDF	New Zealand Defence Force
MDRS	Medium Density Residential Standards (Schedule 3A of the RMA)
NPS-UD	National Policy Statement on Urban Development 2020
FDS	Tāmaki – Whenua Taurikura Future Development Strategy 2023-2053

Attachments

Attachments	
Attachment 1	Plan Change 99
Attachment 2	Clause 23 Further information request and response
Attachment 3	Relevant AUP provisions – Chapters H3 and H5
Attachment 4	Submissions
Attachment 5	Kaipātiki Local Board view
Attachment 6	Auckland Council specialist memos
Attachment 7	Recommended amendments to notified precinct provisions
Attachment 8	Section 32AA for s42A recommended amendments
Attachment 9	Section 42A report author qualifications and experience

Executive Summary

1. Proposed Private Plan Change 99 (PPC99) to the Auckland Unitary Plan (Operative in Part)(AUP)) seeks to rezone the properties at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven, from Residential – Single House to Residential – Mixed Housing Urban. PPC99 also seeks the inclusion of a new precinct in Chapter I of the AUP to incorporate the Medium Density Residential Standards (MDRS) as required by Section 77G(1) and Schedule 3A of the Resource Management Act 1991 ('RMA').
2. The private plan change process set out in Part 2 of Schedule 1 of the RMA was adhered to in developing PPC 99.
3. Following receipt of all further information, PPC99 was accepted for processing by Council under Clause 25 of Schedule 1 of the RMA on 27 March 2024.
4. PPC99 was publicly notified on 18 April 2024 and closed for submissions on 17 May 2024. The summary of submissions was notified on 14 June 2024 and closed for further submissions on 1 July 2024.
5. Ninety (90) submissions were received (with a total of 99 subpoints). There were no late submissions or further submissions.
6. In preparing for hearings on PPC99, this hearing report has been prepared in accordance with section 42A of the RMA.
7. This report considers the private plan change request, supporting documentation, Council initiated technical review of the supporting documentation and the issues raised by submissions on PPC99. The discussion and recommendations in this report are intended to assist the Hearing Commissioners, the requestor and those persons or organisations that lodged submissions on PPC99. The recommendations contained within this report are not the decisions of the Hearing Commissioners.
8. This report also forms part of council's ongoing obligations to consider the appropriateness of the proposed provisions, as well as the benefits and costs of any policies, rules or other methods, as well as the consideration of issues raised submissions on PPC 99.
9. A report in accordance with section 32 of the RMA was prepared by the requestor as part of the private plan change request as required under clause 22(1) of Schedule 1 of the RMA. The information provided by the requestor in support of PPC99 (including the s32 report and an Assessment of Environmental Effects) is attached in Attachment 1.
10. In accordance with the evaluation in this report, I consider that the provisions, subject to the recommended amendments in this report, are the most appropriate way of achieving the objectives of the AUP and the purpose of the RMA.
11. It is recommended that PPC99 be approved with amendments for the reasons set out in section 15 of this report.

1. Purpose of the proposed private plan change

12. PPC99 was lodged with the Council on 16 April 2021 by Beach Haven Road Apartments Limited (formerly known as Bentley Studios Limited). The purpose of PPC99 as outlined in section 4.2 (page 7) in the s32 evaluation¹ report is to:

“...enable greater density to make efficient use of highly accessible land close to the Beach Haven Local Centre and public transport. The reason for this Plan Change is that the applicant, who is a majority landowner of the Plan Change area, intends to develop the site in a manner consistent with the MHU zones, which this Plan Change request will enable.”

13. At the time of lodgement in 2021, an assessment of the request was undertaken by Council. A Clause 23 request was provided to the requestor, with the last part of their response being received on 14 September 2021. Auckland Council was then required at that time to both decide whether to accept the request and the level of notification required i.e., limited or full notification.
14. On 23 October 2021, the requestor sought that the request be put on hold. The requestor then sought resource consents for subdivision and development of the two sites on 25 February 2022. The bundled applications were publicly notified on 14 December 2022, with the submission period ending 3 February 2023. A hearing was held on 4 and 5 July 2023. The Independent Hearing Panel's decision was issued on 31 August 2023. This decision refused the consents on the basis that the proposal was contrary to the objectives and policies of the Residential – Single House Zone, and in general, the AUP.
15. On 16 October 2023, the requestor advised Council that it wished to re-commence the previously lodged request to rezone the two sites from Residential - Single House zone to Residential - Mixed Housing Urban zone. Updated documents were provided to support the recommenced request including the precinct provisions to incorporate the MDRS as required by the RMA. The last of the update material was provided on 21 February 2024.
16. It should be noted that Auckland Council's intensification plan change, Proposed Plan Change 78 (PC78) is also proposing the Residential – Mixed Housing Urban Zone for the two sites. PC78 is Council's response to give effect to the National Policy Statement on Urban Development 2020 and the MDRS in 77G and Schedule 3A of the RMA.
17. PPC99 is a separate process to PC78 under Schedule 1 of the RMA, and the zoning change is sought to amend the operative Residential – Single House Zone in the AUP. Further discussion on the relationship between PC78 and PPC99 can be found in sections 7.7.1 and 9.3 of this report. At this time, the Independent Hearing Panel for the PC78 hearings has indicated that the hearing of the residential zones are on hold until the Government provides further direction on its 'Housing for Growth' policy and the associated statutory changes required to the RMA. PPC99 will be heard before either the PC78 hearings and/or decision processes have been completed.

¹ Section 4.2, page 7, of the report titled 'Beach Haven Road Apartments Limited Section 32 Report' by Jess Parulian of Barkers and Associates Limited dated November 2023 (see Attachment 1).

2. Site description and background

18. The subject sites at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven are two contiguous sites with a total area of 7,147m². The sites are located close to the Beach Haven Local Centre with the driveway to 96 Beach Haven Road immediately to the west of the centre. The subject sites are currently vacant with buildings having recently being removed from 96 Beach Haven Road. An aerial photo of the PPC area is shown below in Figure 1.



Figure 1: Aerial photo of 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven (Source: Auckland Council GIS map viewer 8 May 2024)

19. In accordance with s42A (1A) I do not propose to repeat information included in the requestor’s application and under s42(1B)(b). I adopt the description of the site and surrounds as set out in the requestors site context report².
20. In addition, I undertook a site visit in the vicinity of the sites and surrounds on 27 March 2024. It should be noted that I did not go on the sites and only viewed the properties via the driveways from Cresta Avenue and Beach Haven Road.

3. Existing Auckland Unitary Plan Provisions

21. The site is currently zoned Residential – Single House zone in the AUP³ as identified below in Figure 2.

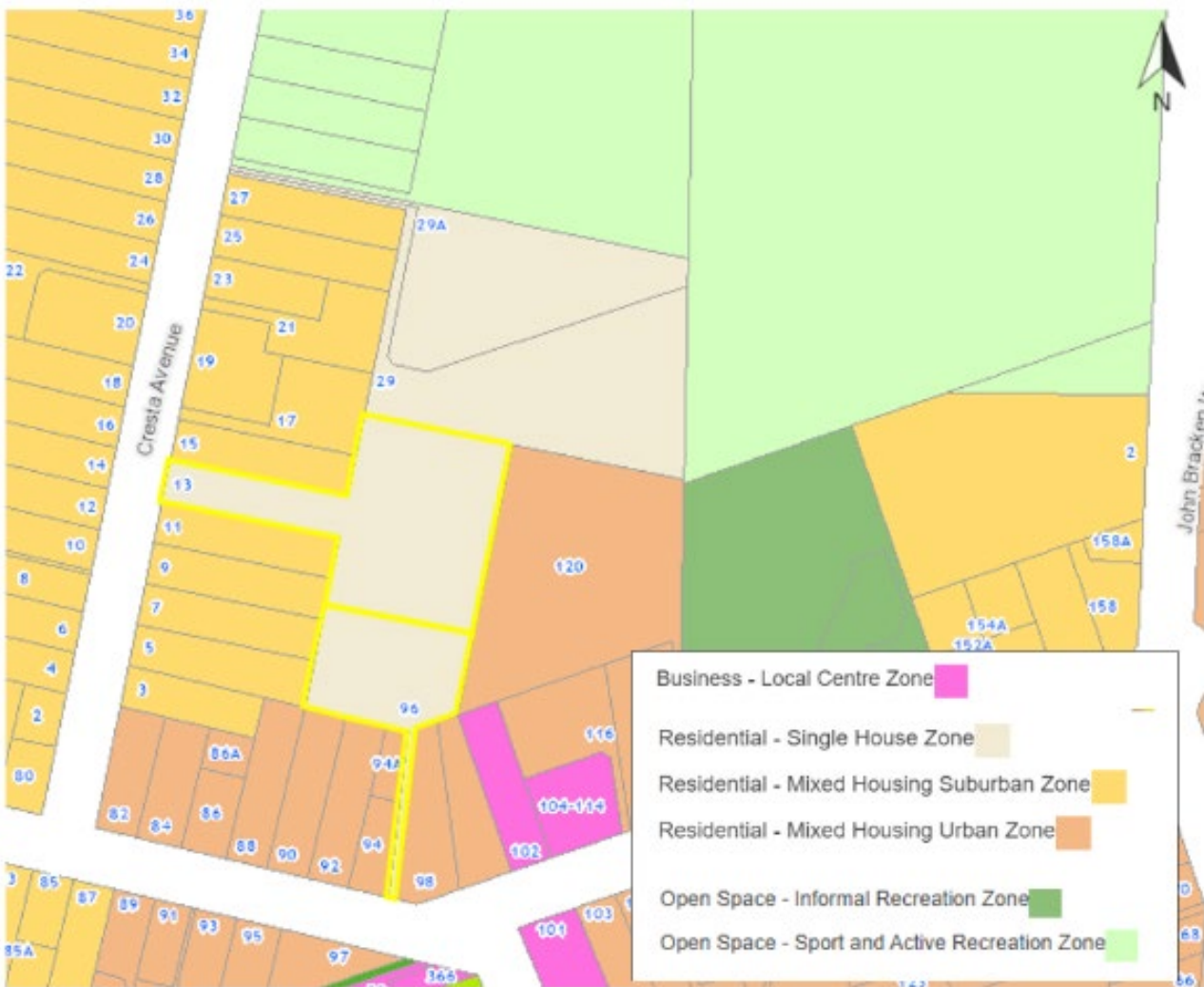


Figure 2: Auckland Unitary Plan GIS viewer map operative zones in the AUP with PPC area shown outlined in yellow (Auckland Council GIS map viewer as 9 May 2024)

² Section 3.1 Site Description and Section 3.2 Surrounding area and context (pages 3-6) of the report titled ‘Beach Haven Road Apartments Limited Section 32 Report’ by Jess Parulian of Barkers and Associates Limited dated November 2023 (see Attachment 1).

³ Chapter H3 Residential – Single House Zone, Auckland Unitary Plan (Operative in part)

22. The purpose of this zone is to maintain and enhance the amenity values of established residential neighbourhoods in a number of locations. The particular amenity values of a neighbourhood may be based on special character informed by the development in the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.
23. To support the purpose of the Residential – Single House zone, multi-unit development is not anticipated, with additional housing limited to the conversion of an existing dwelling into two dwellings and minor dwelling units. The zone is generally characterised by one to two storey high buildings consistent with a suburban built character.
24. The key provisions for the Residential – Single House zone are:
 - a) one dwelling per site in compliance with the relevant standards – provided for as a Permitted Activity
 - b) the conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings, and minor dwellings - provided for as a Permitted Activity
 - c) more than one dwelling per site (other than noted in the above bullet point) – provided for as a Non-complying Activity
 - d) Integrated Residential Development – provided for as a Discretionary Activity
 - e) residential care facilities and boarding houses accommodating up to 10 persons – provided for as Permitted Activity
 - a. non-residential activities include:
 - dairies up to 100m² gross floor area per site - Restricted Discretionary Activity
 - restaurants and cafes up to 100m² gross floor area per site - Discretionary Activity
 - Service stations on arterial roads – Discretionary Activity.
25. The sites in the plan change area are also subject to the following additional controls:
 - a) Macroinvertebrate Community Index Control (Urban)
 - b) Designation 4311: Defence purposes – protection of approach and departure paths (Whenuapai Airbase, Minister of Defence).

4. Proposed Plan Change Provisions

26. PPC99 as notified, seeks a change in zone from Residential – Single House zone to Residential – Mixed Housing Urban in the AUP for 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven. PPC99 also seeks a new precinct to incorporate the MDRS as required by Section 77G(1) and Schedule 3A of the RMA (refer to Figures 3 and 4 below). No changes to any other spatial layers or text in the AUP are proposed.

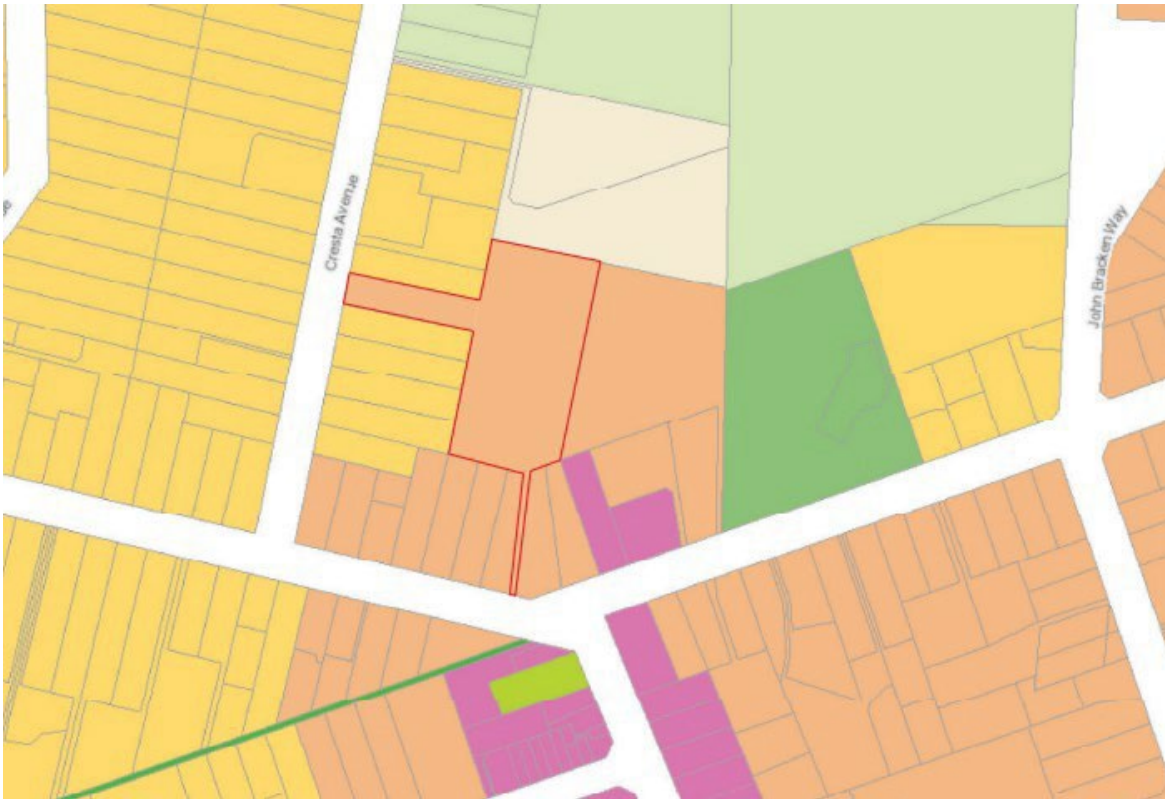
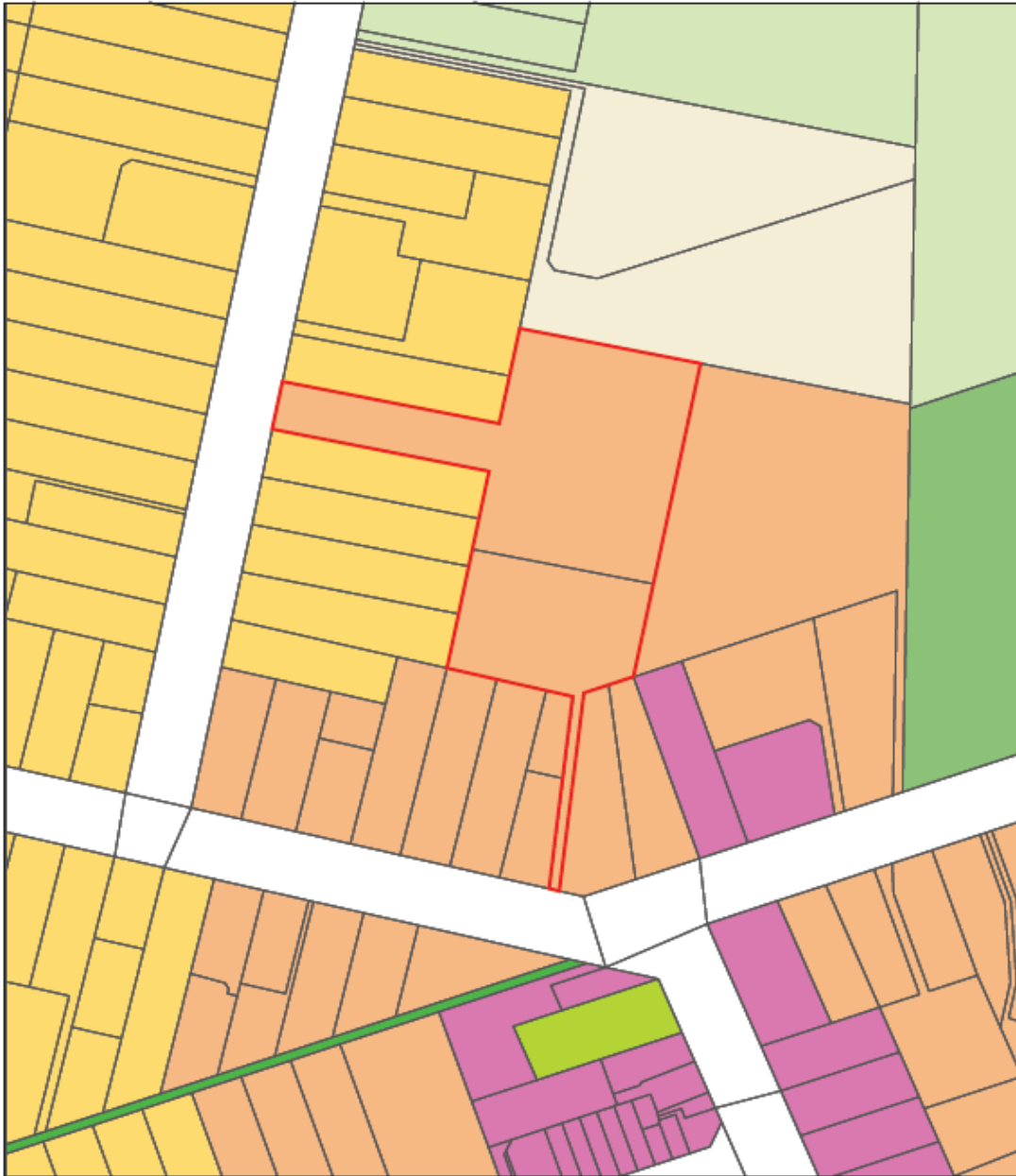


Figure 3: Proposed zoning map.
(Source: Beach Haven Road Apartments Limited (Section 32 evaluation))



I556. Beach Haven Precinct

Legend

 Precinct Boundary

 Scale @ A4 = 1:5,000

Figure 4: Proposed precinct plan for 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven.

Residential - Mixed Housing Urban zone

27. The Residential – Mixed Housing Urban zone ‘is a reasonably high intensity zone which provides for development typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments’⁴. This zone supports increasing the capacity

⁴ Chapter H5. Residential – Mixed Housing Urban Zone, Auckland Unitary Plan (Operative in part)

and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres.

28. The requestor considers that the Residential – Mixed Housing Urban zone is an appropriate zone for the two sites as it enables:
 - a) efficient use of land in an area with well-established social and physical infrastructure
 - b) increased density and a greater range of housing types within a short walk to the Beach Haven Local Centre and Beach Haven ferry.
29. The requestor also considers that it aligns with PC78 which also proposes that these two sites (and the surrounding residential zoned sites) are rezoned to Residential – Mixed Housing Urban (noting that the PC78 proposed zone does not become operative until after the Independent Hearing Panel (IHP) hearings and recommendation, and Council's acceptance of the IHP recommendations, have been completed and the plan change becomes operative).
30. The key provisions of the Residential – Mixed Housing Urban zone are as follows:
 - a) up to 3 dwellings per site – is provided for as a Permitted Activity
 - b) four or more dwellings per site – is provided for as a Restricted Discretionary Activity
 - c) Integrated Residential Development – is provided for as Restricted Discretionary Activity
 - d) residential care facilities and boarding houses accommodating up to 10 persons – provided for as Permitted Activity
 - a. non-residential activities include:
 - o dairies up to 100m² gross floor area per site - Restricted Discretionary Activity
 - o restaurants and cafes up to 100m² gross floor area per site - Discretionary Activity
 - o Service stations on arterial roads – Discretionary Activity.

Proposed precinct provisions

31. The PPC request is statutorily required under Schedule 1, Clause 25(4A) of the RMA to incorporate the MDRS. The method to do this in the AUP so that it applies to these two sites is through a precinct. The objectives, policies, and standards in the proposed precinct, as shown in Attachment 4 of the requestor's section 32 report, reflect the statutory requirements in Schedule 3A of the RMA. The key provisions are as follows:
 - a) up to three residential units per site where it complies with the standards – Permitted Activity
 - b) the construction of one or more dwellings where it does not comply with one or more of the standards – Restricted Discretionary Activity
 - c) subdivision for the purpose of construction or use for residential units for MDRS permitted and restricted discretionary activities – Controlled Activity
32. Unless otherwise stated in the proposed precinct provisions, the objectives, policies, and standards of the operative Residential – Mixed Housing zone, and any other relevant provisions of the AUP, will apply to the two sites.

33. The requestor has provided the following specialists' documents to support their private plan change request.

Table 1: Information provided by the requestor for the private plan change

Document title	Specialist	Date
Section 32 and Planning Report	Barkers and Associates Limited	16 November 2023
Proposed Zoning Map	Barkers and Associates Limited	
Proposed Precinct Plan	Barkers and Associates Limited	
Proposed Beach Haven Precinct Provisions		
Appendix 1 – Beach Haven Plan Change		November 2020
Appendix 2 – Records of Title		As at 1 November 2023
Appendix 3 – AUP Objectives and Policies Assessment Table		16 November 2023
Appendix 4 – Pre-lodgement meeting minutes		N/A
Appendix 5 – Urban Design Assessment	Meyer Neeson / Frank Pierard – Barkers and Associates Limited	3 November 2023
Appendix 6 – Integrated Transport Assessment	Commute Transportation Consultants	3 November 2023
Appendix 7 – Infrastructure and Engineering Report	Airey Consultants Limited	6 November 2023
Appendix 8 – Mana Whenua Consultation	Barkers and Associates Limited	N/A
Appendix 9 – Stormwater Management Plan	Airey Consultants Limited	3 November 2023
Appendix 10 – Beach Haven PC Advice – Revised – Final	Jeremy Brabant – Barrister, Environmental Law	24 October 2023

5. Analysis of the section 32 report and any other information provided by the requestor

34. In accordance with s42A(1) of the RMA this report is prepared on information provided on any matter by the requestor. In accordance with s42A(1A) this report does not need to repeat information included in the requestor’s application, and instead under s42A(1B) may—
- a) adopt all of the information; or
 - b) adopt any part of the information by referring to the part adopted.
35. Having reviewed the requestor’s section 32 report I now set out those parts which I adopt and the parts which I disagree with.
36. The requestor’s analysis of section 32 is contained within section 8 of their section 32 report⁵. The assessment appropriately starts with an investigation of whether the objectives of the plan change are the most appropriate way to achieve the purpose of the RMA. The overarching objective of the request is:
- ‘to enable greater density to make efficient use of highly accessible land close to the Beach Haven Local Centre and public transport.’*
37. The request considers that the application of the objectives and policies of the proposed Residential – Mixed Housing Urban zone is appropriate for the plan change area. The requestor, in section 8.1.1 of the section 32 report, identifies the following objectives from Chapter H2 of the AUP:
- (1) *Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.*
 - (2) *Development is in keeping with the neighbourhood’s planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.*
 - (3) *Development provides quality on-site residential amenity for residents and adjoining sites and the street.*
38. I acknowledge paragraph 8.12 of the requestor’s section 32 report which makes conclusions regarding section 5-8 of the RMA. However in my view it is difficult to determine the most appropriate way to achieve the RMA’s purpose without a comparison between the objective of the plan change with the status quo objectives. It is my view that the operative zone gives effect to the provisions of the AUP Regional Policy Statement (RPS) and all higher documents, so the question becomes which objective gives better effect.
39. In considering the appropriateness of the request, this needs to be given to the objectives and policies of both the operative Residential – Single House Zone and the proposed Residential – Mixed Housing Urban Zone. The details of a specific development proposal have not been provided. Therefore, the consideration is whether the purpose/objective of the request i.e., *‘to enable greater*

⁵ Report titled ‘Beach Haven Road Apartments Limited Section 32 Assessment Report. 13 Cresta Ave and 96 Beach Haven Road, Beach Haven, Private Plan Change Request dated November 2023. Prepared by Barkers and Associates Limited.

density to make efficient use of highly accessible land close to the Beach Haven Local Centre and public transport,' is the most appropriate way to achieve the purpose of the RMA.

40. I consider that the requestor has appropriately considered the extent to which the objective of the plan change is the most appropriate way to achieve the purpose of the RMA. However, I do recommend amendments to the request to ensure that stormwater, wastewater, and water supply infrastructure objectives, policies, and standards, are included in the precinct provisions. Future resource consents for use, development, or subdivision of the subject sites would need to include an assessment of the infrastructure required for a specific development to ensure that there is capacity to support the development. This matter is discussed further below in Sections 12, 13, and 14 of this report and relates primarily to the submissions from Auckland Council (Submission 62) (ACS) and Watercare (Submission 79).
41. Consideration then needs to turn to which zone, either the operative Residential – Single House Zone or the proposed Residential – Mixed Housing Urban Zone, is the appropriate way to achieve the purpose of the RMA.
42. The main differences between the objectives and policies of the Residential – Single House Zone and the Residential – Mixed Housing Urban Zone are shown below in Table 2 (as shown in underlined text for emphasis). I note that the objectives and policies which are the same in both zones have not been included in the table. Copies of Chapter H3 and H5 have been provided in Attachment 3 of this report.

Table 2: Differences between the Residential - Single House Zone and the Residential - Mixed Housing Urban Zone

	H3 Residential – Single House Zone	H5. Residential – Mixed Housing Urban Zone
Objectives	<p>(1) <u>Development maintains and is in keeping with the amenity values of established residential neighbourhoods</u> including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.</p> <p>(2) Development is in keeping with the neighbourhood’s existing or planned suburban built character of <u>predominantly one to two storeys buildings</u>.</p>	<p>(1) Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is <u>efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport</u>.</p> <p>(2) Development is in keeping with the neighbourhood's planned urban built character of <u>predominantly three-storey buildings</u>, in a variety of forms and surrounded by open space.</p>
Policies	<p>(1) <u>Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings</u>.</p>	<p>(1) <u>Enable a variety of housing types at higher densities, including low-rise apartments and integrated residential development such as retirement villages</u>.</p>

	<p>(2) Require development to:</p> <p>(a) be of a height, bulk and form that maintains and is in keeping with the character and amenity values of the established residential neighbourhood; or</p> <p>(b) be of a height and bulk and have sufficient setbacks and landscaped areas to maintain an existing suburban built character or <u>achieve the planned suburban built character of predominantly one to two storey dwellings within a generally spacious setting.</u></p> <p>(8) To provide for integrated residential development on larger sites.</p>	<p>(2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas <u>to achieve an urban built character of predominantly three storeys, in a variety of forms.</u></p> <p>(5) Require accommodation to be designed to meet day to day needs of residents by:</p> <p>(a) providing privacy and outlook; and</p> <p>(b) providing access to daylight and sunlight and providing the amenities necessary for those residents.</p> <p>(10) Recognise the functional and operational requirements of activities and development.</p> <p>(9) Enable more efficient use of larger sites by providing for integrated residential development.</p>
--	--	--

43. The surrounding residential sites within the adjacent neighbourhood are zoned Residential – Mixed Housing Suburban to the west, Residential – Single House to the north, and Mixed Housing Urban to the south and east of the subject sites. The Residential – Mixed Housing Suburban zone provides for up to two storeys and the Residential – Mixed Housing Urban Zone up to three storeys. Both of these zones provide for residential development up to three dwellings as a Permitted Activity subject to compliance with the relevant standards. While the established residential development of neighbouring sites is predominantly one to two storeys, this does not preclude future development of those neighbouring sites to the level provided for in those two zones.
44. Turning then to section 32(1)(b), it is my view that the proposed Residential – Mixed Housing Urban zone, subject to the recommended amendments to the precinct provisions, is the most appropriate way to achieve the requestor’s objective ‘to enable greater density to make efficient use of highly accessible land close to the Beach Haven Local Centre and public transport’. This is because it is consistent with the objectives and policies of the Residential – Mixed Housing Urban zone and in particular Objective H5.2(1) and Policy H5.3(1) (refer to Table 2 above).
45. I have read the requestors assessment of s32(1)(b) and in particular the alternative options set out in para 8.3 of their report. The requestor has considered the following potential zoning options for the subject sites:
- Option 1: Do nothing i.e., maintain the Residential – Single House zone (status quo)
 - Option 2: Rezone the plan change area to Residential - Mixed Housing Urban Zone and establish a Beach Haven Precinct
 - Option 3: rezone the plan change area to Residential - Terrace Housing and Apartment Buildings zone.

46. The requestor considers, as stated in section 8.3 of the section 32 report, that the following AUP objectives have particular relevance to the request:

- *B2.2.1 (1) A quality compact urban form that enables all of the following:*
 - (a) *a higher-quality urban environment;*
 - (b) *greater productivity and urban growth;*
 - (c) *better use of existing infrastructure and efficient provision of infrastructure;*
 - (d) *improved and more effective public transport;*
 - (e) *greater social and cultural vitality; and*
 - (g) *reduced adverse environmental effects.*
- *B2.3.1 (1) A quality built environment where subdivision, use and development do all of the following:*
 - (a) *respond to the intrinsic qualities and physical characteristics of the site and area, including its setting;*
 - (b) *reinforce the hierarchy of centres and corridors;*
 - (c) *contribute to a diverse mix of choice and opportunity for people and communities;*
 - (d) *maximise resource and infrastructure efficiency;*
 - (e) *are capable of adapting to changing needs; and*
 - (f) *respond and adapt to the effects of climate change.*
- *B2.3.1(2) Innovative design to address environmental effects is encouraged.*
- *B2.3.1(3) The health and safety of people and communities are promoted.*
- *B2.4.1 (3) Land within and adjacent to centres and corridors or in close proximity to public transport and social facilities (including open space) or employment opportunities is the primary focus for residential intensification.*
- *H5.2(1) Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.*

47. The requestor does not support Option 1.

48. The requestor considers that Option 2, to apply the Residential – Mixed Housing Urban Zone and include a Beach Haven Precinct to incorporate the MDRS, is the most appropriate way to achieve the objectives of the AUP. This is because they consider that it will support the efficient use of land close to public transport and amenities and responds appropriately to the residential context (RPS B2.3.1), B2.3.1(2) and B2.3.1(3)).

49. Option 2 enables the greater density sought through the objective of the request, than the density enabled through the operative Residential – Single House zone. The proposed Residential – Mixed Housing Urban zone for the two sites is in keeping with the similar density and heights that is enabled on the neighbouring sites to the west, south and east. While I consider that the operative zoning gives effect to the RPS objectives and policies of Chapter B2 as listed in paragraph 48 above and

discussed in Section 7 of this report, the proposed zoning also gives effect, in that the request considers that it provides for:

- a) a quality compact urban form that enables all of the following:
 - a higher-quality urban environment (B2.2.1(1)(a))
 - better use of existing infrastructure (B2.2.1(1)(c))
 - higher residential intensification:
 - in an around centres (B2.2.2(5)(a))
 - close to public transport, social facilities (including open space) (B2.2.2(5)(c))

- b) a quality built environment where subdivision, use and development which:
 - responds to the intrinsic qualities and physical characteristics of the sites and area, including its setting (B2.3.1(1)(a))
 - contributes to a diverse mix of choice and opportunity for people and communities (B2.3.1(1)(c))
 - is capable of adapting to changing needs (B2.3.1(1)(e))
 - responds and adapt to the effects of climate change (B2.3.1(1)(f))
 - enables a range of built forms to support choice and meets the needs of Auckland's diverse population (B2.3.2(3))
 - mitigates the adverse effects of subdivision, use, and development through appropriate design (B2.3.2(5))

- c) supports a quality compact urban form (B2.4.1(1))

- d) increases the housing capacity and range of housing choice (B2.4.1(4))

- e) provides for medium residential intensities in an area within moderate walking distance to a centre, public transport, social facilities, and open space (B2.4.2(3))

- f) ensures development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification (B2.4.2(6)).

50. I agree with the requestor that Option 3, to rezone the plan change area to Residential – Terrace Housing and Apartment Buildings zone, is not the most appropriate way to achieve the purpose of the RMA. Option 3 is not consistent with the objectives and policies of the RPS including B2.3.2(1)(a). As stated above in paragraph 42, the neighbouring sites are zoned Residential – Mixed Housing Urban, Residential – Single House, and Residential – Mixed Housing Suburban zones. The application of the Residential – Terrace Housing and Apartment Buildings zone would result in a density of development different to the surrounding sites and is likely to be less effective in achieving a quality built environment.

51. Therefore, I agree with the requestor that Option 2, subject to the recommended amendments to the precinct provisions, is the better way to meet the objectives of the AUP and the purpose of the RMA.

6. Hearings and decision-making considerations

52. Clause 8B of Schedule 1 of RMA requires that a local authority shall hold hearings into submissions on private plan changes.

53. Auckland Council’s Chief Executives’ Delegation Register (June 2024, Version 1.5) delegates to hearing commissioners all powers, duties and functions under the RMA. This delegation includes the authority to determine decisions on submissions on a plan change, and the authority to approve, decline, or approve with amendments, a private plan change request. Hearing Commissioners will not be recommending a decision to the council, but will be issuing the decision.
54. In accordance with s42A(1), this report considers the information provided by the requestor and summarises and discusses submissions received on PPC99. It makes recommendations on whether to approve, decline, or approve with amendments PPC99, and recommendations to accept, in full or in part; or reject, in full or in part; each submission. This report also identifies what amendments, if any, can be made to address matters raised in submissions. Any conclusions or recommendations in this report are not binding to the Hearing Commissioners.
55. The Hearing Commissioners will consider all the information submitted in support of the proposed plan change, information in this report, and the information in submissions, together with evidence presented at the hearing.
56. This report has been prepared by the following author(s) and draws on technical advice provided by the following technical experts:

Table 2: Specialist input into s42A report

Area of expertise	Authors
Planning	Jo Hart, Senior Policy Planner – Regional, North, West, and Islands Planning, Planning and Resource Consents, Policy, Planning and Governance, Auckland Council.
Technical expert – Transport	Andrew Temperley (Traffic Planning Consultants Limited – transport consultant for Auckland Council)
Technical expert- – Auckland Transport	Emeline Fonua, Planner Katherine Dorofaeff, Principal Planner
Technical expert - Stormwater	Carmel O’Sullivan, Senior Healthy Waters Specialist, Healthy Waters and Flood Resilience, Resilience and Infrastructure, Auckland Council
Technical expert – Stormwater	Amber Tsang, consultant for Healthy Waters and Flood Resilience, Resilience and Infrastructure, Auckland Council

57. The technical reports provided by the above experts are attached in Attachment 6 of this report.

7. Statutory and policy framework

58. Private plan change requests can be made to the Council under clause 21 of Schedule 1 of the RMA. The provisions of a private plan change request must comply with the same mandatory requirements as Council initiated plan changes, and the private plan change request must contain an evaluation report in accordance with section 32 and clause 22(1) in Schedule 1 of the RMA.

59. Clause 29(1) of Schedule 1 of the RMA provides “except as provided in subclauses (1A) to (9), Part 1, with all necessary amendments, shall apply to any plan or change requested under this Part and accepted under clause 25(2)(b)”.
60. In respect to PPC99, the request to rezone the two sites, and the incorporation of the MDRS, are a district plan matter. However, the consideration of how PPC99 gives effect to the Regional Policy Statement is also required.
61. The following sections summarises the statutory and policy framework, relevant to PPC99.

7.1. Resource Management Act 1991 – Regional and district plans

Plan change matters – regional and district plans

62. In the development of a proposed plan change to a regional and/ or district plan, the RMA sets out mandatory requirements in the preparation and process of the proposed plan change. Table 4 below summarises matters for plan changes to regional and district plan matters.

Table 4: Plan change matters relevant to regional and district plans

Relevant Act/Policy/Plan	Section	Matters
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 32	Requirements preparing and publishing evaluation reports. This section requires councils to consider the alternatives, costs and benefits of the proposal
Resource Management Act 1991	Section 80	Enables a ‘combined’ regional and district document. The Auckland Unitary Plan is in part a regional plan and district plan to assist Council to carry out its functions as a regional council and as a territorial authority
Resource Management Act 1991	Schedule 1	Sets out the process for preparation and change of policy statements and plans by local authorities

63. The mandatory requirements for plan preparation are comprehensively summarised by the Environment Court in *Long Bay-Okura Great Park Society v North Shore City Council*, Environment Court Auckland A078/2008, 16 July 2018 at [34] and updated in subsequent cases including *Colonial Vineyard v Marlborough District Council* [2014] NZEnvC 55 at [17]. When considering changes to district plans, the RMA sets out a wide range of issues to be addressed. The relevant sections of the RMA include sections 31-32 and 72-76 of the RMA.
64. The tests are the extent to which the objective of PPC99 is the most appropriate way to achieve the purpose of the Act (s32(1)(a)) and whether the provisions:
- accord with and assist the Council in carrying out its functions (under s 31) for the purpose of giving effect to the RMA;
 - accord with Part 2 of the RMA (s 74(1)(b));
 - give effect to the AUP regional policy statement (s 75(3)(c));
 - give effect to any national policy statement (s 75(3)(a));
 - have regard to the Auckland Plan 2050 (being a strategy prepared under another Act (s 74(2)(b)(i));

- have regard to the actual or potential effects on the environment, including, in particular, any adverse effect (s 76(3));
- are the most appropriate method for achieving the objectives of the AUP, by identifying other reasonably practicable options for achieving the objectives (s 32(1)(b)(i)); and by assessing their efficiency and effectiveness (s 32(1)(b)(ii)); and:
- identifying and assessing the benefits and costs of environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for:
 - i. economic growth that are anticipated to be provided or reduced (s 32(2)(a)(i)); and
 - ii. employment that are anticipated to be provided or reduced (s 32(2)(a)(ii));
- if practicable, quantifying the benefits and costs (s 32(2)(b)); and
- assessing the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (s 32(2)(c)).

65. Under section 74(1)(e) the decision maker must also have particular regard to the section 32 evaluation report prepared in accordance with s 32 (s 74(1)(e)).

7.2. Resource Management Act 1991 – Regional Matters

66. There are mandatory considerations in the development of a proposed plan change to regional matters. Table 5 below summarises regional matters under the RMA, relevant to PPC99.

Table 3: Plan change – regional matters under the RMA

Relevant Act/Policy/Plan	Section	Matters
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 30	Functions of regional councils in giving effect to the RMA
Resource Management Act 1991	Section 59	Sets out the purpose of a regional policy statement in giving effect to the RMA
Resource Management Act 1991	Section 60	Sets out the requirement for and the process for, changes to the regional policy statement
Resource Management Act 1991	Section 61	Sets out the matters to be considered for a regional policy statement
Resource Management Act 1991	Section 62	Sets out the required contents of regional policy statements
Resource Management Act 1991	Section 63	Sets out the purpose of regional plans
Resource Management Act 1991	Section 64	Sets out the requirement for and the process for, changes to the regional coastal plan
Resource Management Act 1991	Section 65	Sets out matters to be considered for changes to regional plans
Resource Management Act 1991	Section 66	Sets out matters to be considered in (other) regional council plans
Resource Management Act 1991	Section 67	Sets out required contents of regional plans
Resource Management Act 1991	Section 68	Sets out the purpose and considerations of rules in regional plans (regional rules)

Resource Management Act 1991	Section 69	Sets out matters to be considered for rules relating to water quality
Resource Management Act 1991	Section 70	Sets out matters to be considered for rules relating to discharges

7.3. Resource Management Act 1991 – District matters

67. There are mandatory considerations in the development of a proposed plan change to district plans and rules. Table 6 below summarises district plan matters under the RMA, relevant to PPC99.

Table 6: Plan change – District plan matters under the RMA

Relevant Act/Policy/Plan	Section	Matters
Resource Management Act 1991	Part 2	Purpose and intent of the Act
Resource Management Act 1991	Section 31	Functions of territorial authorities in giving effect to the Resource Management Act 1991
Resource Management Act 1991	Section 73	Sets out Schedule 1 of the RMA as the process to prepare or change a district plan
Resource Management Act 1991	Section 74	Matters to be considered by a territorial authority when preparing a change to its district plan. This includes its functions under section 31, Part 2 of the RMA, national policy statement, other regulations and other matter
Resource Management Act 1991	Section 75	Outlines the requirements in the contents of a district plan
Resource Management Act 1991	Section 76	Outlines the purpose of district rules, which is to carry out the functions of the RMA and achieve the objective and policies set out in the district plan. A district rule also requires the territorial authority to have regard to the actual or potential effect (including adverse effects), of activities in the proposal, on the environment

7.4. National Policy Statements

68. The relevant national policy statements (NPS) must be considered in the preparation, and in considering submissions on PPC99. Table 7 below summarises the NPS that applies to PPC99.

Table 7: National Policy Statements relevant to PPC99

Relevant Act/Policy/Plan	Section	Matters
National Policy Statement – Urban Development 2020 (Updated May 2022)	Objectives 2, 5 and 7	Relate to planning decisions which improve housing affordability, take into account the principles of Te Tiriti o Waitangi, and are based on robust information about a territorial authority’s urban environment.

	Policy 1	Relate to planning decisions which contribute to well-functioning urban environments
	Policy 6	Relate to planning decisions and the matters to have particular regard to including the urban form and benefits anticipated by the NPS-UD, that there may be significant changes to an area which may detract from amenity values appreciated by some people but may improve amenity values appreciated by other people, communities and future generations, and the likely current and future effects of climate change.
National Policy Statement on Freshwater Management 2020	2.1 Objectives 2.2 Policies (1, 2, 3, 9, 15)	To ensure that natural and physical resources are managed in a way that prioritises: <ul style="list-style-type: none"> (a) first, the health and well-being of water bodies and freshwater ecosystems (b) second, the health needs of people (such as drinking water) (c) third, the ability of people and communities to provide for their social, economic and cultural well-being now and in the future
National Coastal Policy Statement - Hauraki Gulf Marine Park Act 2000	Sections 7 and 8	Recognition of the significance of the Hauraki Gulf, its islands and catchments including the protection and/or enhancement of: <ul style="list-style-type: none"> • the life-supporting capacity of the environment of the Hauraki Gulf • natural, historic, and physical resources including those with which tāngata whenua have a historic, traditional, cultural, or spiritual relationship • cultural and historical associations of people and communities in and around the Hauraki Gulf with its natural, historical and physical resources • contribution of the natural, historic and physical resources to the social and economic well-being of the people and communities of the Hauraki Gulf, and New Zealand • the natural, historic and physical resources which contribute to the recreation of the Hauraki Gulf to the people and communities of the Hauraki Gulf and New Zealand.

National Policy Statement – Urban Development 2020 (Updated May 2022)

69. The National Policy Statement on Urban Development 2020 (NPS-UD) seeks to ensure that New Zealand’s towns and cities are well-functioning urban environments that meet the changing needs of diverse communities. It also seeks to remove barriers to development to allow growth ‘up’ and ‘out’ in locations that have good access to existing services, public transport networks and infrastructure.
70. The Environment Court considered the impact of the NPS-UD on private plan changes in its decision (Eden-Epsom Residential Protection Society Incorporated v Auckland Council [2021] NZEnvC 082)

dated 9 June 2021 (released by the Court on 15 June 2021). The Environment Court decision appears to consider that the only NPS-UD objectives and policies that are relevant to the merits of a private plan change request accepted by the Council are those that include specific reference to 'planning decisions' i.e. Objectives 2, 5 and 7 and Policies 1 and 6. In the absence of the Council having completed the work envisaged by other policies, it appears that currently only some sub-clauses of Policy 6 would apply.

71. The Environment Court's decision also confirms that Policies 3 and 4 of the NPS-UD, do not currently apply when considering the merits of private plan change requests i.e. having regard to Part 4 and subpart 6 of Part 3 of the NPS-UD. It is anticipated that future Council initiated plan changes will implement these policies.
72. In accordance with the Court's direction, I consider that Objectives 2, 5 and 7, and Policies 1 and 6 are relevant to PPC99, noting that Auckland is identified as a Tier 1 urban environment.
73. The requestor, in Section 5.1.1 of the section 32 report, has assessed the proposed plan change against the NPS-UD. The requestor considers that the following objectives and policies of the NPS-UD are relevant to PPC99 (underline is emphasised within the section 32 report):
 - a) **Objective 1:** *New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*
 - b) **Objective 3:** *Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*
 - o (a) the area is in or near a centre zone or other area with many employment opportunities.
 - **Objective 4:** *New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations.*
 - **Objective 8:** *New Zealand's urban environments: support reductions in greenhouse gas emissions; and are resilient to the current and future effects of climate change.*
 - **Policy 1:** *Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:
 - (a) have or enable a variety of homes that:
 - (i) meet the needs, in terms of type, price, and location, of different households
 - (c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport*
 - **Policy 4:** *Regional policy statements and district plans applying to tier 1 urban environments modify the relevant building height or density requirements under Policy 3 only to the extent necessary (as specified in subpart 6) to accommodate a qualifying matter in that area.*
 - **Policy 6:** *When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:
 - (b) that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*

- (i) *may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*
- (ii) *are not, of themselves, an adverse effect.*

74. I agree with the requestor that PPC99 aligns with the NPS-UD in that:

- a) the two sites subject to PPC99:
 - o are located in or near to a centre zone, being the Beach Haven Local Centre
 - o are accessible by existing public transport services
 - o will enable a variety of a homes as provided for in the proposed Residential – Mixed Housing Urban Zone.

75. Resource consent applications for any future development enabled by the proposed Residential – Mixed Housing Urban Zone would also need to be assessed against the NPS-UD including Objective 8 in that the development is resilient to the current and future effects of climate change. Amendments to the precinct provisions are also recommended in this report to ensure that there is sufficient stormwater, wastewater, and water supply infrastructure provided to support development of the two sites at the same time the sites are subdivided or developed. Resource consents for future subdivision, use, and development will require an assessment against the relevant parts of the AUP including the recommended modified precinct provisions (if made operative in the AUP).

National Policy Statement on Freshwater Management 2020

76. The National Policy Statement on Freshwater Management 2020 (NPSFM) sets a national framework on the management of freshwater across New Zealand. The NPSFM requires that natural and physical resources are managed in a way that:

- a) prioritises the health and well-being of water bodies and freshwater ecosystems;
- b) the health needs of people; and
- c) the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

77. I consider the relevant objectives and policies of NPS-FM which are relevant to PPC99 are:

Objective 2.1(1) *(1) The objective of this National Policy Statement is to ensure that natural and physical resources are managed in a way that prioritises:*

(a) first, the health and well-being of water bodies and freshwater ecosystems

(b) second, the health needs of people (such as drinking water)

(c) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

Policy 2.2(1) *Freshwater is managed in a way that gives effect to Te Mana o te Wai.*

Policy 2.2(3) *Freshwater is managed in an integrated way that considers the effects of the use and development of land on a whole-of-catchment basis, including the effects on receiving environments.*

Policy 2.2(4) *Freshwater is managed as part of New Zealand's integrated response to climate change.*

78. The requestor has not provided an assessment against the NPSFM. However, the requestor has provided a Stormwater Assessment (refer to Appendix 9 of the section 32 report). The potential stormwater effects are discussed further below in Section 9.4 of this report. An assessment of the stormwater effects against the requirements of the NPSFM will be required as part of any future resource consent application for any subdivision, use, or development within the private plan change area.

Coastal Policy Statement - Hauraki Gulf Marine Park Act 2000

79. The purpose of the Hauraki Gulf Marine Park Act 2000 (HGMPA) is to integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments⁶.
80. For the coastal environment of the Hauraki Gulf, sections 7 and of 8 of the HGMPA must be treated as a New Zealand coastal policy statement issued under the RMA. The two sites within the PPC99 area are within the coastal environment as identified in Schedule 3 of the HGMPA⁷.
81. Section 7 recognises the national significance of the Hauraki Gulf, its islands and catchments, while section 8 outlines the objectives of the management of the Hauraki Gulf, its islands and catchments. The objectives are intended to protect, maintain and where appropriate enhance the life-supporting capacity of the environment of the gulf and its islands.
82. The key issue is the extent to which PPC99 address the matters set out in sections 7 and 8 of the HGMPA in protecting the life-supporting capacity of the environment of the Gulf and its islands, including 'to maintain the soil, air, water, and ecosystems of the Gulf (Objective 2.1(2)(c)).
83. The requestor has not provided an assessment against the HGMPA. As noted above, the requestor has provided an assessment of the stormwater effects. Stormwater effects are discussed further below in Section 9 of this report.
84. I acknowledge that an assessment against the requirements of the HGMPA is more appropriate for any future resource consent applications for the use, subdivision or development of the two sites, enabled by the proposed zoning in PPC99. In addition, the resource consent applications will require an assessment against any relevant district and/or regional provisions of the AUP. This includes, but is not limited to, AUP provisions relating to stormwater, air quality, and land disturbance.

7.5. National environmental standards or regulations

85. Under section 44A of the RMA, local authorities must observe national environmental standards in its district/ region. No rule or provision may be duplicate or be in conflict with a national environmental standard or regulation.

National Environmental Standard on assessing and managing contaminants into soil to protect human health (NESCS)

86. The NESCS provides a nationally consistent set of planning controls and soil contaminant values to ensure that land affected by contaminants in soil is appropriately identified and assessed before it is developed and, if necessary, the land is remediated, or the contaminants contained to make the land safe for human use.

⁶ Catchment is defined to mean 'any area of land where the surface water drains into the Hauraki Gulf'. This includes the catchment in which the private plan change area is located.

⁷ Section 10 Creation of New Zealand coastal policy statement by this Act. Hauraki Gulf Marine Park Act 2020.

87. The requestor has not provided an assessment against the NESCS. A resource consent for bulk earthworks for site preparation, contaminated land and infringements and NESCS was granted on 21 December 2021 (LUC60384512/LUC60384152-A). The resource consent is subject to conditions including the requirement for a Contaminated Site Management Plan (Condition 36).
88. I do not consider that PPC99 is in conflict with the NESCS. The legacy aerial GIS layer in the AUP identifies that there was a historical agricultural use on the two sites for 'Market Gardens.' However, I consider the resource consent stage is the appropriate time to assess any proposed development against the NESCS, along with any other relevant AUP provisions.

7.6. Auckland Unitary Plan

89. Table 8 contains the relevant sections of the RPS and DP applicable to PPC99 and which are summarised in paragraphs 92 to 108 below.

Table 8: Relevant regional policy statements and district provisions of Auckland Unitary Plan

Relevant Act/Policy/Plan	Section	Matters
Auckland Unitary Plan – Regional Policy Statement	B2 Tāhuhu whakaruruhau-ā-taone -Urban growth and form	Urban growth and form <ul style="list-style-type: none"> Urban growth and form (B2.2) A quality built environment (B2.3) Residential Growth (B2.4)
	B3 – Ngā pūnaha hanganga, kawekawe me ngā pūngao – Infrastructure, transport and energy	Transport (B3.3)
	B6 Mana Whenua	<ul style="list-style-type: none"> Recognition of Treaty of Waitangi/Te Tiriti o Waitangi partnerships and participation (B6.2.1(1), B6.2.2(1))
	B7 Toitū te whenua, toitū te taiao – Natural resources	Natural Resources <ul style="list-style-type: none"> Freshwater Systems (B7.3.1(3), B7.3.2(1)(a) and (c)) Coastal water, freshwater, and geothermal water (B7.4)
	B10 Ngā tūpono ki te taiao – Environmental risk E30 – Contaminated land [rps]	Environmental Risk: <ul style="list-style-type: none"> Natural hazards and Climate Change (B10.2) Land – Contaminated (B10.4)
Auckland Unitary Plan – district provisions	E27 Transport	
	E36 Natural hazards and flooding	

	H3 Residential – Single House Zone	
	H5 – Residential – Mixed Housing Urban Zone	

90. The requestor has included discussion of the regional and district plan provisions that they consider are relevant to PPC99 in Section 6.0 and Appendix 3 of the section 32 report. The following AUP provisions have been considered:

- a) Chapter B2 – Tāhuhu whakaruru hau ā-taone - Urban Growth and Form
 - B2.2 Urban Growth and Form
 - B2.3 A quality built environment
 - B2.4 Residential Growth
 - B27.7 Open Space and Recreation Activities
 - B2.8 Social facilities
- b) Chapter B3 - Ngā pūnaha hangahanga, kawekawe me ngā pūngao – Infrastructure, transport and energy
 - B3.2 Infrastructure
 - B3.3 Transport
- c) Chapter E27 - Transport
- d) Chapter H5 - Residential – Mixed Housing Urban Zone

91. I accept in part the requestor’s assessment of the relevant regional and district plan provisions in the requestor’s section 32 report. I acknowledge that subsequent resource consent applications for subdivision, use, or development enabled by the proposed rezoning of the two sites will require an assessment against the relevant regional and district provisions of the AUP. However, it is my view that the following provisions should also have been included in the requestor’s assessment of the relevant provisions in the AUP:

- Chapter B6 Mana Whenua
- Chapter B7 Toitū te whenua, toitū te taiao – Natural resources
- Chapter B10 Ngā tūpono ki te taiao – Environmental risk
- Chapter E36 – Natural hazards and flooding.

Chapter B6 Mana Whenua

92. The objectives and policies in Chapter B6 of the AUP seek to ensure that resource management processes in Auckland are informed by Mana Whenua perspectives, including their values, mātauranga, and tikanga. Policy B6.5.2(7)⁸ requires that plan changes include a Māori cultural assessment which identifies Mana Whenua values associated with the landscape, and reflects Mana Whenua values. Section 32(4A) of the RMA also requires a summary of all advice received from iwi authorities, and a summary of responses to that advice.

93. While Chapter B6 has not been included in the requestor’s assessment, section 6.2 and Appendix 8 of the section 32 report does include discussion of the consultation undertaken with Mana Whenua. Beach Haven Road Apartments Limited advises that it is has engaged with the following iwi

⁸ Chapter B6 Mana Whenua, Auckland Unitary Plan (Operative in Part)

authorities with an interest in the area (refer to Table 9 below) providing the opportunity for feedback before the request was formally lodged with council. None of the iwi authorities have expressed a view on notification.

Table 9: Iwi consultation undertaken

Iwi authority	Organisation	Detail
Ngāi Tai ki Tamaki	Ngāi Tai ki Tamaki Tribal Trust	The applicant's agent emailed the iwi authority on 21 December 2020 and sent a follow up email on 25 January 2021. An email response was provided on 2 February 2021 which confirmed that Ngāi Tai ki Tamaki do not require further engagement. However, it was also noted that Ngāi Tai ki Tamaki reserved their right to submit interest on any subsequent resource consents at the site.
Ngāti Whātua o Kaipara	Ngā Maunga Whakahii o Kaipara Development Trust	The applicant's agent emailed the iwi authority on 21 December 2020. An email response was provided on 26 February 2021 which noted that: <i>"The Plan Change proposal offers the opportunity for development that is "brown fields" rather than "green" which can utilise existing infrastructure, Roding, Waste Water etc. (I do know what Onewa Road is like at 7am.....but there is the ferry and public transport options from the area).</i> <i>I do not have anything to add on behalf of Nga Maunga Whakahii o Kaipara at this time.</i> <i>If the plan change goes through, the normal factors relating to development would be the next concern, compliance to GD05 Sediment standards for site work etc."</i>
Ngāti Whātua Ōrākei	Ngāti Whātua Ōrākei Trust	The applicant's agent emailed the iwi authority on 21 December 2020. An email response was provided on 26 February 2021 which advised that Ngāti Whātua Ōrākei had reviewed the plan change and that no action was needed from them at this stage. Ngāti Whātua Ōrākei also requested that they continue to receive copies of any relevant material and to be advised of any changes as the project goes forward.
Ngāti Maru	Ngāti Maru Rūnanga Trust	The applicant emailed these iwi authorities on 21 December 2020 and sent a follow up email on 25 January 2021. No response was received.
Ngāti Pāoa	Ngāti Paoa Iwi Trust	
Ngāti Pāoa	Ngāti Paoa Trust Board	

Ngāti Tamaterā	Ngāti Tamaterā Settlement Trust	
Ngāti Te Ata	Te Ara Rangatū o Te Iwi o Ngāti Te Ata Waiohūa	
Ngāti Whanaunga	Ngāti Whanaunga Incorporated	
Te Ākitai Waiohūa	Te Ākitai Waiohūa Iwi Authority	
Te Kawerau ā Maki	Te Kawerau Iwi Settlement Trust	
Te Rūnanga o Ngāti Whātua	Te Rūnanga o Ngāti Whātua	

94. Schedule 1 processes for private plan changes do not require council to consult with mana whenua. However, council is required to inform relevant iwi authorities of the private plan change request and provide a copy in accordance with clause 5(4)(f) of Schedule 1 of the RMA. This is normally done during notification of the private plan change request.
95. Table 9 above reflects the Mana Whenua identified as having an interest in the area within the Mana Whenua Areas of Interest layer in Auckland Council Geomaps. The Mana Whenua listed above were notified of the PPC99 request on 18 April 2024 and had the opportunity to lodge a submission through the notification process. No submissions were received.
96. Further discussion on Mana Whenua/cultural values and archaeology can be found in section 9.5 Cultural Effects of this report.

Chapter B7 Toitū te whenua, toitū te taiao – Natural resources

97. The policies and objectives of Chapter B7.3 and B7.4 seek, amongst other matters, to manage and/or control stormwater runoff and wastewater discharge/discharge of contaminants to minimise the effects of runoff on freshwater systems. Objective B7.4(5) requires that *'the adverse effects from changes in or intensification of land use on coastal water and freshwater quality are avoided, remedied or mitigated'*.
98. While the requestor has not included an assessment against Chapter B7, an assessment of stormwater effects has been included in section 7.5 and Appendix 9 of the requestor's section 32 report.
99. The potential stormwater effects are discussed further below in Sections 9.4 of this report. An assessment of the stormwater effects against the requirements of the NPSFM, and relevant provisions of the AUP, will be required as part of any future resource consent application for any subdivision, use, or development within the private plan change area.

Chapter B10 Ngā tūpono ki te taiao – Environmental risk

100. The objectives and policies of B10 seek, amongst other matters, to reduce the risk from natural hazards and to protect human health, and the quality of air, land, and water resources, from the effects of discharges from contaminated land.
101. In relation to Natural Hazards, Objectives B10.2.1(2), (5) and (6) states the following:
- B10.2.1(2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas*
- B10.2.1(5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision, use and development.*
- B10.2.1(6) The conveyance function of overland flow paths is maintained.*
102. In relation to contaminated land, Objective B10.4.1 and Policy B10.4.2(3) states:
- B10.4.1 Human health and the quality of air, land and water resources are protected by the identification, management and remediation of land that is contaminated.*
- B10.4.2(3) Manage or remediate land that is contaminated where:*
- (a) the level of contamination renders the land unsuitable for its existing or proposed use; or*
- (b) the discharge of contaminants from the land is generating or is likely to generate significant adverse effects on the environment; or*
- (c) development or subdivision of land is proposed*
103. As stated above, the requestor has not included an assessment against Chapter B10. However, an assessment of flooding and stormwater effects has been included in sections 7.4 and 7.5 and Appendices 7 and 9 of the requestor's section 32 report.
104. In regard to stormwater/flooding effects and the management of contaminated land, future resource consent applications for development of the two sites will require an assessment against all the relevant provisions of the AUP including Chapter B10. The potential stormwater effects are discussed further below in Section 9.4 of this report.

Chapter E36 – Natural hazards and flooding

105. The objectives and policies of Chapter E36 seeks, amongst other matters, to manage the risk of adverse effects from natural hazards, including flood hazard, to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced.
106. The policies in E36.3 requires that new and existing buildings for vulnerable activities to, amongst other matters, minimise the risk from flood hazards to people and property both within the site and downstream of the sites. Policies E36.3(29) and (30) requires that the functions of overland flow paths to convey stormwater runoff safely are maintained, and require changes to overland flow paths to retain their capacity to pass stormwater flows safely without causing damage to property or the environment.

7.7.1 Proposed Plan Change 78

107. The table below summarises the council initiated Intensification Planning Instrument (IPI) (PC 78) which seeks to give effect to the NPS-UD and the MDRS statutory requirements in the RMA.

Table 10: Proposed plan changes relevant to PPC99

Plan change number	Purpose	Relevant AUP Chapters
PC 78: Intensification [currently still going through the statutory process]	This proposed plan change responds to the government's NPSUD 2020 (amended in 2022) and requirements of the RMA. These mean the council must: <ul style="list-style-type: none"> • enable more development in the city centre and at least six-storey buildings within walkable catchments from the edge of the City Centre, Metropolitan Centres and Rapid Transit Stops • enable development in and around neighbourhood, local and town centres • incorporate Medium Density Residential Standards that enable three storey housing in relevant residential zones in urban Auckland • implement qualifying matters to reduce the height and density of development required by the RMA to the extent necessary to accommodate a feature or value that means full intensification is not appropriate. 	Chapter H: Zones – Residential Zones – Residential – Mixed Housing Urban Zone Spatially identified qualifying Matters: <ul style="list-style-type: none"> • Water and/or Wastewater Constraints Control

Plan Change 78: Intensification

108. Plan Change 78: Intensification is Auckland Council's response to the statutory requirements of both the NPSUD, and Section 77G and Schedule 3A MDRS of the RMA.
109. The statutory requirements of the RMA, relating to the MDRS⁹, apply in all relevant residential zones unless there is a qualifying matter. Qualifying matters may make the MDRS and the relevant building height or density requirements under Policy 3 (of the NPS-UD) less enabling of development.
110. Watercare was involved in the formulation of proposed rules for, and the identification of, areas of Auckland which have a water supply and/or wastewater infrastructure constraint¹⁰. The areas identified by Watercare includes the Beach Haven area. The related PC78 proposed amendments to the Residential – Mixed Housing Urban zone for the provisions relating to the 'Water and Wastewater Constraints Control' will only apply if retained through the plan change process (including IHP hearings and recommendations, and decisions of Auckland Council).
111. The PC78 map viewer identifies that the proposed zoning for these two sites, and the adjacent residential sites to the west, as Residential – Mixed Housing Urban. The two sites within the private plan change area are subject to the spatially identified qualifying matter for 'Infrastructure - Water and/or Wastewater Constraints Control.'
112. The presence of a qualifying matter affects the immediate legal effect of the development capacity enabled by the MDRS within underlying relevant residential zones. This is also the case for these two sites as while clause 25(4A) of the RMA requires that the MDRS are incorporated into private plan change requests, the precinct provisions that incorporate these will not have legal effect unless PPC99 is made operative in the AUP.
113. While the request does not include future development details for the site, the previously declined resource consent was for the construction of 72 residential apartments. If a similar resource consent was sought, then the MDRS would not apply as the development would not comply as a permitted activity. The provisions of the underlying Residential – Mixed Housing Urban zone, if approved and made operative in the AUP for the two sites, would apply to any development above that permitted by the MDRS. For example, four or more dwellings or Integrated Residential Developments are a restricted discretionary activity where the development complies with the standards listed in Table H5.4.1 Activity Table (A4) and (A8).

Relationship between PC78 and PPC99

114. PPC99 seeks an amendment to the operative Residential – Single House Zone in the AUP and not to what is proposed in PC78. PPC99 will not have legal effect unless it is made operative in the AUP (after the usual processes for a hearing and decision, and Planning, Environment and Parks Committee approvals for PPC99 to be made operative).
115. At this time, there is uncertainty around the IHP's scheduling of the PC78 hearing for their Topic 015 – Residential Zones. In addition, the continuation of the compulsory statutory requirement for Council

⁹ Schedule 3A MDRS to be incorporated by specified territorial authorities. Resource Management Act 1991.

¹⁰ <https://www.aucklandcouncil.govt.nz/UnitaryPlanDocuments/41-pc-78-section-32-water-and-wastewater-servicing-constraints.pdf>

to include the MDRS may be subject to change, as signalled by the Government, and it is currently uncertain at this time what effect this will have on PC78.

116. The private plan change process in Schedule 1 of the RMA provides the requestor with a statutory mechanism to have their proposal considered between a council's ten-yearly plan review cycle of the AUP, and potentially before the outcomes of PC78 are known.
117. Section 5.14 of the requestor's section 32 report addresses PC78 in regard to the inclusion of the MDRS.

Concluding comments on consistency of PPC99 with the AUP

118. As noted above, while the requestor has not provided specific assessments for Chapters B6, B7, B10, and E36, the requestor's section 32 report, associated technical reports, and responses to further information requests, does include information on stormwater, flooding, and Mana Whenua.
119. PPC99 is, in my opinion, is not inconsistent with the relevant RPS and Regional/and or District Plan provisions in that PPC99, because it:
 - a) contributes towards accommodating growth within the existing urban environment (B2.2.1(2))
 - b) provides a residential zone that enables different housing types and intensity appropriate to the residential character of the area (B2.4.2(1)) close to the Beach Haven Local Centre (B2.4.2(2))
 - c) integrates land use with all modes of transport, including public transport, walking, and cycling, in a manner that enables the benefits of an integrated transport network to be realised (E27.2(1))
 - d) enables development which is required to provide on-site residential amenity for residents and adjoining sites and the street (H5.2.(3))
 - e) enables a variety of housing types at higher densities, including low-rise apartments and integrated residential development (H5.3.(1))
 - f) requires development to manage the effects on adjoining sites (H5.3(4)).
120. As stated above, PPC99 seeks to rezone the two sites from Residential – Single House zone to Residential – Mixed Housing Urban zone. No development details for the two sites have been provided with PPC99.
121. The Residential – Mixed Housing Urban zone provides for a greater intensity of development than the Residential – Single House zone. However, resource consents will be required, other than for permitted activities in the AUP, before the development of the two sites can be realised.
122. The future resource consent application/s for development of the two sites will require a full assessment against the regional and district plan provisions of the AUP and demonstrate how development will manage the effects on neighbouring sites (visual amenity, privacy, access to daylight and sunlight) and the wider area (transport network, water supply and wastewater infrastructure, stormwater/flooding).
123. While the outcome of PC78 is not yet known, Council has proposed to rezone these two sites to Residential – Mixed Housing Urban zone to align with the statutory requirements of Section 77G and Schedule 3A of the RMA. As stated above, the two sites are subject to a qualifying matter for 'Infrastructure – Water and/or Wastewater Constraints Control.' If the provisions of PC78 are made

operative, then any resource consent application for development will be required to include an assessment against the qualifying matter provisions.

124. In addition, there may be other approvals or requirements that may need to be met. This may include approvals for traffic management plans, vehicle crossings etc. from Auckland Transport, and agreements with Auckland Council – Healthy Waters, and Watercare, in regard to the provision of/contribution towards the costs of the infrastructure required to support development on the two sites.

7.7. The Auckland Plan 2050

125. In considering a plan change, a territorial authority must have regard to plans and strategies prepared under other Acts. The Auckland Plan 2050, prepared under section 79 of the Local Government (Auckland Council) Act 2009 is a relevant strategy document that council should have regard to in the preparation of PPC99. Table 11 summarises the relevant sections of the Auckland Plan to PPC99.

Table 11: Relevant sections of the Auckland Plan

Relevant Act/Policy/Plan	Section	Matters
Auckland Plan	Outcome 1	Belonging and Participation
Auckland Plan	Outcome 2	Māori Identity and Wellbeing
Auckland Plan	Outcome 3	Homes and Places
Auckland Plan	Outcome 4	Transport and Access
Auckland Plan	Outcome 5	Environment and Cultural Heritage
Auckland Plan	Outcome 6	Opportunity and Prosperity

126. In addition to the Auckland Plan, the NPSUD requires Council to prepare a Future Development Strategy (FDS)¹¹ every 6 years. The purpose of the FDS is:

- a) to promote long-term strategic planning on how Council intends to:
 - o achieve well-functioning urban environments in its existing and future urban areas
 - o provide at least sufficient development capacity over the next 30 years to meet expected demand.
- b) assist the integration of planning decisions under the RMA with infrastructure and funding decisions.

127. The Auckland Plan and the FDS 2023-2053¹² work together to set the high-level direction for Auckland over the long-term for how growth and change will be provided for in the region. The FDS encourages a quality compact city approach with development:

- a) in areas that are easily reached by public transport, walking and cycling
- b) within reasonable walking distance of services and facilities including centres, community facilities, employment opportunities, and open spaces.

¹¹ <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-by-laws/Documents/future-development-strategy.pdf>

¹² <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-by-laws/Documents/future-development-strategy.pdf>

128. The FDS identifies that infrastructure, services, and local amenities to support growth within existing urban areas is required and that the private sector can play an important role in their delivery.
129. Section 5.2.1 of the requestor’s section 32 report considers the context of PPC99 against the Auckland Plan. I accept the requestor’s assessment that PPC99 is consistent with the Auckland Plan in that it supports:
- the compact city approach (Homes and Places, Direction 1¹³)
 - integrates land-use and transport (Transport and Access, Focus Area 5¹⁴).

8. Any relevant management plans and strategies prepared under any other Act

130. Other relevant plans and strategies considered under PPC99 are summarised in Table 12 below.

Table 4: Any relevant management plans and strategies prepared under any other Act

Relevant Act/Policy/Plan	Section	Matters
Te mahere ā rohe o Kaipātiki 2023 - Kaipātiki Local Board Plan 2023	Ngā Wahi ngā Takiwā – Places and Spaces	Our built environment is vibrant, well-maintained, reflects the culture and heritage of Kaipātiki, meets our people’s needs, and has a low impact on our climate
	Te Taiao – Environment	Our natural environment is restored and protected for future generations to enjoy
	Te Ikiiki nga Tuhononga - Transport and connections	Our people have many transport options and can easily and safely move around and find their way

131. The Kaipātiki Local Board Plan 2023 (‘the Local Board Plan’)¹⁵ is a three-year strategic plan that guides local board activity, funding and investments decisions. It also influences the local board’s input into regional strategies and plans, including the Auckland Plan, the Auckland Council Long-Term Plan (10-yearly budget) and annual budgets.
132. The Local Board Plan includes actions that the Local Board can take in regard to the Council-owned assets in the area including parks, libraries, and community facilities. The Local Board Plan also contains advocacy statements. The advocacy statements that are relevant to PPC99 include:
- advocate for and support the development of quality compact, urban form that supports low carbon, resilient development, while ensuring adequate infrastructure to support it (Places and Spaces, page 28).

¹³ Homes and Places Direction 1: Develop a quality impact form to accommodate Auckland’s growth and support a low carbon future

¹⁴ Transport and access Focus Area 2: Better integrate land-use and transport

¹⁵ <https://www.aucklandcouncil.govt.nz/about-auckland-council/how-auckland-council-works/local-boards/all-local-boards/kaipatiki-local-board/Documents/kaipatiki-local-board-plan-2023.pdf>

9. Assessment of effects on the environment

133. Clause 22 of Schedule 1 to the RMA requires private plan changes to include an assessment of environmental effects that are anticipated by the plan change, taking into account clause 6 and 7 of the Fourth Schedule of the RMA.
134. An assessment of actual and potential effects on the environment (“AEE”) is included in the report titled “Beach Haven Road Apartments Limited Section 32 Assessment Report”, prepared by Barkers and Associates Limited, dated November 2023 and lodged with PPC99.
135. The submitted AEE, in section 7.0, identifies and evaluates the following actual and potential effects:
- a) effects on urban design (section 7.1 Quality Built Environment)
 - b) effects on transport (section 7.2)
 - c) effects on open space and community facilities (section 7.3)
 - d) effects on infrastructure (section 7.4 Servicing)
 - e) effects on stormwater (section 7.5).
136. In my view, the requestor’s AEE covers many of the positive and adverse effects. Where I agree with the AEE, I will state so and not repeat the assessment. There are effects where I disagree with the conclusions of the AEE and I will give reasons why. There are also additional effects which, in my opinion, need consideration. To this end I have categorised my assessment of effects using the headings below rather than the requestor’s headings. In this section I firstly set out the requestor’s assessment, then secondly, the council’s expert views and lastly my own conclusions on each effect. In my view, the following headings cover the environmental effects relevant to the proposed private plan change:
- a) Residential amenity and neighbourhood character effects
 - b) Transport effects
 - c) Infrastructure effects – Water supply and Wastewater
 - d) Stormwater effects and Natural Hazards – Flooding effects
 - e) Cultural effects.

9.1. Residential amenity and neighbourhood character effects

Requestor’s assessment

137. As stated in section 7.1 of the requestor’s section 32 report the requestor has undertaken an urban design assessment¹⁶ of the proposed plan change. The section 32 report concludes that:

Overall, the effects on the environment as they relate to urban design matters will be appropriately managed with the MHU zone provisions.

Planner’s comments

138. The request is seeking a change in zone from Residential – Single House to Residential Mixed Housing Urban. While the proposed zone would enable development in accordance with the Residential – Mixed Housing Urban zone, if made operative in the AUP, details of the proposed future development is not provided as part of the request documentation.
139. PPC99 is relying on the provisions of the proposed Residential – Mixed Housing Urban Zone, including those provisions shown below in paragraph 141, to manage the effects of the subsequent

¹⁶ Appendix 5 urban Design Memorandum dated 3 November 2023. Barkers and Associates Limited.

development of the PPC area. PPC99 is not seeking any amendments to the AUP provisions other than changing the underlying zone and the statutory requirement to include the MDRS as part of the private plan change request through the proposed precinct provisions.

- 140. The sites at 13 Cresta Avenue and 96 Beach Haven Road are surrounded by land zoned Residential – Single House to the north, Residential – Mixed Housing Suburban to the west, and Residential – Mixed Housing Urban to the east and south. The existing residential development within the vicinity of the two sites is predominantly single-two storey.
- 141. In my view, the development enabled by the proposed rezoning of 13 Cresta Avenue and 96 Beach Haven Road has the potential to generate adverse residential amenity and neighbourhood character on adjoining sites. However, the scale of the effect(s) will depend on the future proposal for development of the two sites. Resource consent applications will be required to assess the effects of a development proposal including against the objectives and policies of the Residential – Mixed Housing Urban zone including Objectives (2) and (3) and Policies (2) and (4) as shown below:

H5. Residential – Mixed Housing Urban Zone

...

H5.2 Objectives

...

- (2) Development is in keeping with the neighbourhood’s planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.*
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.*

H5.3 Policies

...

- (2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.*
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.*

- 142. As previously stated in paragraph 30, four or more dwellings and integrated residential developments are restricted discretionary activities in the Residential – Mixed Housing Urban Zone. Matters that the Council restricts its discretion to when assessing a restricted discretionary activity resource consent application include *‘the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area’*¹⁷ in regard to the building intensity, scale, location, form and appearance of a proposed development.
- 143. In my view, while I acknowledge the concerns raised in submissions (discussed below), the resource consent stage is the appropriate time to undertake an assessment of the residential amenity and neighbourhood character effects. This is because the details of the future development will be known and will need to be assessed against the provisions of the AUP. Appropriate conditions can then be

¹⁷ H5.8.1(2) and (3) Matters of discretion

incorporated as part of the resource consent application/s to mitigate the effects of the proposed development.

9.2. Transport effects

Requestor's assessment

144. As stated in section 7.2 of the requestor's section 32 report, the requestor concludes that:

- a) *The site has good accessibility to various transport modes: walking, cycling, bus, ferry, and private vehicle;*
- b) *For the purposes of the assessment, it is assumed that 72 dwellings can be developed on the site. The effects of the proposed increase in vehicles are expected to be negligible with all existing roads and intersections capable of accommodating this additional traffic;*
- c) *Sufficient parking can be provided on-site;*
- d) *A two-way vehicle access and pedestrian path can be provided from the development onto Cresta Avenue at the existing access strip serving 13 Cresta Avenue. Sight distance from the vehicle crossing is considered acceptable and meets relevant guidelines. Further detail can be provided at subsequent resource consent stages should the Plan Change be approved;*
- e) *The proposed development is consistent with, and encourages, key regional and district transport policies.*

Based on the foregoing, it is considered that the proposal is appropriate from a transportation perspective.

Specialist review

145. Mr Andrew Temperley, Auckland Council's traffic consultant, has considered the above report, the associated Integrated Traffic Assessment¹⁸, requestor's response to the request for further information, and the submissions relevant to his area of expertise (refer to Attachment 6). Section 6 of Mr Temperley's memo states the following:

Further to reviewing the proposed rezoning of approximately 7,147 sqm of land at 13 Cresta Avenue and 96 Beach Haven Road in Beach Haven, under PC99, from Residential – Single House Zone (RSH) to Residential – Mixed Housing Urban Zone (MHU), I consider that the proposal can be made to be acceptable in transportation engineering terms, subject to the following:

- *The provision of a formalised pedestrian crossing point across Beach Haven Road, between the PC99 site and Beach Haven Local Centre.*

However in the current absence of the above, I consider that the current PC99 proposal does not align sufficiently closely with the strategic requirement of the Auckland Unitary Plan MHU zone, to promote walkable neighbourhoods and should otherwise be declined.

However, subject to the inclusion of the above provision, I consider the transport effects enabled by PC99 can be accommodated on the adjoining transport network without adversely compromising its function, capacity or safety.

¹⁸ Appendix 6 Integrated Transport Assessment. Commute Transportation Consultants. 3 November 2023.

Auckland Transport review:

146. Ms Emeline Fonua, Planner, and Ms Katherine Dorofaeff, Principal Planner, from Auckland Transport have also reviewed the requestor's section 32 report, ITA, response to the requests for further information, and the submissions which raise matters related to transport effects.
147. Auckland Transport, as a Council-Controlled Organisation (CCO) of Auckland Council can choose to either assist the Council's planner with the section 42A report or lodge a submission. In the case of PPC99, Auckland Transport chose to assist the Council planner rather than to lodge a submission.
148. Ms Fonua and Ms Dorofaeff have reviewed Mr Temperley's memo, agree with his assessment, and have adopted the findings of his memo including the conclusion and recommendations. Ms Fonua and Ms Dorofaeff will also review the requestor's evidence and any proposed modifications in regard to transport effects. If required, their comments will be provided in the section 42A addendum report as provided for in Direction 2 from the Hearing Panel.

Planner's comment

149. I rely on the expertise of Mr Temperley, Ms Fonua and Ms Dorofaeff, in that the transport effects of PPC99 overall will be no more than minor, subject to the provision of a formalised pedestrian crossing point across Beach Haven Road, between the PC99 sites and the Beach Haven Local Centre. Mr Temperley considers that PPC99 should be declined if there is no provision of a formalised pedestrian crossing whereas Ms Fonua and Ms Dorofaeff consider that the provision of a formalised pedestrian crossing is a desirable outcome and would need to be considered as part of a future resource consent application.
150. In my view, consideration is required as to whether a precinct provision is required to mitigate the traffic effects of PPC99 i.e., rezoning the sites from Residential – Single House to Residential – Mixed Housing Urban. While I consider a precinct provision could be one method to ensure that a formalised pedestrian crossing is required as part of a future resource for development of the two sites, PPC99 does not provide details of a specific development proposal. Future access provisions and any potential traffic effects arising from the development of the two sites will be managed through the relevant provisions of the AUP when future resource consent application/s for a specific development are lodged with Council. This includes the Residential - Mixed Housing Urban Zone objectives, policies and standards which 'supports increasing the capacity and choice of housing within neighbourhoods as wells as promoting walkable neighbourhoods'¹⁹ (if made operative in the AUP for the two sites). In addition, there may be other approvals or requirements that may need to be met. This may include approvals for traffic management plans, vehicle crossings, and corridor access requests from Auckland Transport.
151. I understand that the requestor has been in discussions with some submitters in regard to access on Beach Haven Road. As the reporting planner, I have not been part of these discussions. I consider it appropriate that the requestor provides their views on whether precinct provision is required which requires the provision of a formalised pedestrian crossing across Beach Haven Road, between the PPC99 sites and the Beach Haven Local Centre.

9.3. Infrastructure effects – water supply and wastewater

152. As stated in section 7.4 of the requestor's section 32 report, an infrastructure report was prepared by Airey Consultants²⁰ to inform the plan change request. An assessment of the infrastructure within

¹⁹ Chapter H5.1 Zone Description

²⁰ Section 32 report. Appendix 7 titled 'Engineering and Infrastructure Report to support a re-zoning application for a proposed unit title subdivision for Beach Haven Road Apartments Limited at 96 Beach Haven Road/13 Cresta Ave, Beach Haven ' by Airey Consultants, 6 November 2023.

the local area has been undertaken as well as any overview on other civil engineering considerations such as flood hazards. The section 32 report concludes:

Overall, it is considered that existing infrastructure can be utilised to service the Plan Change. Furthermore, the overland flow path on the site can be accommodated for within a development on site and a geotechnical report concludes that the ground conditions are suitable for development.

153. In regard to engagement with Watercare, the section 32 report notes, in section 5.1.4, that the requestor has an existing agreement with Watercare to ensure the site can be adequately serviced.

Planner's comment

154. The availability and capacity of the water supply capacity network and wastewater infrastructure was reviewed by Watercare in 2021 when the plan change request was originally lodged with Council. At that time, Watercare advised that that the local wastewater network had sufficient capacity for the proposal, but that the local water supply network required an upgrade to enable the development. An Infrastructure Funding Agreement was signed on 29 November 2021 for a cost contribution to the water supply network upgrade required to enable the development.

155. Watercare undertook a review of the 2023 updated documents for the request. Watercare provided its view in a letter dated 26 January 2024 (refer to Attachment 2). Since the assessment of the request in 2021, Watercare has identified that there is wastewater transmission constraints within the Beach Haven catchment. Watercare's letter states the following:

The section 32 report for PC78 identifies the subject site as being subject to wastewater transmission constraints. A technical assessment has identified that the bulk wastewater network within the Beach Haven catchment is significantly constrained due to capacity issues within the existing Transmission network where there are already a number of wastewater overflow events occurring without the level of intensification and new development anticipated by the Amendment Act. Wastewater overflows occur during wet weather from each of the key transmission assets in Beach Haven Branch, Glenfield West Branch and the Birkdale West Branch Sewer. This is mainly due to these transmission sewers having limited or no capacity (i.e. there is more flow entering the pipe than the pipe can convey) during wet weather events).

The solution to address the wastewater network capacity issues within the Beach Haven catchment is to increase the capacity of the Kahika pumpstation along with construction of 2 new transmission branches to relieve capacity constraints within the Beach Haven and Birkdale West Branches. The solution will also involve reduction in wet weather flows through detection of illegal connections (storm water connected to the wastewater network) and renewal of pipes in poor condition.

Currently there are a number of projects identified in Watercare's Asset Management Plan, all of which need to be constructed and operational before the existing capacity constraints will be fully addressed in the Beach Haven catchment. At the time of notification, these projects were expected to be completed and all constraints remediated by 2030.

156. An assessment of the impact of the request on Watercare's bulk water supply and wastewater networks is required to understand the effects of the proposed rezoning. This assessment can be undertaken by Watercare under a standard 'Development Consultation.' Any future application for resource consent will need to be supported by an updated Watercare capacity assessment for the local network, given that more than two years has lapsed since the original assessment was provided.

157. Watercare recommended to the requestor that they apply to Watercare for an assessment of the bulk network capacity under a Development Consultation prior to notification of the plan change. As I have not been advised that a Development Consultation has been undertaken or not, I consider it appropriate that Watercare or the requestor provides an update to the Panel.
158. Watercare lodged a submission on PPC99. Further discussion on the submission can be found in Section 12.4.4 in this report. I agree with the proposed amendments to the precinct provisions which seek to :
- a) establish a process that requires subdivision and development to show that there is adequate capacity in the water and wastewater supply network to service proposed development, or adequate mitigation is proposed to offset the effects of development on the bulk water and wastewater network
 - b) amend the precinct provisions to ensure that subdivision and development of the land is coordinated with the provision of local and bulk water and wastewater infrastructure.
159. I understand that the requestor has been in discussion with both Watercare and Auckland Council (as submitters) and that further amendments have made to the precinct provisions. As the reporting planner, I have not been part of the discussion. I will have the opportunity to review the amendments and provide my views on the requestor's proposed amendments to the precinct provisions in a s42A addendum report as directed by the Hearings Panel in Direction 2²¹.
160. I acknowledge the concerns in relation to insufficient and inadequate water supply and wastewater infrastructure raised in submissions. However, I consider that the resource consent stage is the appropriate time to undertake an assessment against the provisions of the AUP in relation to the effects on wastewater and water supply from future development of the two sites. This is because the details of the future development will be known and appropriate conditions can then be incorporated as part of any approved resource consent/s to mitigate the effects of the proposed development.
161. Ideally, as stated above, I consider that the requestor should have applied to Watercare for an assessment of the bulk network capacity under a Development Consultation prior to notification of PPC99. If this has not taken place, then (at the least) it should happen before lodging a resource consent application for future development. Approvals, and agreement on funding the infrastructure required to support a development proposal, is a matter that needs to be managed by Watercare with the requestor.
162. Amendments to the notified precinct provisions are recommended as discussed in Sections 12.4.4, 13 and 14 of this report. I understand that the requestor has been in discussion with Watercare as a submitter to PPC99 and that there may be an agreed set of precinct provisions. I consider it appropriate that the requestor provides an update on any progress as part of its evidence, and for Watercare to provide their response as a submitter.

Relationship with PC78 and the Water and Wastewater Constraints Control Qualifying Matter

163. In regard to the qualifying matter, Section 5.1.4 of the requestor's section 32 report states:

²¹ Direction 2, dated 2 August 2024 <https://www.aucklandcouncil.govt.nz/HearingDocuments/pc99beachhaven1-dir-2024-08-02.pdf>

'In regard to the qualifying matter, it is noted that the applicant has an existing agreement with Watercare to ensure the site can be adequately serviced.'

164. As part of PC78, Watercare identified a qualifying matter for 'Water and Wastewater Constraints Control'. The qualifying matter has been applied in areas across the urban environment of the Auckland region where there is an identified constraint on the network. The effect of the qualifying matter means that the MDRS are made less enabling of development in an area within a relevant residential zone where a qualifying matter is present. The provisions that relate to the 'Water and Wastewater Constraints Control' qualifying matter are part of PC78 and are proposed to be incorporated within the Residential – Mixed Housing Urban and Residential – Terrace Housing and Apartment Building zones and the subdivision chapters of the AUP.
165. The 'Water and Wastewater Constraints Control' qualifying matter applies to the two sites within this request (as shown below in Figure 5).



Figure 5: 13 Cresta Avenue and 96 Beach Haven Road (PC78 proposed zone and qualifying matter) (Source: excerpt from the PC78 map viewer dated 3 July 2024)

166. If the qualifying matter provisions in the Residential – Mixed Housing Zone are made operative in the AUP, as proposed in PC78, then a resource consent application would need to assess their proposal against the provisions that relate to the qualifying matter along with any other relevant provisions of the AUP. This assessment would be required irrespective of the agreement with Watercare. However the agreement would likely be a factor that would be considered by a resource consent planner when undertaking their assessment of a resource consent application. Watercare, in its assessment of any such resource consent application, would assess the capacity of both the local and the bulk networks. Where new bulk network upgrades are required to service the plan

change, or plan upgrades are required to be brought forward, these are installed at the cost of the requestor.

9.4. Stormwater effects and Natural Hazards - Flooding

Requestor's assessment

167. As stated in section 7.5 of the requestor's section 32 report, a stormwater management plan (SMP) has been prepared by Aireys Consultants. The section 32 report concludes that SMP confirms:

'that the proposal accords with the requirements of Council's Network Discharge Consent and that the effects of a future development in relation to stormwater can be appropriately managed. In this regard, we note that the maximum impervious area under both the Single House zone and the MHU zone are the same at 60 per cent, and the change of zone itself will not result in any differences to how stormwater would be managed through the resource consent process.'

Specialist's review

168. Ms. Carmel O'Sullivan, Senior Healthy Waters Specialist, Auckland Council and Ms. Amber Tsang, consultant for Healthy Waters, have undertaken a review of the requestor's section 32 report, the SMP, requestor's response to the Clause 23, Schedule 1 Request For Information dated 23 February 2024, the proposed Beach Haven precinct provisions and submissions received raising stormwater and flooding issues (refer to Attachment 6 for the full specialist assessment memo and its attachments).

169. Ms Tsang and Ms O'Sullivan's memo in regard to the assessment of stormwater effects addresses the following:

- a) Stormwater treatment and water quality
- b) Conveyance of 10% AEP storm event flows (primary stormwater drainage system
- c) Overland flow path (secondary stormwater drainage system) and downstream flooding risk
- d) submissions.

170. In regard to a) above, section 2.1 of the memo states:

The stormwater quality treatment proposed in Section 3.2 of SMP for all impervious areas (including roofs) to receive GD01²² level of treatment and the use of inert roof materials are considered appropriate.

171. In regard to b) above, section 2.2 of the memo states:

As shown on Drawing RC400 (submitted with the Applicant's RFI response²³), stormwater from the site is to drain to the detention tanks before discharging to the existing 750/400mm diameter stormwater pipe downstream. As stated in Section 3.1 of the SMP, the proposed detention tanks will have a throttle discharge system to provide attenuation for the 10% AEP storm event with 2.1 degrees climate change.

Ms O'Sullivan advises that both the primary and secondary stormwater drainage systems shall be designed as per the Auckland Council Stormwater Code of Practice (SWCoP) to avoid any potential adverse effects on upstream, downstream, and adjoining properties. It should be noted

²² Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region

²³ Refer to Attachment C of Ms. Tsang and Ms. O'Sullivan's assessment in Attachment 6 of this report.

that the receiving drainage system capacity constraints have not been demonstrated in the SMP submitted. The detailed design of the systems is to be confirmed at resource consent stage.

172. In regard to c) above, section 2.3 of the memo addresses the risk of downstream flooding from the two sites and discusses the results of modelling undertaken for Healthy Waters by Mr Larry Shui (refer to Attachment B of Ms Tsang and Ms O'Sullivan's memo). In summary, the hydraulic model has indicated that:

- a) Habitable floor flooding at 1/17, 2/17, and 3/17 Cresta Avenue has the potential to increase by 16mm in the post development scenario with diversion
- b) Property flooding (i.e., non-habitable floor flooding) at other downstream properties has the potential to increase by up to 45mm in the post development scenario with diversion.

173. Section 2.3 of the memo further states:

Stormwater discharge effects of individual subdivision and development may be minor, but the cumulative effects could be significant and have the potential to worsen flooding risks to the receiving environment. Therefore, it is important that a catchment-based approach is being adopted when considering stormwater discharge effects, and appropriate mitigation should be required to ensure flooding risks, particularly habitable floor flooding, are not increased.

Both Mr Shui and Ms O'Sullivan agree with the need to attenuate the peak discharge from the development of PPC 99 to pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfalls.

174. Section 4 of Ms Tsang and Ms O'Sullivan's memo states the following:

The hydraulic model prepared by Mr Shui has indicated that, without appropriate mitigation, stormwater runoff from subdivision and development enabled by PPC 99 has the potential to increase flooding risks to downstream properties.

To mitigate stormwater discharge effects so that downstream flooding risks are not increased, we recommend that the following special information requirement is included as part of the Beach Haven Precinct provisions [underlined for emphasis in memo]:

An application for any subdivision or development must be accompanied by a stormwater design report prepared by a suitably qualified person to confirm that the proposed stormwater design will achieve peak discharge attenuation to pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfalls.

Planner's comments

175. I rely on the expert opinion of Ms. O'Sullivan and Ms Tsang in that the development enabled by PPC99, without proper mitigation, has the potential to increase flooding risks to properties downstream of the two sites at 13 Cresta Avenue and 96 Beach Haven Road.

176. I also agree with Ms O'Sullivan's and Ms Tsang's recommendation for the inclusion of the special information requirement in the Beach Haven Precinct Provisions (IXXX.9 Special information requirements) as shown above in paragraph 174 and provided in Attachment 7 to this report. The recommended amendments to the precinct provisions are discussed further in Sections 13 and 14

below. I provide a section 32AA further assessment in Attachment 8 of this report. In summary the section 32AA assessment concludes that the recommended amendments:

- a) are appropriate to ensure that the effects of the development enabled by PPC99 are avoided, remedied or mitigated and to give effect to the RPS and RMA
 - b) are more efficient and effective than PPC99 and the status quo
 - c) the costs of not including the recommended amendments has the potential to:
 - o increase the risk of the effects of natural hazards i.e., flooding and increased stormwater in overland flow paths on property and people downstream of the two sites
 - d) the benefits of including the recommended amendments has the potential to:
 - o decrease the risk of the effects of natural hazards i.e., flooding and increased stormwater in overland flow paths on property and people downstream of the two sites
 - e) that there is sufficient and certain information in relation to stormwater, flooding, and overland flow paths as incorporated in the AUP provisions and maps and the risk of not acting could have the potential to:
 - o increase the risk to people and property from natural hazards i.e., flooding and increased stormwater flows in overland flow paths downstream of the two sites.
177. I understand that the requestor has been in discussion with some submitters to PPC99 and that there may be an agreed set of precinct provisions. As the reporting planner, I have not been a part of any discussions between the requestor and submitters.
178. I am also aware that the requestor was required to provide a response to Direction 1 of the Hearing Panel. While the requestor's response indicated that they were considering amendments to the precinct provisions, the amendments themselves would be provided as part of their evidence in advance of the hearing. I can provide a modified recommendation through a s42A Addendum report (if required) as directed by Direction 2 from the Hearings Panel.

9.5. Cultural effects

Requestor's assessment

179. The requestor's section 32 report has not specifically addressed cultural effects. Section 8.1.2 Assessment of the Objectives against Part 2 does state that there '*is no protected historic heritage on the site*'. The requestor has also included a summary of the consultation with mana whenua and this is discussed further in Section 10.1 below in this report.

Planner's comment

180. I agree with the requestor's statement above. There are no sites and places of significance to Mana Whenua, archaeological sites or Heritage New Zealand Listed Sites identified in Auckland Council's GIS maps on the subject sites. There are some archaeological sites in the wider area identified along the coastline at the end of Rambler Crescent and Beach Haven Road. However, given their separation distance from the PPC99 sites, I do not consider that these would be directly affected by development of the proposed plan change sites.
181. Cultural values which may be of interest to iwi for these sites includes mitigation for stormwater/discharges that could enter the stream which traverses adjacent properties at 29 and

29A Cresta Avenue and 120 Beach Haven Road. Earthworks on the subject sites may also be of interest if these earthworks encountered any unidentified archaeology, kōiwi, or artefacts of Māori origin. However, I acknowledge that the cultural values relating to a site can only be identified by mana whenua with an interest in that site.

182. A resource consent for bulk earthworks for site preparation for future residential development, including non-compliances with construction noise, development standards, and the disturbance of contaminated land was granted on 21 December 2021 (LUC60384512). A variation to the resource consent was granted on 27 July 2023. Condition 20 of both the granted resource consent and the variation required the implementation of accidental discovery protocols if at any time during site works, potential kōiwi (human remains) or archaeological artefacts are discovered.
183. All relevant resource consents will be required before the future development, use, or subdivision can occur on the two sites unless the activity is permitted in the AUP. If additional earthworks are required, an assessment of the effects of the proposed development will be required against the relevant chapters of the AUP including Chapters E11: Land Disturbance – Regional and E12: Land Disturbance – District.
184. Chapters E11: Land Disturbance – Regional and E12: Land disturbance – District of the AUP relates to the management of the adverse effects of land disturbance, such as the amount of sediment generated through erosion and discharged into water bodies during earthworks. The management of land disturbance during earthworks extends to the impact on historic heritage, special character and Mana Whenua cultural heritage.
185. Chapter E11 and Chapter E12 Policies 11.2(a) and 12.3(2)(b) require the avoidance, remediation or mitigation of adverse effects on accidentally discovered sensitive material. Chapter E11 and Chapter E12 Policies 11.3(3) and 12.3(4) require the management of earthworks on Mana Whenua cultural heritage that is discovered during land disturbance.
186. I am satisfied that the provisions of E11: Land Disturbance – Regional and E12: Land Disturbance – District, and relevant standards of the AUP are appropriate to deal with accidental discovery as part of a resource consent process for development of the site.
187. I consider that the proposed rezoning of the two sites from Residential – Single House to Residential – Mixed Housing Urban of the two plan change sites is not likely to have an adverse effect on identified or known cultural features.

10. Consultation

188. The following consultation was undertaken for PPC99.

10.1. Mana Whenua

189. Beach Haven Road Apartments Limited advised that it has engaged with the iwi authorities with an interest in the area providing the opportunity for feedback before the request was formally lodged with council (refer to Table 9 below). A summary of the feedback is included in section 6.2 (Mana Whenua Consultation and Engagement) and Appendix 8 of the requestor's section 32 report.

Iwi authority	Organisation
Ngāi Tai ki Tamaki	Ngāi Tai ki Tamaki Tribal Trust
Ngāti Whātua o Kaipara	Ngā Maunga Whakahii o Kaipara Development Trust
Ngāti Whātua Ōrākei	Ngāti Whātua Ōrākei Trust
Ngāti Maru	Ngāti Maru Rūnanga Trust
Ngāti Pāoa	Ngāti Paoa Iwi Trust
Ngāti Pāoa	Ngāti Paoa Trust Board
Ngāti Tamaterā	Ngāti Tamaterā Settlement Trust
Ngāti Te Ata	Te Ara Rangatu o Te Iwi o Ngati Te Ata Waiohua
Ngāti Whanaunga	Ngāti Whanaunga Incorporated
Te Ākitai Waiohua	Te Ākitai Waiohua Iwi Authority
Te Kawerau ā Maki	Te Kawerau Iwi Settlement Trust
Te Rūnanga o Ngāti Whātua	Te Rūnanga o Ngāti Whātua

Table 13: Mana Whenua engaged with for PC99

190. Feedback was received from Ngāi Tai ki Tamaki and Ngāti Whātua o Kaipara, who advised that they had no comment on the proposed plan change, but that they reserved their right to raise concerns regarding future resource consent applications. Feedback was also received from Ngāti Whātua Ōrākei which advised that they wish to continue to receive copies of any relevant material and to be advised of any changes as the project goes forward.

191. None of the iwi authorities expressed a view on notification. The council is required to send a copy of the private plan change to all iwi authorities in accordance with clause 5(4) of Schedule 1 of the RMA. Iwi groups were notified of the request and provided the opportunity to submit. No submissions were received from iwi groups.

192. There were no submissions received from mana whenua on full notification of the plan change. No iwi resource management groups recommended needing a decision maker in accordance with clause 4A of Schedule 1 of the RMA.

10.2. Local Board

193. I understand that the requestor has not met or provided information to the Kaipātiki Local Board.

194. I provided an information memo to the Kaipātiki Local Board on 4 April 2024, after lodgement of the PPC request. The memo provided details of the request and the next steps in the process in regard to the local board providing its views on PPC99 under the Local Government (Auckland Council) Act 2009. I also was available for questions on the private plan change process at a local board workshop on 22 April 2024.

195. A formal report was included in the local board's agenda for its business meeting on 19 June 2024. The report reiterated details of the request, the submissions received, and the themes raised in those submissions. The report also provided the formal opportunity for the local board to provide its views through a resolution at the business meeting. The Kaipātiki Local Board's resolution is shown below:

Resolution number KT/2024/131

MOVED by Chairperson J Gillon, seconded by Member M Kenrick:

That the Kaipātiki Local Board:

- a) tuhi ā-taipitopito / note 90 submissions were received from the public with the majority opposed to the proposed plan change and thank the submitters.
- b) whakarite / provide local board views on private plan change 99 by Beach Haven Road Apartments Limited for 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven as per the tabled document.
- c) kopou / appoint the Chairperson John Gillon to speak to the local board views at a hearing on private plan change 99.
- d) tautapa / delegate authority to the chairperson of the Kaipātiki Local Board to make a replacement appointment in the event the local board member appointed in resolution c) is unable to attend the private plan change hearing.

CARRIED

196. The Kaipātiki Local Board feedback is attached to this report (refer to Attachment 5). In summary, the local board opposes PPC99 in its entirety and asks that it be declined. The feedback provides the local board's reasons and includes consideration of the following:

- a) the scale of development that could be undertaken and the lack of supporting infrastructure
- b) the views of the submitters on PPC99
- c) the views of the community including those raised on the scale of the development proposed during the resource consent process in 2022/2023 (which was subsequently refused in August 2023).

197. I have no further comment to add. The views provided are that of the Kaipātiki Local Board. A representative from the local board, as per the resolution, will have an opportunity to present the board's views at the hearing.

11. Notification and Submissions

11.1. Notification details

198. Details of the notification timeframes and number of submissions received is outlined below:

Date of public notification for submissions	18 April 2024
Closing date for submissions	17 May 2024
Number of submissions received	90
Date of public notification for further submissions	14 June 2024
Closing date for further submissions	1 July 2024
Number of further submissions received	Nil

199. All submissions were received on time. Copies of the submissions are attached as Attachment 4 to this report.

12. Analysis of submissions

200. The following sections address the submissions received on PPC99. It discusses the relief sought in the submissions and makes recommendations to the Hearing Commissioners.

201. There were 90 submissions received on PPC99 (with ninety-nine individual submission points)

202. Submissions that address the same issues and seek the same relief have been grouped together in this report under the following topic headings:

- a) Submissions supporting PPC99 in its entirety
- b) Submissions supporting PPC99 subject to amendments
- c) Submissions opposing PPC99 in its entirety
- d) Submissions opposing PPC99 and seek alternative relief if it is approved

203. There were no further submissions received.

12.1. Submissions supporting PPC99 in its entirety

Table 5: Submissions supporting PPC99 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
3.1	Pero Garlick	Approve the plan change within any amendments	-	Accept in part
12.1	Tom Greer	Approve the plan change without any amendments	-	Accept in part

18.1	Marais Business Architects Ltd	Approve the plan change without any amendments	-	Accept in part
33.1	Mitchell Houlbrooke	Approve the plan change without any amendments	-	Accept in part

12.1.1 Discussion

204. There are four submission points which support PPC99 in their entirety.

205. I agree with these submissions. However, I am recommending amendments to the precinct provisions arising from the submissions from the NZDF (submission #72), Watercare (submission #79), and Auckland Council (submission #62) for the reasons discussed in sections 12.4.1 and 12.4.4 of this report. Therefore, I recommend that that the submission points above in Table 10 be **accepted in part**.

12.1.2 Recommendations on submissions

206. That submissions **3.1, 12.1, 18.1, and 33.1** be accepted in part for the reason provided above in paragraph 205.

207. There are no amendments associated with this recommendation arising from the submissions listed above in Table 15.

12.2. Submissions supporting PPC99 subject to amendments

Table 6: Submissions supporting PPC99 subject to amendments

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
1.1	Emma Elizabeth Poyner	Approve the plan change with the amendments requested	-	Accept in part
1.2	Emma Elizabeth Poyner	Limit to two storey buildings and reduce to 25 apartments	-	Reject
20.1	Cherylee Lonsdale	Apply for resource consents at the same time as the private plan change	-	Reject
65.1	Charles Ronald Grinter	Approve the plan change with the amendments - rezone to Residential Mixed Housing Suburban; decline introduction of precinct with Medium Density Residential Standards	-	Reject
72.1	New Zealand Defence Force	Amend the Precinct chapter to reference Designation 4311 requirements.	-	Accept
72.2	New Zealand Defence Force	Amend IXXX.1 Precinct description to add a sentence referencing Designation 4311 (additions)	-	Accept

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
		<p>underlined): ... <u>The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.</u></p>		
72.3	New Zealand Defence Force	<p>Amend IXXX. Activity table to add a sentence referencing Designation 4311 (additions underlined): <u>Note 3</u> <u>The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.</u></p>	-	Accept
73.1	Airedale Property Trust	Approve the plan change with amendments	-	Accept in part
73.2	Airedale Property Trust	<p>a) Amend the precinct provisions to address the matters raised above, in particular:</p> <ul style="list-style-type: none"> • Remove reference to the MDRS or ensure that these are only applied if PC78 becomes operative. • Reduce the maximum building height to 8m for a 10m setback adjacent to the APT site north boundary and include a specific height in relation to boundary standard for this boundary which matches the current standard in the Residential-Mixed Housing Urban Zone 	-	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
		(3m plus 45 degree recession plane). • Include precinct provisions to restrict the existing driveway to the site from Beach Haven Road to only be used for pedestrian access and that any pedestrian access design should incorporate CPTED principles and ensure lighting and security considerations are part of any application assessment. • That Standard IXXX.6.1.2 Building height, Standard IXXX.6.1.5 Building coverage, Standard and IXXX.6.1.6 Landscaped area are removed from the matters which are precluded from notification and the need to obtain written approval from affected persons.		

Discussion

208. There are nine submission points that supported PPC99 subject to amendments. The submissions shown above in Table 11 have been addressed separately below in paragraphs 209 to 250.

12.2.1 Emma Elizabeth Poyner (Submission points 1.1 and 1.2)

209. Submission point 1.1 seeks that PPC99 is approved subject to the requested amendments.

210. Submission point 1.2 seeks that PPC99 is amended to limit development to two-storeys and reduced to 25 apartments.

211. Section 5 of this report analyses the requestor's section 32 and PPC99 in regard to the requestor seeking a change in zone from Residential – Single House to Residential – Mixed Housing Urban. In summary, I agree with the requestor that Option 2, subject to the recommended amendments to the proposed precinct provisions (as contained in this report) and/or to resolve the relief sought in submissions, is the better way to meet the objectives of the AUP and the purpose of the RMA.

212. I do not consider that it is appropriate to stipulate the number of dwellings in the precinct provisions. PPC99 does not include details related to a specific development proposal. While PPC99 enables development in accordance with the Residential – Mixed Housing Urban Zone (if made operative in the AUP), resource consents are still required before development of the two sites can occur. The resource consents for any future development will need to undertake an assessment of the development against the provisions of the AUP, including the precinct provisions if these are made operative in the AUP.

213. Amendments to the precinct provisions are recommended in regard to stormwater, water supply, and wastewater infrastructure. If the recommended amendments, and/or any other amendments to

the precinct provisions are proposed by the requestor (and made operative in the AUP), a resource consent application will be required to show that there is sufficient infrastructure to support the development proposal specific to that resource consent.

214. I understand that the requestor has been in discussion with some submitters. As the reporting planner, I have not been part of these discussions so I am not aware of whether this submitter has been included. Therefore, I consider it appropriate that the requestor provides a statement within their evidence as to whether discussions with this submitter have taken place.
215. I recommend that submission point 1.1 be accepted in part in that PPC99 is approved subject to the recommended amendments in this report arising from the submissions from NZDF, ACS, and Watercare.
216. I recommend that submission point 1.2 be rejected for the reasons provided above in paragraphs 211 to 213.
217. I do not recommend any amendments to PPC99 arising from these two submission points.

12.2.2 Cherylee Lonsdale (Submission point 20.1)

218. Submission 20.1 from Cherylee Lonsdale requests that resource consents are applied for at the same time as PPC99.
219. Applications for resource consent have a separate statutory process in accordance with Part 6 of the RMA. This differs to the Schedule 1 statutory process for private plan change requests. If a resource consent was applied for at the same time as a private plan change, it would either be assessed against the operative provisions of the AUP or be put on hold until such time as PPC99 became operative in the AUP.
220. Schedule 1 Part 2 Clauses 21-29 of the RMA provides the statutory mechanism for any person to request a change to a district plan or a regional plan. Therefore, the requestor has the statutory right, as any other person does, to request a change to the operative AUP zone for their two sites at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven.
221. Council as the local authority must consider the request having regard to the section 32 report and assessment of effects prepared by a private plan change requestor, and any further information provided by the requestor. The Council may then either adopt the request i.e., it becomes a Council-initiated plan change or accept the request i.e., it remains a private plan change request and proceed to notify the request, or part of request. PPC99 has proceeded through the Schedule 1 statutory processes which provided the opportunity for submissions to be lodged on the request.
222. Council is required to ensure that the effects of the request i.e., the change in zone from Residential – Single House to Residential – Mixed Housing Urban and the incorporation of the MDRS are appropriately addressed in PPC99. Further discussion on the assessment of effects can be found in Section 9 of this report. Amendments to PPC99, specifically to the precinct provisions are also recommended in addressing the relief sought in several submissions including NZDF's (refer to section 12.2), ACS (refer to section 12.4.1), and Watercare (refer to section 12.4.4).
223. While PPC99 enables development in accordance with the Residential – Mixed Housing Urban zone (if made operative in the AUP), the effects of future development on the two sites for a specific development proposal will need to be assessed against all relevant AUP provisions, including the Residential – Mixed Housing Urban zone and the precinct provisions (if PPC99 is made operative in the AUP).

224. I recommend that submission point 20.1 be rejected for the reasons provided above in Section 12.2.2.

225. I do not recommend any amendments to PPC99 arising from this submission.

12.2.3 Charles Ronald Grinter (Submission point 65.1)

226. Submission point 65.1 from Charles Ronald Grinter seeks that PPC99 is approved with the following amendments:

- a) rezone to Residential Mixed Housing Suburban;
- b) decline introduction of precinct with Medium Density Residential Standards.

227. As stated above in paragraph 211, the appropriateness of the request has been considered in the analysis of the requestor's section 32 report. I agree with the requestor that PPC99 (subject the recommended amendments in this report and/or through the relief sought by submitters) is the appropriate way to meet the objectives of the AUP and the RMA.

228. In regard to b) above, the requestor is statutorily required to incorporate the MDRS into PPC99 in accordance with Schedule 3A and section 77G(1) of the RMA. Council cannot consider accepting or adopting a private plan change request, and progress a plan change through the notification and hearing processes, under Schedule 1 Clause 25 (4A) of the RMA if the private plan change request does not incorporate the MDRS.

229. I acknowledge that the Government has indicated new directions in their 'Housing for Growth' policy. It appears that this will include the ability for council's to be able to decide that MDRS is optional if other land areas within a council's responsibility provides for 30-years of growth. However changes to the RMA have yet to be advised or to be presented to Parliament. Until such time as the amendments to the RMA are enacted, the current statutory requirements remain in force.

230. I understand that the requestor has been in discussion with some submitters. However, I do not know whether that includes this submitter. Therefore, I consider it appropriate that the requestor provides a statement in their evidence as to whether there have been discussions with this submitter.

231. I recommend that submission point 65.1 be rejected for the reasons discussed above in Section 12.2.3.

232. I do not recommend any amendments to PPC99 arising from this submission.

12.2.4 New Zealand Defence Force (Submission points 72.1, 72.2 and 72.3)

233. Submission point 72.1 from New Zealand Defence Force (NZDF) seeks that the PPC99 precinct provisions be amended to reference the requirements of NZDF's Designation 4311.

234. Submission point 72.2 from NZDF seeks the following amendment to IXXX.1 Precinct description to add a sentence referencing Designation 4311:

...

The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle

limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.

235. Submission point 72.3 from NZDF requests an amendment to IXXX. Activity table to add a sentence referencing Designation 4311:

Note 3

The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.

236. NZDF operates the Royal New Zealand Air Force (RNZAF) Base at Whenuapai located to the west of the PPC99 area. RNZAF Base Auckland is a significant defence facility, of strategic importance regionally, nationally and internationally. Ensuring that this facility can continue to operate to meet Defence purposes under section 5 of the Defence Act 1990 is critical.

237. In relation to NZDF's Designation 4311, the submission states:

The location of the area subject to PPC99 is within Minister of Defence Designation 4311 "Whenuapai Airfield Approach and Departure Path Protection" (Designation 4311) which applies to the airspace in the vicinity of RNZAF Base Auckland. The purpose of the designation is "Defence purposes (as defined by section 5 of the Defence Act 1990) – protection of approach and departure paths".

Designation 4311 requires that no obstacle shall penetrate the approach and departure path obstacle limitation surfaces (OLS) (as shown on the planning maps and described in the designation) without the prior approval in writing of NZDF. Such obstacles present a significant safety risk for the operation of aircraft at RNZAF Base Auckland.

PPC99 proposes to zone the site Residential – Mixed Housing Urban Zone and apply the Medium Density Residential Standards. NZDF understands that PPC99 provides for a maximum total building height of up to 12m.

Across the PPC99 area, the separation distance between ground level and the OLS is approximately 51 – 59m. Accordingly, proposed permanent structure heights are unlikely to be an issue (although this is indicative only and should be surveyed). However, there is the potential for cranes, or other construction equipment, to be an issue during construction. NZDF wishes to highlight that any proposed intrusion into the OLS, including temporary intrusions required for construction equipment including cranes, will require prior written approval from NZDF in accordance with the requirements of Designation 4311. The applicant may also need to notify the Civil Aviation Authority (CAA) under Part 77 CAA Rules.

The impact to flight operations from unapproved crane use within the OLS is that it forces the closure of the RNZAF Base Auckland runway, which constrains the use of RNZAF Base Auckland. Whilst Designation 4311 should prevent this occurring, there have been many instances where NZDF has not been notified prior to the operation of cranes or erection of other temporary structures within the OLS. Incorporating provisions into the Precinct is therefore necessary to avoid risk to flight safety and operations, and will increase visibility and awareness of the OLS.

The objectives and policies in the Auckland Unitary Plan Regional Policy Statement (RPS) provide a strong policy direction for the protection of infrastructure. Policy B3.2.2(4) seeks to

“avoid”, where practicable adverse effects on infrastructure in the first instance, or otherwise remedy or mitigate. Policy B3.2.2(5) seeks to “ensure” development “does not constrain” the operation and upgrading of existing infrastructure. PPC99 therefore needs to give effect to these objectives and policies by ensuring appropriate provisions are included in the AUP.

238. I agree with NZDF that their infrastructure at the Auckland Base is of strategic importance regionally, nationally and internationally and that ensuring that their facility can continue to operate is critical. Therefore, I agree with NZDF’s relief sought in their submission requesting the amendment of the precinct provisions to take into account NZDF’s Designation 4311 (as shown above in paragraphs 234 and 235).
239. However, I understand that the requestor has been in discussion with some submitters and that there may be an agreed set of precinct provisions that would satisfy the relief sought by NZDF. As the reporting planner, I have not been part of these discussions. I will have the opportunity to review the amendments and provide my views in a section 42A addendum report (if required) as directed by the Hearings Panel in Direction 2. I have not seen or been made aware of whether there is an agreed set of amendments prior to the completion of this section 42A report. Therefore, my recommendations for amendments to the proposed precinct provisions are subject to further information provided in either the requestor’s or submitter’s evidence.
240. I recommend that submission points 72.1, 72.2, and 72.3 be accepted for the reasons provided above in paragraphs 236 to 238.
241. I recommend amendments to PPC99 as shown in paragraphs 234 and 235 and Attachment 7 of this report arising from NZDF’s submission. However, my recommendation is subject to further information being provided by either the requestor and/or the submitter in their evidence.

12.2.5 Airedale Property Trust (Submission points 73.1 and 73.2)

242. Submissions points 73.1 and 73.2 from Airedale Property Trust are seeking the following relief:
- a) Submission point 73.1: Approve PPC99 with amendments
 - b) Submission point 73.2: Amend the precinct provisions to address the matters raised above, in particular:
 - remove reference to the MDRS or ensure that these are only applied if PC78 becomes operative.
 - reduce the maximum building height to 8m for a 10m setback adjacent to the APT site north boundary and include a specific height in relation to boundary standard for this boundary which matches the current standard in the Residential-Mixed Housing Urban Zone (3m plus 45 degree recession plane).
 - include precinct provisions to restrict the existing driveway to the site from Beach Haven Road to only be used for pedestrian access and that any pedestrian access design should incorporate CPTED principles and ensure lighting and security considerations are part of any application assessment.
 - that Standard IXXX.6.1.2 Building height, Standard IXXX.6.1.5 Building coverage, Standard and IXXX.6.1.6 Landscaped area are removed from the matters which are precluded from notification and the need to obtain written approval from affected persons.

243. In regard to a) above, my report recommends that PPC99 be accepted with amendments, and I make no further comment on this submitter's point.
244. In regard to b) removal of MDRS, as stated above in section 12.2.3, the inclusion of the MDRS in PPC99 is a statutory requirement as required by Section 77G(1) and Schedule 3A of the RMA. In addition, Council cannot consider accepting or adopting a private plan change request, and progress a plan change through the notification and hearing processes, under Schedule 1 Clause 25 (4A) of the RMA if the private plan change request does not incorporate the MDRS as required by Section 77G(1).
245. Similarly for b) in regard to notification, there are statutory requirements in Schedule 3A Clause 5 for certain notification to be precluded where:
- a) the application is for the construction and use of 1, 2, or 3 residential units that do not comply with 1 or more of the MDRS density standards including building height, building coverage, and landscape area being Schedule 3A, Clauses 10, 14 and 18 respectively
 - b) the application is for the construction and use of 4 or more residential units that comply with the MDRS density standards including building height, building coverage and landscaped area being Schedule 3A, Clauses 10, 14 and 18 respectively
 - c) subdivision is associated with an application for the construction and use of residential units described in subclause (1) or (2).
246. Upon receipt of all information required for a resource consent application, Council can decide that special circumstances exist under section 95A(9) of the RMA. Any other resource consents required under other rules in the AUP will also be subject to the normal tests for notification under the relevant sections of the RMA.
247. In regard to b) and specific relief sought to the height and restrictions relating to the Beach Haven Road access, I understand that the requestor has been in discussions with some of the submitters.
248. I also understand that the requestor was directed by the Hearing Panel to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions²⁴. As the reporting planner, I have not been part of these discussions. I have been provided with the requestor's response, dated 25 July 2024, to Direction 1 the response did not include the proposed amendments to the precinct provisions but did indicate that the following amendments were being considered and would be confirmed in the requestor's evidence:
- a) *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*
 - b) *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.*
249. I have not seen or been made aware of whether there is an agreed set of amendments prior to the completion of this section 42A report. Therefore, my recommendations for amendments to the precinct provisions may be subject to further information provided in either the requestor's or submitter's evidence. I can provide my views on the requestor's and/or submitter's evidence in a section 42A addendum report (if required) as provided for in Direction 2 from the Hearings Panel.

²⁴ Direction 1, dated 17 July 2024 <https://www.aucklandcouncil.govt.nz/HearingDocuments/pc99beachhaven-dir-2024-08-02.pdf>

250. I recommend that Submission points 73.1 be accepted in part and 73.2 be rejected for the reasons provided above in section 12.2.5, subject to further information being provided in either the requestor's or submitter's evidence.

12.2.6 Recommendations on submissions

251. I recommend for the reasons listed above in paragraphs 208 to 250 that:

a) the following submissions be **accepted in part**:

- 1.1 (Emma Elizabeth Poyner)
- 73.1 (Airedale Property Trust)

b) the following submissions be **accepted**:

- 72.1, 72.2, and 72.3 (NZDF)

c) the following submissions be **rejected**:

- 1.2 (Emma Elizabeth Poyner)
- 20.1 (Cherylee Lonsdale)
- 65.1 (Charles Ronald Grinter)
- 73.2 (Airedale Property Trust)

252. I recommend amendments to PPC99 arising from submission points 72.1, 72.2, and 72.3 from NZDF. These amendments are set out in Attachment 7 to this report and above in section 12.2.4 . Further analysis of the recommended amendments is discussed below in Sections 13 and 14.

12.3. Submissions opposing PPC99 in its entirety

Table 16: Submissions opposing PPC99 in its entirety

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
2.1	Blair Baldock	Decline the plan change	-	Reject
4.1	Tim Merkens	Decline the plan change	-	Reject
5.1	Anne-Marie Brill	Decline the plan change	-	Reject
6.1	Timothy James Orr	Decline the plan change	-	Reject
7.1	Keegan Goodall	Decline the plan change	-	Reject
8.1	Jose Dooley	Decline the plan change	-	Reject
9.1	Francois du Plessis	Decline the plan change	-	Reject
10.1	Sharon Frances	Decline the plan change	-	Reject
11.1	Shane Dooley	Decline the plan change	-	Reject
13.1	Martin Coleman	Decline the plan change	-	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
14.1	Angela D Lewis	Decline the plan change	-	Reject
15.1	Fran Lowery	Opposed to change of zoning	-	Reject
16.1	Peter Douglas	Decline the plan change	-	Reject
17.1	Jessica Maree Dodd	Decline the plan change	-	Reject
19.1	Royda Ann Kavalinovich	Decline the plan change	-	Reject
21.1	Peter Kerrigan	Decline the plan change	-	Reject
22.1	Brian Williams	Concerned at proposal of zone change	-	Reject
23.1	Louise Riddell	Decline the plan change	-	Reject
24.1	Kate Ann Sandford	Decline the plan change	-	Reject
25.1	Alastair Mackay	Decline the plan change	-	Reject
26.1	Jeb and Rochelle Warren	Decline the plan change	-	Reject
27.1	KC Foong	Decline the plan change	-	Reject
28.1	Kimberley Anne Lind	Decline the plan change	-	Reject
30.1	Paige Louise Mekkelholt	Decline the plan change	-	Reject
31.1	Victoria Mowbray	Decline the plan change	-	Reject
32.1	Elizabeth Bell	Decline the plan change	-	Reject
34.1	Kim Mekkelholt	Decline the plan change	-	Reject
35.1	Lauren O'Neill	Decline the plan change	-	Reject
36.1	Josephine Hawke	Decline the plan change	-	Reject
37.1	Nin Petterson-Fox	Decline the plan change	-	Reject
38.1	Thomas Flexton	Decline the plan change	-	Reject
39.1	Cheryll Bicar	Decline the plan change	-	Reject
40.1	Alison Lewis	Decline the plan change	-	Reject
41.1	Sarah Blaney	Decline the plan change	-	Reject
42.1	Matt Pulin	Decline the plan change	-	Reject
43.1	Paul [no other detail provided]	Decline the plan change	-	Reject
44.1	Kathy Williams	Decline the plan change	-	Reject
45.1	Abbagail Head and Benjamin Collings	Decline the plan change	-	Reject
46.1	James Markwick	Decline the plan change	-	Reject
47.1	Carol and Bob Hamilton	Decline the plan change	-	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
48.1	Barbara Janis Rothwell	Decline the plan change	-	Reject
49.1	Geoffrey Wilding	Decline the plan change	-	Reject
50.1	Anna Lee Smith	Decline the plan change	-	Reject
51.1	Helen Lee Smith	Decline the plan change	-	Reject
52.1	Keitha Turner	Decline the plan change	-	Reject
53.1	Alison Ann McGlashan	Decline the plan change	-	Reject
54.1	Keith Salmon	Decline the plan change	-	Reject
55.1	Mel and Max Chapman Gataua	Decline the plan change	-	Reject
56.1	Craig Stanton	Decline the plan change	-	Reject
57.1	Elisabeth Morgan-Reeve	Decline the plan change	-	Reject
58.1	Stephen Hogg	Decline the plan change	-	Reject
59.1	Catherine Reina Conrad	Decline the plan change	-	Reject
60.1	Sean Crawford	Decline the plan change	-	Reject
61.1	Meinita Crerar Baker	Decline the plan change	-	Reject
63.1	Geoffrey John Dawson	Decline the plan change	-	Reject
66.1	Sarah Menzies	Decline the plan change	-	Reject
67.1	Cameron Mark Thorpe	Decline the plan change	-	Reject
68.1	Bilney Lodge Properties Limited	Decline the plan change	-	Reject
69.1	Eion Martin Bryant	Decline the plan change	-	Reject
70.1	Tarn Drake	Decline the plan change	-	Reject
74.1	Paul Heiplik	Decline the plan change	-	Reject
75.1	Elizabeth Hurley	Decline the plan change	-	Reject
76.1	Frances Hogg	Reject the plan change as notified	-	Reject
78.1	Simon Richard Taylor	Decline the plan change	-	Reject
80.1	Anne Mutu	Decline the plan change	-	Reject
81.1	Marian Mutu	Decline the plan change	-	Reject
82.1	Inger Bennett	Decline the plan change	-	Reject
83.1	Tania McBeth-Stanton	Decline the plan change	-	Reject
85.1	Kirk David Vette	Decline the plan change	-	Reject

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
86.1	Rian Drake	Decline the plan change	-	Reject
87.1	Alex Hurley	Decline the plan change	-	Reject
88.1	Andrew McManus	Decline the plan change	-	Reject
89.1	Robyn Plummer	Decline the plan change	-	Reject
90.1	Gallo Boyle and James Boyle	Decline the plan change	-	Reject

12.3.1 Discussion

253. There are 75 submission points which oppose PPC99 in its entirety. The submission points above in Table 16 have been grouped rather than individually addressed (noting that other individual submissions have been addressed in sections 12.2 and 12.4 of this report). This is because the submissions in Table 16 above all oppose PPC99 in its entirety and raise similar matters of concern. These submissions have not requested amendments or alternative relief which requires an individual response.

254. The submissions are provided in Attachment 4 to this report. The issues raised in the submissions listed above in Table 16 are shown below in Table 17.

Table 7: Matters raised in submissions

Traffic
<ul style="list-style-type: none"> • Traffic congestion and lack of parking onsite • Will result in increased pressure on street parking • Decreased traffic flow • Issues with access to properties and into Cresta Avenue and Beach Haven Road • Safety for road users, pedestrians and cyclists • Inadequate public transport and alternative active transport infrastructure (bus routes and cycle lanes)
Natural hazards and flooding
<ul style="list-style-type: none"> • Flooding and overland flow path obstruction • Stormwater and associated inadequacy of the existing infrastructure to support development of the two sites • Effects on the environment downstream of the two sites • Coastal protection and geotechnical issues
Amenity/Character
<ul style="list-style-type: none"> • Change to/loss of character of the neighbouring streets and surrounds • Decrease in amenity values of the surrounding area • Lack of sunlight to adjacent properties
Social effects
<ul style="list-style-type: none"> • Increase in crime • Noise • Privacy • Rubbish
Intensification
<ul style="list-style-type: none"> • Effect of intensification on the Beach Haven Centre • Inappropriate housing density and level of intensification • Effect of intensification on community and its infrastructure • Cumulative effect of intensification with the Beach Haven area • Risk of precedent for future developments within the Beach Haven area

Infrastructure
<ul style="list-style-type: none"> • Insufficient and inadequate stormwater, water supply and wastewater infrastructure to support development of the two sites • Lack of capacity in local community facilities and services (parks, local schools and daycares, and businesses including entertainment, gym, supermarket) • Sequencing of infrastructure
Other matters raised
<ul style="list-style-type: none"> • Increased expense and stress for existing community having to go through another process • Council processes including the previously refused resource consent • Zoning and planning and legal processes • Not sound resource management or consistent with Auckland Unitary Plan (Regional Policy Statement, District Plan) and Part 2 of the Resource Management Act 1991 • General concern over the developer's future plans/intentions for the two sites • Concerns over property values • Insufficient mitigation proposed in plan change

255. The issues raised in the submissions listed above in Table 17 have been considered in the assessment of the request, including by each of the Council specialists' according to their professional discipline. Some of the matters raised in these submissions have been included in sections 7, 9 and 12 of this report (as shown below in a) to g)) in relation to the assessment of effects, the relevant statutory provisions, and recommended amendments to PPC99 to address the relief sought in other submissions that requested amendments and/or alternative relief:

- a) Section 7: Statutory and policy framework
- b) Section 9.1: Residential amenity and neighbourhood character
- c) Section 9.2: Traffic effects
- d) Section 9.3: Infrastructure effects – water supply and wastewater
- e) Section 9.4: Stormwater effects and Natural Hazards
- f) Sections 12.2: Submissions supporting PPC99 subject to amendments
- g) Section 12.4: Submissions opposing PPC99 and seeking alternative relief if PPC99 is approved.

256. In regard to the statutory and planning processes, I acknowledge that the local community has already participated in a statutory process for the resource consent applications lodged by the requestor, Beach Haven Road Apartments Limited. However, Schedule 1 Part 2 Clauses 21-29 of the RMA provides the statutory mechanism for any person to request a change to a district plan or a regional plan. Therefore, the requestor has the statutory right, as any other person does, to request a change to the operative AUP zone for their two sites at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven.

257. Council as the local authority must consider the request having regard to the section 32 report and assessment of effects prepared by a private plan change requestor, and any further information provided by the requestor. The Council may then either adopt the request (i.e., it becomes a Council-initiated plan change) or accept the request (i.e., it remains a private plan change request) and proceeds to notify the request, or part of request. Council accepted the request and PPC99 has proceeded through the Schedule 1 statutory processes which has provided the opportunity for submissions to be lodged on the request.

258. Council is required to ensure that the effects of the request i.e., the change in zone from Residential – Single House to Residential – Mixed Housing Urban and the incorporation of the MDRS are appropriately addressed in PPC99. Further discussion on the assessment of effects can be found in Section 9 of this report. Amendments to PPC99, specifically the precinct provisions are also recommended in resolving the relief sought in several submissions including NZDF’s (refer to section 12.2), ACS (refer to section 12.4.1), and Watercare (refer to section 12.4.4).
259. While PPC99 enables development in accordance with the Residential – Mixed Housing Urban zone (if made operative in the AUP), the effects of future development on the two sites for a specific development proposal will need to be assessed against all relevant AUP provisions, including the precinct provisions (if made operative in the AUP).

12.3.2 Recommendations on submissions

260. That the submissions in Table 16 above (2.1, 4.1, 5.1, 6.1, 7.1, 8.1, 9.1, 10.1, 11.1, 13.1, 14.1, 15.1, 16.1, 17.1, 19.1, 21.1, 22.1, 23.1, 24.1, 25.1, 26.1, 27.1, 28.1, 30.1, 31.1, 32.1, 34.1, 35.1, 36.1, 37.1, 38.1, 39.1, 40.1, 41.1, 42.1, 43.1, 44.1, 45.1, 46.1, 47.1, 48.1, 49.1, 50.1, 51.1, 52.1, 53.1, 54.1, 55.1, 56.1, 57.1, 58.1, 59.1, 60.1, 61.1, 63.1, 66.1, 67.1, 68.1, 69.1, 70.1, 74.1, 75.1, 76.1, 78.1, 80.1, 81.1, 82.1, 83.1, 85.1, 86.1, 87.1, 88.1, 89.1, and 90.1) be rejected for the reasons discussed above in paragraphs 255 to 259 of this report.

261. There are no amendments associated with this recommendation.

12.4. Submissions opposing PPC99 and seeking alternative relief if approved

Table 18: Submissions opposing PPC99 and seeking alternative relief if approved

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
62.1	Auckland Council	Decline plan change subject to amendments	-	Accept in part
62.2	Auckland Council	a. Amend the planning maps and/or add a plan to the Precinct to identify that the land within the plan change area is subject to a wastewater infrastructure constraint. b. Amend the Precinct description to identify that there are capacity constraints in the bulk wastewater infrastructure network serving the Beach Haven catchment. c. Amend the Precinct to add new objectives and policies to only enable subdivision and development where there is sufficient wastewater infrastructure capacity. d. Amend the MDRS provisions and all associated explanatory text in the Precinct, to recognise the presence of a qualifying matter, namely wastewater	-	Accept in part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
		<p>infrastructure capacity constraints.</p> <p>e. Amend IXXX.4.1 Activity Table to add a new rule classifying two or more dwellings per site as a restricted discretionary activity, due to wastewater infrastructure constraints.</p> <p>f. Amend IXXX.4.1 Activity Table to add a rule classifying subdivision as a restricted discretionary activity, due to wastewater infrastructure constraints.</p> <p>g. Add matters of discretion and assessment criteria for two or more dwellings per site and subdivision within the Precinct relating to wastewater infrastructure and servicing.</p> <p>h. Amend IXXX.9 Special information requirements to require all applications for two or more dwellings and subdivision to provide a Wastewater Infrastructure Capacity Assessment.</p>		
62.3	Auckland Council	<p>i. Amend IXXX.7.1(1)(c) to read 'the effects of infrastructure provision and management of effects of stormwater.'</p> <p>ii. Amend IXXX.7.2(c)(iii) to refer to 'E38.8' (not E88.8).</p> <p>iii. Amend IXXX.7.2(c)(iii) to list policy E38.8(22).</p>	-	Accept
64.1	Harriet Bennett Allan	Decline the plan change or rezone to Residential – Mixed Housing Suburban Zone	-	Reject
64.2	Harriet Bennett Allan	Decline the plan change (inclusion of Medium Density Residential Standards)	-	Reject
71.1	Daisy Kay	Reject the plan change as notified	-	Reject
71.2	Daisy Kay	amended to avoid adverse impacts on existing infrastructure and avoid adverse effects that will be generated or exacerbated by the development potentially enabled by the Plan Change, including Future Restricted Discretionary development to be required to address;	-	Accept in part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
		<p>1. transport and parking effects on transport corridors and in particular on Cresta Avenue and Beach Haven Road (including safety);</p> <p>2. impacts on other infrastructure, particularly stormwater, to avoid any adverse impacts on neighbouring properties and the local environment;</p> <p>comply with a local area/precinct plan developed with Council and the Community that should provide, at a minimum, for: increasing access and facilities for frequent and more reliable public transport services; improving pedestrian and cycle safety within the road corridor; and for adequate parking on MHU zoned land that avoids adverse impacts on the existing capacity of the local area's public parking (including recreation).</p>		
79.1	Watercare Services Limited	<p>Decline plan change subject to the following amendments:</p> <p>a. Amend the planning maps and/or add a plan to the Precinct to identify that the land within the plan change area is subject to a wastewater infrastructure constraint.</p> <p>b. Amend the Precinct description to identify that there are capacity constraints in the bulk wastewater infrastructure network serving the Beach Haven catchment.</p> <p>c. Amend the Precinct to add new objectives and policies</p>	-	Accept in part

Sub. No.	Name of Submitter	Summary of the Relief Sought by the Submitter	Further Submissions	Planners Recommendations
		<p>to only enable subdivision and development where there is sufficient wastewater infrastructure capacity.</p> <p>d. Amend the MDRS provisions and all associated explanatory text in the Precinct, to recognise the presence of a qualifying matter, namely wastewater infrastructure capacity constraints.</p> <p>e. Amend IXXX.4.1 Activity Table to add a new rule classifying two or more dwellings per site as a restricted discretionary activity, due to wastewater infrastructure constraints.</p> <p>f. Amend IXXX.4.1 Activity Table to add a rule classifying subdivision as a restricted discretionary activity, due to wastewater infrastructure constraints.</p> <p>g. Add matters of discretion and assessment criteria for two or more dwellings per site and subdivision within the Precinct relating to wastewater infrastructure and servicing.</p> <p>h. Amend IXXX.9 Special information requirements to require all applications for two or more dwellings and subdivision to provide a Wastewater Infrastructure Capacity Assessment.</p>		
84.1	Judith Rochelle Lardner Rivlin	Decline the plan change, but if approved, make the requested amendments	-	Reject
84.2	Judith Rochelle Lardner Rivlin	If approved, decrease the number of proposed dwellings to 40-50	-	Reject

Discussion

262. There are 10 submission points which oppose PPC99 but seek alternative relief if PPC99 is approved.

263. The submissions shown above in Table 18 have been addressed separately below in paragraphs 264 to 310.

12.4.1 Auckland Council (Submission points 62.1, 62.2, and 62.3)

264. Auckland Council, as a submitter (ACS), opposes the plan change, unless the matters raised in the submission are addressed. Specifically, ACS opposes the following aspects of PPC99:
- a) the lack of recognition of qualifying matters relating to wastewater infrastructure constraints that make higher density zoning and the application of the MDRS inappropriate in the Precinct
 - b) an inadequate assessment of the flood impacts on downstream properties
 - c) the lack of plan provisions for MDRS enabled subdivision to enable control to be exercised over management of the effects of stormwater at the time of subdivision.
265. The relief sought in Auckland Council's submission 62.1 is that PPC99 is declined subject to the amendments to the precinct provisions. These amendments relate to the precinct plan, precinct description, precinct objectives and policies, activity table, standards, matters of discretion, and special information requirements.
266. I understand that the requestor and ACS have been in discussion on the wording of the amendments.
267. I also understand that the requestor was directed by the Chair of the Hearing Panel to file a memorandum outlining what, if any, changes they recommend to the proposal and outline which changes are in response to which submissions²⁵. As the reporting planner, I have not been part of these discussions. I have been provided with the requestor's response to Direction 1; the response did not include the proposed amendments to the precinct provisions but did indicate that the following amendments were being considered and would be confirmed in the requestor's evidence:
- a) *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 ACS and Watercare submissions.*
268. I have not seen or been made aware of whether there is an agreed set of amendments prior to the completion of this section 42A report. Therefore, my recommendations for amendments to the precinct provisions are made subject to any further information that may be provided in either the requestor's or submitter's evidence. I can provide my views on the requestor's and/or submitter's evidence in a section 42A addendum report (if required) as provided for in Direction 2 from the Hearings Panel.
269. However, I do agree with submission point 62.2 from ACS that there should be greater recognition of the wastewater infrastructure constraints and management of the stormwater effects through amendments to the precinct provisions. While the amendments requested are similar those requested in Watercare submission (refer to section 12.4.4 below), the wording of the amendments has not been provided in ACS's submission. There could be further amendments that will be provided in the requestor's and AC's evidence. Therefore, I agree in principle to the following:
- a) an amendment to the planning maps and/or add a plan to the Precinct to identify that the land within the plan change area is subject to a wastewater infrastructure constraint

²⁵ Direction 1, dated 17 July 2024 <https://www.aucklandcouncil.govt.nz/HearingDocuments/pc99beachhaven-dir-2024-08-02.pdf>

- b) an amendment to the Precinct to identify that there are capacity constraints in the bulk wastewater infrastructure network serving the Beach Haven catchment
 - c) an amendment to the Precinct to add new objectives and policies to only enable subdivision and development where there is sufficient wastewater infrastructure capacity
 - d) an amendment to the precinct provisions to recognise the presence of a qualifying matter, namely wastewater infrastructure capacity constraints
 - e) an amendment to IXXX.4.1 Activity Table to add a new rule classifying two or more dwellings per site as a restricted discretionary activity, due to wastewater infrastructure constraints
 - f) an amendment to IXXX.4.1 Activity Table to add a rule classifying subdivision as a restricted discretionary activity, due to wastewater infrastructure constraints
 - g) add matters of discretion and assessment criteria for two or more dwellings per site and subdivision within the Precinct relating to wastewater infrastructure and servicing
 - h) an amendment to IXXX.9 Special information requirements to require all applications for two or more dwellings and subdivision to provide a Wastewater Infrastructure Capacity Assessment.
270. Submission point 62.3 from ACS is also seeking the following amendments shown below in a) and b). As the wording has been provided, I have included these two amendments in the recommended amendments to the precinct provisions (refer to Attachment 7).
- a) a minor amendment to correct a reference in the notified precinct provisions relating to standards IXXX.7.2(c)(iii) to read '~~E88.8~~ E38.8'
 - b) an amendment to IXXX7.1(1)(c) to read 'the effects of infrastructure provision and management of effects of stormwater.
271. I consider that the amendments requested above will satisfy the relief sought by ACS. I also consider the relief sought by ACS and Watercare will address a number of other submitters' concerns on inadequate stormwater, wastewater, and water supply infrastructure required to support the development of the two sites, and the effects of natural hazards e.g. flooding and increased stormwater in overland flow paths downstream from the two sites. Further discussion on the stormwater effects can be found above in Section 9.4 of this report.
272. I recommend that submission point 62.1 and 62.2 be accepted in part for the reasons provided above in paragraphs 266 to 271.
273. I recommend that submission point 62.3 be accepted for the following reasons:
- a) the amendment to IXXX.7.2(c)(iii) to correct an incorrect reference in the notified precinct provisions is considered minor in nature and simply rectifies an error
 - b) the amendment to IXXX.7.1(1)(c):
 - o is appropriate to ensure that the effects of development enabled by PPC99 are avoided, remedied or mitigated and to give effect to the RPS and RMA
 - o have the benefit of the potential to decrease the risk of the effects of natural hazards i.e., flooding and increased stormwater in overland flow paths on property and people downstream of the two sites

- the risk of not acting has the potential to increase the risk of the effects of natural hazards i.e., flooding and increased stormwater in overland flow paths on property and people downstream of the two sites.

274. I recommend that amendments to PPC99, specifically the precinct provisions be made arising from submission point 62.3 (for the reason provided above in paragraph 273) and as shown in Attachment 7 to this report. Further discussion on the amendments can be found in Sections 13 and 14, and Attachment 8 of this report.

275. My recommendations are subject to any further information being provided in either the requestor's or submitter's evidence. My recommendations will be confirmed and/or modified through a section 42A Addendum report as directed by the Hearing Panel in Direction 2.

12.4.2 Harriet Bennett Allan (Submission points 64.1 and 64.2)

276. Submission point 64.1 seeks that PPC99 is declined or alternatively rezoned to Residential – Mixed Housing Suburban Zone.

277. Submission point 64.2 seeks that PPC99 is declined as far as it relates to the inclusion of MDRS.

278. In regard to submission point 64.1, section 5 in this report discusses my reasons for agreeing with the requestor that Option 2, that to apply a Residential – Mixed Housing Urban zone and include a precinct which incorporates the MDRS is the better way to meet the objectives of the AUP and the purpose of the RMA. My agreement is subject to the recommended amendments to the notified precinct provisions as discussed in Sections 13 and 14 and as shown in Attachment 7.

279. In regard to submission point 64.2, the inclusion of the MDRS in PPC99 is a statutory requirement as required by Section 77G(1) and Schedule 3A of the RMA. In addition, Council cannot consider accepting or adopting a private plan change request, and progress a plan change through the notification and hearing processes, under Schedule 1 Clause 25 (4A) of the RMA if the private plan change request does not incorporate the MDRS as required by Section 77G(1).

280. I acknowledge that the Government has indicated new directions in their 'Housing for Growth' policy. This may include the ability for council's to be able to decide that MDRS is optional if other land areas within a council's responsibility provides for 30-years of growth. However changes to the RMA have yet to be advised or to be presented to Parliament. Until such time as the amendments to the RMA are enacted, the current statutory requirements are in force.

281. I recommend that submission points 64.1 and 64.2 be rejected for the reasons provided above in paragraphs 278 to 280.

282. I do not recommend any amendments to PPC99 arising from these submission points.

12.4.3 Daisy Kay (Submission points 71.1 and 71.2)

283. Submission point 71.1 seeks that PPC99 as notified is rejected.

284. Submission point 71.2 seeks that PPC99 is amended to avoid adverse impacts on existing infrastructure relating to the following:

- a) transport and parking effects (including traffic safety) and in particular on Cresta Avenue and Beach Haven Road

- b) impacts on other infrastructure, including stormwater to avoid any adverse effects on neighbouring properties and the local environment
 - c) compliance with a local area plan/precinct plan developed with Council that should provide as a minimum for :
 - o increasing access and facilities for frequent and more reliable public transport services
 - o improving pedestrian any cycle safety within the road corridor
 - o adequate parking on MHU zoned land that avoids adverse impacts on the existing capacity of the local area's public parking (including recreation).
285. In regard to transport and parking, these effects have been discussed in section 9.2 above. As discussed in paragraph 2.8 and section 3 of Mr Temperley's memo (refer to Attachment 6 of this report), there is no requirement for minimum parking (other than for accessible car parks) in the NPS-UD, to be provided as part of a development. Policy 11(a) and Subpart 8 of the NPS-UD required Council to remove any objectives, policies, and standards relating to the provision of parking minimums without using the Schedule 1 process of the RMA. While there is no minimum requirement for parking this does not preclude a developer still choosing to provide parking within a development.
286. Plan Change 79 (PC79)²⁶ is Council's response to the consequential effects of removing minimum parking requirements in the AUP. PC79 proposes amendments to AUP Chapters E27 Transport, E24 Lighting, E38 Subdivision, and Chapter M Schedules with the purpose of:
- a) introducing new accessible parking requirements
 - b) ensuring pedestrian access and safety are prioritised within residential developments
 - c) requiring the provision of loading spaces for medium and high-density residential developments
 - d) addressing heavy vehicle access for waste collection
 - e) requiring secure and covered cycle parking and safe access (where covered carparking is not provided)
 - f) enabling greater consideration of the effects of activities on the transport network
 - g) addressing climate change, by future-proofing electric vehicle supply equipment in residential developments to support the modal shift towards low/no-emission transport options
 - h) ensuring that pedestrian access and safety is prioritised within private accessways in medium and high-density residential zones.
287. A hearing for PC79 was held in March 2023. The decision for PC79 was notified on 9 August 2024. If no appeals are received, or when appeals are resolved, on the decision, PC79 will need to be made 'operative' and then included in the AUP.
288. Any future resource consent for development of the two sites will need to undertake an assessment against the objectives, policies, and standards of any relevant operative AUP provisions at the time the resource consent is lodged including Chapter E27 Transport. This may include the amendments

²⁶ <https://www.aucklandcouncil.govt.nz/plans-projects-policies-reports-bylaws/our-plans-strategies/unitary-plan/auckland-unitary-plan-modifications/Pages/details.aspx?UnitaryPlanId=145>

proposed in PC79 if this plan change has been made operative before a resource consent application is lodged.

289. In regard to c) in paragraph 284, the relief sought is that there needs to be compliance with a local area plan or precinct plan developed by Council. The Kaipātiki Local Board Plan is discussed in section 8 of this report. Local Board plans are aspirational three-year strategic plans which guide local board activity, funding and investment decisions for a local area. The initiatives set out in the Kaipātiki Local Board Plan helps the board to prioritise and decide on what work is carried out in the Kaipātiki over each of the three year time period each plan is in operation.
290. Under the Local Government (Auckland Council) Act 2009, local boards are able to identify and communicate the interests and preferences of the people in its local board area in relation to the content of Auckland Council's regional strategies, plans, and policies. A local board's views are provided through a resolution at a local board meeting. The Kaipātiki Local Board's views are discussed in Section 10.2 and provided in Attachment 5 to this report. The Kaipātiki Local Board's resolution also allows for representatives from the local board to present their views at the hearing for PPC99.
291. Precinct plans in the AUP provide for local differences through site or area-specific provisions which can vary the outcomes sought by the underlying zone or Auckland-wide provisions. In the case of PPC99, the proposed precinct is the only method in the AUP by which to incorporate MDRS in accordance with Section 77G(1) and Schedule 3A of the RMA and to apply this to only these two sites. No other site-specific provisions were proposed by the requestor; therefore the zone, Auckland-wide provisions, overlays, and controls apply to the two sites unless otherwise stated in the precinct provisions. The requestor may modify its request and the precinct provisions to offer resolutions for the relief sought in submissions to PPC99. The requestor has indicated in its response to Direction 1 from the Hearing Panel, that amendments are being considered and will be included in their evidence.
292. In regard to the effects on other infrastructure, including stormwater, amendments to the precinct provisions are recommended in this report to recognise the wastewater infrastructure constraints and to manage the stormwater effects from the future development enabled by PPC99 (if made operative in the AUP). Resource consent applications for future development of the sites will be required be assessed against the relevant parts of the AUP, including the precinct provisions to ensure that there is sufficient water supply, wastewater and stormwater infrastructure to support the development and to mitigate the effects on neighbouring properties and downstream of the two sites. Further discussion on the recommended amendments to the precinct provisions can be found in Sections 13 and 14 of this report.
293. I recommend that submission point 71.1 be rejected and 71.2 be accepted in part for the reasons provided above in paragraphs 285 to 292.
294. I do not recommend any amendment to PPC99 arising from these submission points.

12.4.4 Watercare Services Limited (Submission point 79.1)

295. Watercare's submission is in opposition to PPC99 in its entirety. The specific parts of PPC99 that Watercare has a particular interest in are:
- a) the level of development enabled under PPC99 and actual and potential effects on Watercare's existing and planned water and wastewater network;

- b) the absence of proposed Precinct provisions addressing the need to consider bulk water supply and wastewater infrastructure capacity.

296. Watercare opposes PPC99 as currently proposed and seeks that the plan change is declined unless it is amended. Watercare seeks the following amendments (as set out in Attachment 1 of its submission) to the Precinct provisions:

Table 8: Watercare relief sought in Attachment 1 of its submission

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments
IXXX.1 Precinct description	amendment to the precinct description with inclusion of new text that outlines that the provision of more capacity in relation to the water supply and wastewater infrastructure that serves the wider area is an essential component for enabling the development of the precinct to the density sought under the Plan Change. It needs to be recognised that the upgrades required to deliver the improvements to the capacity of the infrastructure are dependent on work being undertaken outside the precinct and therefore out of the control of the applicant.	Support the inclusion as worded in Attachment 1 of Watercare's submission: <u>The provision of adequate capacity in terms of the water supply and wastewater infrastructure servicing the precinct is essential to achieving the planned level of development. Upgrades to water supply and wastewater infrastructure located outside of the precinct boundaries are required to avoid, remedy or mitigate adverse impacts on the environment and on the level of service provided to those connected to the infrastructure both inside and outside the precinct.</u>
IXXX.2 Objectives	Amendments to the precinct objectives with the addition of a new objective 3 which enables development when there is adequate capacity in the water supply and wastewater network to service the development or subdivision.	Support the inclusion as worded in Attachment 1 of Watercare's submission: <u>(3) Development and subdivision is enabled where it can be serviced by the water supply and wastewater networks to manage adverse effects.</u>
IXXX.3 Policies	Amendment to include new policy 6 to support the new objective and requiring subdivision and development to be coordinated with the	Support the inclusion as worded in Attachment 1 of Watercare's submission: <u>Water Supply and Wastewater Infrastructure</u>

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments
	provision and capacity of bulk infrastructure.	<u>(6) Require subdivision and development to be coordinated with the provision of bulk water supply or bulk wastewater networks with adequate capacity to service the proposed development.</u>
Activity Table IXXX.4.1	Delete Note 2 as it is not required as it is not proposed that up to three dwellings is a permitted activity	Do not support the deletion of Note 2 – PPC99 is required to incorporate the MDRS in accordance with Schedule 3A Clause 2(1).
	Amend the activity status of (A1) and (A2) to restricted discretionary activity or include a new rule (A2A) that requires new dwellings that do not comply the new rule IXXX.6.1.10 to obtain resource consent as a restricted discretionary activity	<p>Do not support an amendment to (A1) or (A2). PPC99 is required to incorporate the MDRS standards in accordance with Schedule 3A of the RMA.</p> <p>However, I do support a new rule (A2A) as worded in Attachment 1 of Watercare's submission:</p> <p><u>(A2A) Any new or converted dwelling that does not comply with standard IXXX.6.1.10 (RD)</u></p> <p>This wording is similar to other qualifying matters in PC78 for the Infrastructure – Combined Wastewater Network Control and the Infrastructure – Stormwater Disposal Constraints Control in the Residential – Mixed Housing Urban Zone where permitted activities for up to 3 dwellings and restricted discretionary for four or more dwellings per site are required to comply with the related control objectives, policies and standards.</p>
	Amend (A3) to include new standard IXXX.6.10.	<p>Support the amendment as shown in Attachment 1 of Watercare's submission:</p> <p>(A3) The construction of one or more dwellings on a site that do not comply with one or more Standards IXXX.6.1.1 to IXXX.6.1.9 <u>10</u> inclusive.</p>

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments		
	<p>Include a new activity (A6A) that requires development that does not comply with the new rule IXXX.6.1.10 to obtain a resource consent as a restricted discretionary activity</p>	<p>Support the inclusion as worded in Attachment 1 of Watercare's submission:</p> <p><u>(A6A) Any development that does not comply with standard IXXX.6.1.10 (RD)</u></p>		
	<p>Delete activity (A8) for subdivision accompanied by a land use consent application for up to three dwellings as a controlled activity, as a consequence of deleting Note 2 and it has a similar function and activity status as rule IXXX.4.1 (A7). Rule IXXX.4.1 (A8) also allows the applicant to submit an application for land use consent but not have a decision on it and then proceed to subdivision, i.e., they do not need to be in accordance with one another. There are also no vacant lot subdivision rules included in the proposed precinct provisions, presumably Chapter E38 would apply in this instance, therefore it would be useful for the applicant to clarify this in the precinct provisions</p>	<p>I agree that (A7) and (A8) have a similar function as worded in the notified precinct provisions. I recommend an amendment to (A7) as shown below:</p> <table border="1" data-bbox="1027 763 1465 1133"> <tr> <td data-bbox="1027 763 1118 1133">(A7)</td> <td data-bbox="1118 763 1465 1133"> <p>Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</p> <p>€</p> </td> </tr> </table> <p>The above recommended amendment will clarify that the precinct provisions (which is the method to incorporate the statutorily required MDRS provisions for subdivision) for subdivision in (A8) to (A10) for either permitted or restricted discretionary activities for use and development applies to the two sites.</p> <p>Any subdivision which does not comply with (A8) to (A10) is subject to the provisions of E38 Subdivision – Urban as a discretionary activity. The recommended amendment aligns with the proposed provisions in PC78 for Chapter 38 Subdivision – Urban).</p> <p>The MDRS are required to be incorporated into PPC99 – (A8) directly reflects Schedule 3A Part</p>	(A7)	<p>Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</p> <p>€</p>
(A7)	<p>Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</p> <p>€</p>			

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments
		<p>2 Subdivision requirements Clause 7 which states:</p> <p><i>Any subdivision provisions (including rules and standards) must be consistent with the level of development permitted under the other clauses of this schedule, and provide for subdivision applications as a controlled activity.</i></p> <p>In regard to which vacant lot subdivision rules would apply to the precinct, the notified precinct provisions do contain the following:</p> <p>IXXX.2 Objectives</p> <p>...</p> <p>All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.</p> <p>IXXX.3 Policies</p> <p>...</p> <p>All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.</p> <p>IXXX.4 Activity table</p> <p>All relevant overlay, Auckland-wide and zone activities apply in this precinct unless specified below at IXXX.4(1) or Table IXXX.4.1...</p>
IXXX.6 Standards	Amendment to IXXX.6.(3) to include reference to the new standard IXXX.6.1.10	<p>Support the inclusion as worded in Attachment 1 of Watercare's submission:</p> <p>(3)The activities listed as a permitted activity in Activity Table IXXX.4.1 must comply with</p>

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments
		permitted activity standards IXXX.6.1.1 to IXXX.6.1.9 <u>10.</u>
	include a new standard IXXX.6.1.10 Water and Wastewater which requires all subdivision or development within the precinct being able to be serviced by a publicly available functioning bulk wastewater network and water supply network with sufficient capacity to service the precinct	Support the inclusion as worded in Attachment 1 of Watercare's submission: <u>IXXX.6.1.10 Water and Wastewater Purpose:</u> <u>To ensure the bulk wastewater and potable water infrastructure has capacity to service the development of the Beach Haven Precinct</u> <u>(1) All subdivision and / or development within the Precinct must be able to be serviced by a publicly available functioning bulk wastewater network and water supply network with sufficient capacity to service the precinct.</u>
IXXX.6.2.1 Standards – Controlled activities – Subdivision	include a new standard requiring controlled activities to comply with the new standard IXXX.6.1.10.	Support the inclusion as worded in Attachment 1 of Watercare's submission: <u>(4) Any subdivision must comply with standard IXXX.6.1.10</u>
IXXX.6.2.2 – Subdivision around existing buildings and development	Include a standard to comply with the new standard IXXX.6.1.10	Support the inclusion as worded in Attachment 1 of Watercare's submission: <u>(4)Any new subdivision must comply with standard IXXX.6.1.10</u>
IXXX.6.2.3 Subdivision accompanied by land use consent application for up to three dwellings	remove IXXX.6.2.3 Standards for controlled activity as rule IXXX.4.1(A8) is deleted.	I do not support the deletion of (A8) or the related standard as it relates to standard in the MDRS that is statutorily required to be incorporated into PPC99.
IXXX.7.1 Matters of control and IXXX.7.2 Assessment criteria	to include new matters of control and assessment criteria for controlled activities addressing adequate provision and capacity of infrastructure	Support the inclusion as worded in Attachment 1 of Watercare's submission: IXXX.7.1 Matters of control (c)the effects of capacity of infrastructure provision

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments
		<p>IXXX.7.2 Assessment criteria</p> <p>...</p> <p>(i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; and</p> <p>(ii) whether appropriate management of effects of stormwater has been provided;</p> <p>(iii) refer to Policies E838.8(1), (6), (19) to (23); and</p> <p><u>(iv) whether there is adequate provision and capacity of infrastructure to service the subdivision;</u></p> <p><u>(v) refer to Policy IXXX.3(6).</u></p>
IXXX8.1 Matters of discretion	to include new matters of discretion for restricted discretionary activities addressing provision and capacity of infrastructure, and where not what mitigation is proposed	<p>Support the inclusion as worded in Attachment 1 of Watercare's submission:</p> <p>IXXX.8.1 Matters of discretion</p> <p>...</p> <p>(1) The construction of one or more dwellings on a site that do not comply with any of the Standards IXXX.6.1.1 to IXXX.6.1.9-10:</p> <p>...</p> <p>(h) any other matters specifically listed for the standard; and</p> <p>(i) where more than one standard will be infringed, the effects of all infringements; and</p> <p><u>(j) the effects on infrastructure capacity including:</u></p> <p>i. <u>Whether there is confirmation from the utility provider of sufficient capacity in the bulk water</u></p>

Precinct provision	Amendments sought in Watercare submission	Reporting planner's comments
		<p><u>supply and wastewater networks to service the development or subdivision; and</u></p> <p>ii. <u>Where adequate network capacity is not available, whether adequate mitigation is proposed.</u></p> <p>(2)...</p> <p><u>(c) Refer to IXXX.8.1(1)(i) Matters of discretion</u></p> <p><u>(d) Refer to Policy IXXX.3 (6)</u></p>
IXXX8.2 Assessment criteria	to include new assessment criteria for restricted discretionary activities addressing provision and capacity of infrastructure, and where not what mitigation is proposed	<p>Support the inclusion as worded in Attachment 1 of Watercare's submission:</p> <p>IXXX.8.2 Assessment criteria</p> <p>...</p> <p>(1) The construction of one or more dwellings on a site that do not comply with one or more of Standards IXXX.6.1.1 to IXXX.6.1.9-10</p> <p>(a)... <u>(j) for infrastructure and capacity</u></p> <p><u>i. Refer to Policy IXXX.3 (6)</u></p> <p>...</p> <p>(2)...</p> <p><u>(f) for the effect of the development on infrastructure capacity in the wider water supply network and wastewater network</u></p> <p><u>i. Refer to Policy IXXX.3(6)</u></p>
IXXX Beach Haven Precinct	Consequential changes to numbering and cross referencing in the precinct provisions	Generally support changes required to correctly number and cross reference precinct provisions.

297. I support the amendment of the precinct provisions as shown in each row of Table 19 above for the reasons presented in Watercare's submission. I have included an annotated version of the

recommended amendments (refer to Attachment 7). I understand that the requestor has been in discussion with submitters, including Watercare.

298. I also note that the requestor was directed by the Hearings Panel to file a memorandum outlining what, if any, changes they recommend to PPC99 as proposed and outline which changes are in response to which submissions. As the reporting planner, I have not been part of these discussions. I have been provided with the requestor's response to Direction 1; the response did not include the proposed amendments to the precinct provisions but did indicate that the following amendments were being considered and would be confirmed in the requestor's evidence:

a) *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 ACS and Watercare submissions.*

299. I have not seen, or been made aware of an agreed set of amendments prior to the completion of this section 42A report. Therefore, my recommended amendments to the precinct provisions are subject to further information provided in either the requestor's or submitter's evidence.

300. I recommend submission point 79.1 be accepted in part for the reasons provided above in Table 19 and paragraph 297.

301. I recommend the amendments to PPC99 shown in Table 19 and Attachment 7. However, my recommendation is subject to further information being provided either by the requestor or the submitter in their evidence. Further discussion on the amendments can be found in Sections 13 and 14, and Attachment 8 of this report.

12.4.5 Judith Rochelle Lardner Rivlin (Submission points 84.1 and 84.2)

302. Submission point 84.1 seeks that PPC99 is declined but if approved, amendments are made to PPC99.

303. Submission point 84.2 seeks that if PPC99 is approved, then decrease the number of proposed dwellings to 40-50.

304. In regard to submission points 84.1 and 84.2, I acknowledge the submitter's reasoning for the relief sought i.e., 'that development needs to be carefully managed and monitored in order to ensure negative impacts on existing residents are minimised and retain the community focussed character of the neighbourhood.'

305. However, I do not consider that it is appropriate to stipulate the number of dwellings in the precinct provisions. PPC99 does not include details related to a specific development proposal. Therefore an assessment cannot be undertaken to determine whether 40-50 dwellings is an appropriate number of dwellings for the two sites.

306. While PPC99 enables development in accordance with the Residential – Mixed Housing Urban Zone (if made operative in the AUP), resource consents are still required before development of the two sites can occur. The resource consent applications for any future development will need to undertake an assessment of the development against the provisions of the AUP, including the precinct provisions if these are made operative in the AUP.

307. Amendments to the precinct provisions are recommended in regard to stormwater, water supply, and wastewater infrastructure. If the recommended amendments, and/or any other amendments to the precinct provisions are proposed by the requestor (and made operative in the AUP), a resource

consent application will be required to show that there is sufficient infrastructure to support the development proposal specific to that resource consent.

308. I understand that the requestor has been in discussion with some submitters. As the reporting planner, I have not been part of these discussions so I am not aware of whether this submitter has been included. Therefore, I consider it appropriate that the requestor provides a statement within their evidence as to whether discussions with this submitter have taken place.
309. I recommend that submission points 84.1 and 84.2 be rejected for the reasons provided in paragraphs 304 to 307 above.
310. I do not recommend any amendments to PPC99 arising from these submission points.

12.2.6 Recommendations on Submissions

311. I recommend, for the reasons provided above in paragraphs 262 to the 310 that:
- a) The following submissions be **accepted in part**:
 - 62.1 and 62.2 (ACS)
 - 71.2 (Daisy Kay)
 - 79.1 (Watercare)
 - b) the following submissions be **rejected**:
 - 64.1 and 64.2 (Harriet Bennett Allan)
 - 71.1 (Daisy Kay)
 - 84.1 and 84.2 (Judith Rochelle Lardner Rivlin).
312. I recommend amendments to PPC99, specifically the precinct provisions, arising from submission points 62.3 (ACS) and 79.1 (Watercare).
313. These amendments are set out in **Attachment 7** to this report and discussed below in sections 13 and 14 of this report.

13. Potential Changes within the Scope of Submissions

314. The amendments I propose are set out in full in Attachment 7 and relate to the following effects:
- a) Stormwater
 - b) Water Supply and Wastewater network infrastructure
 - c) Nationally significant infrastructure (NZDF Base Auckland).

315. The rationale for my recommended amendments to Objectives IXXX.2, Policies, IXXX.3, Table IXXX.4.1 Activity Table, IXXX.6 standards, IXXX.7.1 and IXXX.7.2 Matters of control and assessment criteria and IXXX.8 Assessment – restricted discretionary activities, IXXX.8.2 Assessment criteria, and IXXX.9 Special information requirements are to give better effect to the RPS to the Objectives and Policies shown in Table 20 below:

Reference to AUP Objectives and Policies	Objective and Policy wording in the AUP that my recommended amendments seek to implement
Objective B3.2.1(6)	Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development
Policy B3.2.2(4)	Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure.
Policy B3.2.2(5).	Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure
Objective B7.3.1(3)	The adverse effects of changes in land use on freshwater are avoided, remedied or mitigated
Policy B7.4.2 (9) (a), (b) and (c)	<p>(9) Manage stormwater by all of the following:</p> <p>(a) requiring subdivision, use and development to:</p> <p>(i) minimise the generation and discharge of contaminants; and</p> <p>(ii) minimise adverse effects on freshwater and coastal water and the capacity of the stormwater network;</p> <p>(b) adopting the best practicable option for every stormwater diversion and discharge; and</p> <p>(c) controlling the diversion and discharge of stormwater outside of areas serviced by a public stormwater network.</p>
Policy B7.4.2 (10)(a)	<p>(10) Manage the adverse effects of wastewater discharges to freshwater and coastal water by all of the following:</p> <p>(a) ensuring that new development is supported by wastewater infrastructure with sufficient capacity to serve the development;</p>
Objective B10.2.1 (2),(3) and (5)	(2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.

	<p>(3) New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.</p> <p>(5) The functions of natural systems, including floodplains, are protected from inappropriate subdivision, use and development. (6) The conveyance function of overland flow paths is maintained.</p>
Policy B10.2.2(7) and (8)	<p>(7) Avoid or mitigate the effects of activities in areas subject to natural hazards, such as earthworks, changes to natural and built drainage systems, vegetation clearance and new or modified structures, so that the risks of natural hazards are not increased.</p> <p>(8) Manage the location and scale of activities that are vulnerable to the adverse effects of natural hazards so that the risks of natural hazards to people and property are not increased.</p>

Table 20: Relevant RPS for recommended amendments

316. The scope for making the stormwater and water supply and wastewater network infrastructure amendments to the precinct provisions comes from submissions 62 (ACS) and 79 (Watercare). Both ACS and Watercare seek amendments to PPC99 to ensure that the subdivision, use and development of the two sites is required to have sufficient stormwater, water supply, and wastewater infrastructure which supports the level of development sought in future resource consents for specific development proposals.

Water supply and wastewater

317. The recommended amendments to the objectives, policies, standards, and matters of discretion ensures that resource consent applications for development within the Beach Haven precinct include an assessment of whether there is sufficient capacity within a publicly available functioning bulk wastewater network and water supply network to service the development proposed in the future resource consent applications. Where adequate network capacity is not available, then adequate mitigation is required to ensure that adverse effects on the bulk wastewater and water supply networks are avoided.

Stormwater

318. In regard to stormwater effects, the recommended amendment to IXXX.7.1 Matters of control and IXXX.9 Special information requirements requires future development to manage the effects of stormwater to ensure that there are no adverse effects from natural hazards i.e., flooding and increased stormwater in overland flow paths downstream of the two sites.

14. Section 32AA Analysis of Recommended Changes

319. The changes recommended above require an additional assessment in accordance with S32AA of the RMA.
320. This further evaluation is only made in respect of the amendments I have proposed in Attachment 7 to this report and discussed above. It is at a level of detail which, in my opinion, corresponds to the scale and significance of the proposed changes. The s32AA further evaluation of the recommended amendments to PPC99 can found in Attachment 8 of this report. In summary, the s32AA evaluation concludes that the recommended amendments:
- a) are appropriate to ensure that the effects of the development enabled by PPC99 are avoided, remedied or mitigated and to give effect to the RPS and RMA
 - b) are more efficient and effective than PPC99 and the status quo
 - c) the costs of not including the recommended amendments has the potential to:
 - increase the risk of the existing water supply, wastewater and stormwater infrastructure from being constrained
 - increase the risk of untreated wastewater flows into the environment
 - increase the risk of the effects of natural hazards i.e., flooding and increased stormwater in overland flow paths on property and people downstream of the two sites
 - increase the risk to flight safety and ongoing operation of NZDF's airbase at Whenuapai and to people residing and working within the flight path.
 - d) the benefits of including the recommended amendments has the potential to:
 - decrease the risk of the existing water supply, wastewater and stormwater infrastructure from being constrained
 - decrease the risk of untreated wastewater flows into the environment
 - decrease the risk of the effects of natural hazards i.e., flooding and increased stormwater in overland flow paths on property and people downstream of the two sites
 - decrease the risk to flight safety and ongoing operation of NZDF's airbase at Whenuapai and to people residing within the flight path.
 - e) that there is sufficient and certain information in relation to stormwater, water supply and wastewater infrastructure and in relation to NZDF's designation and the risk of not acting could have the potential to:
 - increase the risk to the environment from untreated wastewater overflows and issues for Watercare in regard to the operation, maintenance, and upgrades of its infrastructure
 - increase the risk to flight safety and the ongoing operation of NZDF's airbase at Whenuapai and to the people residing and working within the flight path
 - increase the risk to people and property from natural hazards i.e., flooding and increased stormwater flows in overland flow paths downstream of the two sites.



15. Conclusions

321. Having considered all of the information provided by the requestor, carried out an assessment of effects, reviewed all relevant statutory and non-statutory documents and made recommendations on the submissions, I recommend that PPC99 should be approved subject to the amendments recommended to the text of the Auckland Unitary Plan as set out in Attachment 7 to this report and discussed further above in sections 13 and 14 of this report.
322. My recommendations for amendments to the precinct provisions may be further amended subject to any further information provided in either the requestor's or submitters' evidence. I can provide my views on the requestor's and/or submitters' evidence in a section 42A addendum report (if required) as provided for in Direction 2 from the Hearings Panel.
323. PPC99, with its recommended amendments will:
- assist the council in achieving the purpose of the Resource Management Act 1991
 - give effect to the NPS-UD and Schedule 3A and 77G(1) of the RMA
 - be consistent with Auckland Unitary Plan Regional Policy Statement
 - be consistent with the Auckland Plan and the FDS in relation to existing urban areas.

16. Recommendations

324. That, the Hearing Commissioners accept or reject submissions as recommended in this report.
325. That, as a result of the recommendations on the submissions, the Auckland Unitary Plan be amended by:
- a) rezoning the land at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven to Residential – Mixed Housing Urban, as proposed by PPC99, in the Auckland Unitary Plan (Operative in Part)
 - b) the inclusion of the Beach Haven Precinct to incorporate the Medium Density Residential Standards in accordance with Schedule 3A and 77G(1) of the RMA with the recommended amendments as set out in Attachment 7 to this report.
326. The recommendations in paragraph 325 a) and b) above are subject to any further information being provided in either the requestor's or submitters' evidence for PPC99. The recommendations will be confirmed or may be further modified in a section 42A Addendum report in accordance with Direction 2 from the Hearing Panel.

17. Signatories

	Name and title of signatories
Author	<p>Jo Hart Senior Policy Planner Regional, North, West, and Islands Planning Planning and Resource Consents</p> 
Reviewer / Approved for release	<p>Eryn Shields Team Leader Regional, North, West and Islands Planning Planning and Resource Consents</p> 

ATTACHMENT THREE
RELEVANT AUP ZONE PROVISIONS
– CHAPTERS H3 AND H5

H3. Residential – Single House Zone

H3.1. Zone description

The purpose of the Residential – Single House Zone is to maintain and enhance the amenity values of established residential neighbourhoods in number of locations. The particular amenity values of a neighbourhood may be based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character. To provide choice for future residents, Residential – Single House Zone zoning may also be applied in greenfield developments.

To support the purpose of the zone, multi-unit development is not anticipated, with additional housing limited to the conversion of an existing dwelling into two dwellings and minor dwelling units. The zone is generally characterised by one to two storey high buildings consistent with a suburban built character.

[new text to be inserted]

H3.2. Objectives

- (1) Development maintains and is in keeping with the amenity values of established residential neighbourhoods including those based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.
- (2) Development is in keeping with the neighbourhood's existing or planned suburban built character of predominantly one to two storeys buildings.
- (3) Development provides quality on-site residential amenity for residents and for adjoining sites and the street.
- (4) Non-residential activities provide for the community's social, economic and cultural well-being, while being in keeping with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

H3.3. Policies

- (1) Require an intensity of development that is compatible with either the existing suburban built character where this is to be maintained or the planned suburban built character of predominantly one to two storey dwellings.
- (2) Require development to:
 - (a) be of a height, bulk and form that maintains and is in keeping with the character and amenity values of the established residential neighbourhood; or
 - (b) be of a height and bulk and have sufficient setbacks and landscaped areas to maintain an existing suburban built character or achieve the

planned suburban built character of predominantly one to two storey dwellings within a generally spacious setting.

- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable level of sunlight access and privacy and to minimise visual dominance effects to the adjoining sites.
- (5) Encourage accommodation to have useable and accessible outdoor living space.
- (6) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.
- (7) Provide for non-residential activities that:
 - (a) support the social and economic well-being of the community;
 - (b) are in keeping with the scale and intensity of development anticipated within the zone;
 - (c) avoid, remedy or mitigate adverse effects on residential amenity; and
 - (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and the Business – Town Centre Zone.
- (8) To provide for integrated residential development on larger sites.

PC 78 ([see Modifications](#))

H3.4. Activity table

Table H3.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Single House Zone pursuant to section 9(3) of the Resource Management Act 1991.

Table H3.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
(A3)	One dwelling per site	P	Standard H3.6.6 Building height;

H3 Residential – Single House Zone

			Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A4)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H3.6.3 Conversion of a principal dwelling into a maximum of two dwellings
(A5)	Minor dwellings	P	Standard H3.6.4 Minor dwellings; Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A6)	More than one dwelling per site (other than the conversion of a principal dwelling in Rule H3.4.1(A4) or minor dwellings in Rule a H3.4.1(A5))	NC	
(A7)	Home occupations	P	Standard H3.6.2 Home occupations
(A8)	Home occupations that do not meet Standard H3.6.2	D	
(A9)	Integrated Residential Development	D	
(A10)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A11)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	D	
(A12)	Boarding houses accommodating up to 10	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation

H3 Residential – Single House Zone

	people per site inclusive of staff and residents		to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A13)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	D	
(A14)	Visitor accommodation accommodating up to 10 people per site inclusive of staff and visitors	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A15)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	D	
Commerce			
(A16)	Dairies up to 100m ² gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; and Standard H3.6.12 Front, side and rear fences and walls
(A17)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A18)	Service stations on arterial roads	D	
(A19)	Offices within the Centre Fringe Office Control as identified on the planning maps	P	Standard H3.6.5 Offices within the Centre Fringe Office Control
(A20)	Offices within the Centre Fringe Office Control as identified on the planning maps that do not comply with Standard H3.6.5	D	
Community			
(A21)	Care centres	P	Standard H3.6.6 Building height;

PC 78 ([see Modifications](#))

H3 Residential – Single House Zone

	accommodating up to 10 people per site excluding staff		Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A22)	Care centres accommodating greater than 10 people per site excluding staff	D	
(A23)	Community facilities	D	
(A24)	Education facilities	D	
(A25)	Tertiary education facilities	D	
(A26)	Emergency services adjoining an arterial road	D	
(A27)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; and Standard H3.6.12 Front, side and rear fences and walls
(A28)	Healthcare facilities greater than 200m ² gross floor area per site	NC	
(A29)	Veterinary clinics	D	
Rural			
(A30)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A31)	Marae	D	
Development			
(A32)	Demolition of buildings	P	
(A33)	Internal and external alterations to buildings	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A34)	Accessory buildings	P	Standard H3.6.6 Building height;

			Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage
(A35)	Additions to an existing dwelling	P	Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls
(A36)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A37)	Rainwater Tank	P	Standard H3.6.13 Rainwater tanks

H3.5. Notification

(1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

(a) [deleted]

(b) development which does not comply with H3.6.12 (1a) Front, side and rear fences and walls.

(2) Any application for resource consent for an activity listed in Table H3.4.1 Activity table and which is not listed in H3.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

H3.6. Standards

H3.6.1. Activities listed in Table H3.4.1 Activity table

(1) Activities and buildings containing activities listed in Table H3.4.1 Activity table must comply with the standards listed in the column in Table H3.4.1 Activity table called Standards to be complied with.

H3.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;
- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H3.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

H3.6.4. Minor dwellings

Purpose:

- to provide accommodation that is limited in size and secondary to the principal dwelling on a site;
 - to ensure that sufficient outdoor living space is provided for the minor dwelling;
 - to ensure there is no more than one minor dwelling on each site.
- (1) A minor dwelling must not exceed a floor area of 65m² excluding decks and garaging.
 - (2) A minor dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) least 1.8m in depth; and
 - (c) directly accessible from the minor dwelling.
 - (3) There must be no more than one minor dwelling per site.

[PC 78 \(see Modifications\)](#)

H3.6.5. Offices within the Centre Fringe Office Control as identified on the planning maps

- (1) Offices must be located in existing buildings.

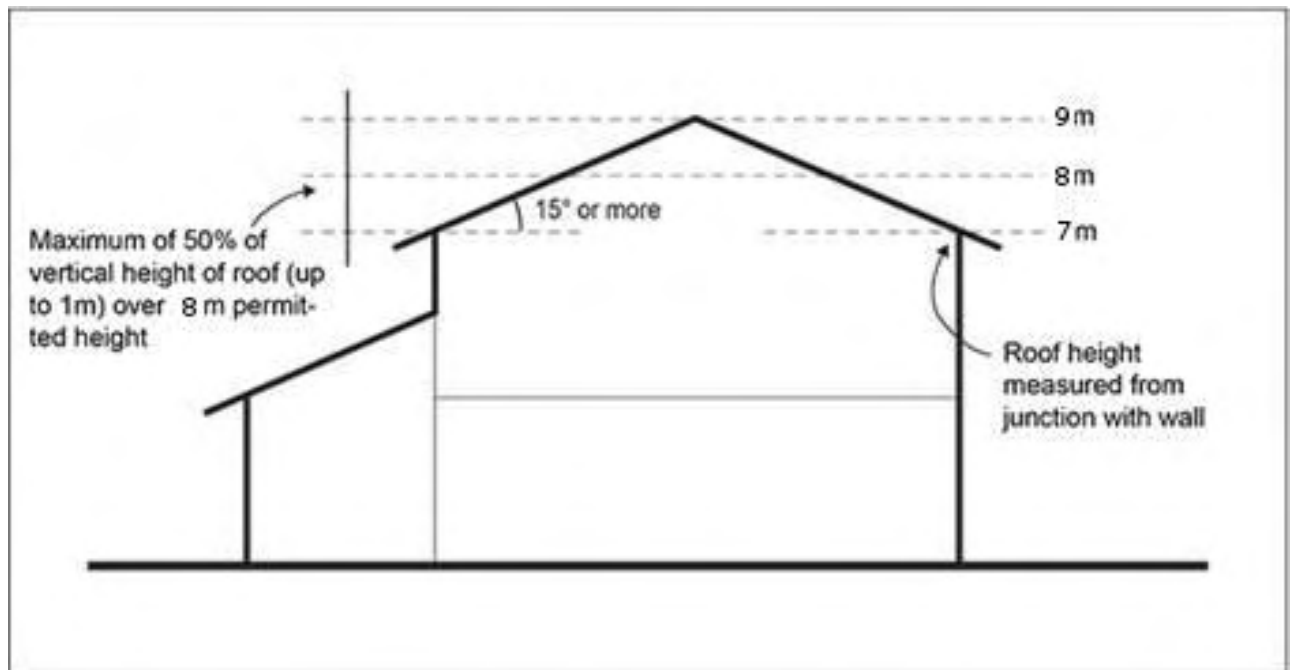
H3.6.6. Building height

Purpose: to manage the height of buildings to:

- Achieve the planned suburban built character of predominantly one to two storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

- (1) Buildings must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H3.6.6.1 Building height in the Residential – Single House Zone below.

Figure H3.6.6.1 Building height in the Residential – Single House Zone

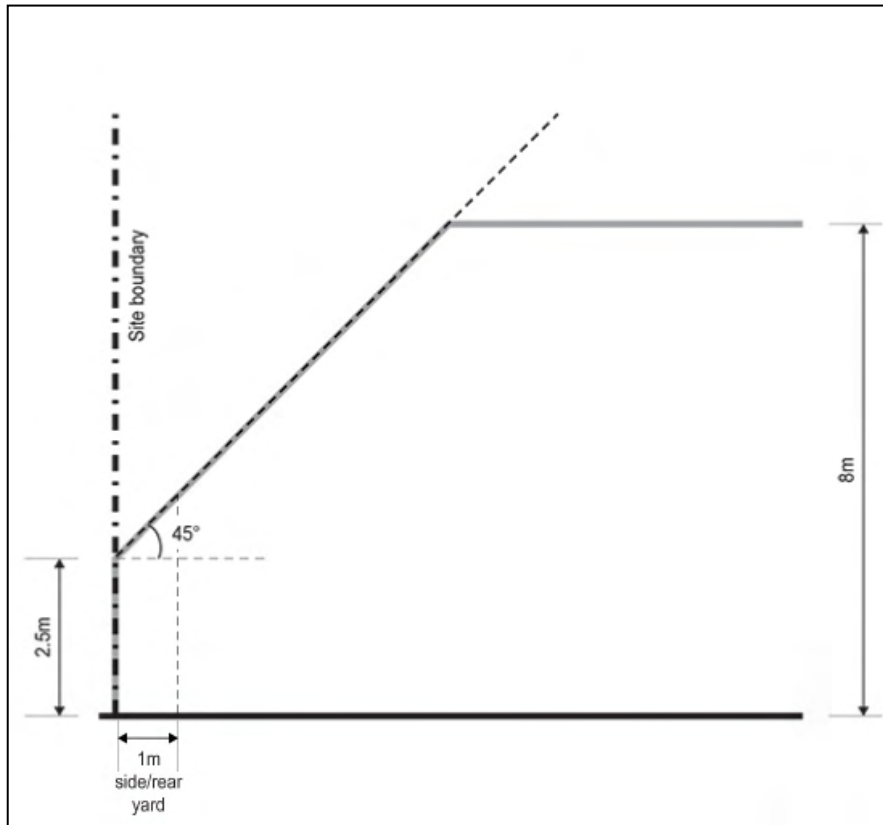


H3.6.7. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 45-degree recession plane measured from a point 2.5m vertically above ground level along side and rear boundaries, as shown in Figure H3.6.7.1 Height in relation to boundary below.

Figure H3.6.7.1 Height in relation to boundary



(2) Standard H3.6.7(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business - Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone.

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space - Community Zone:

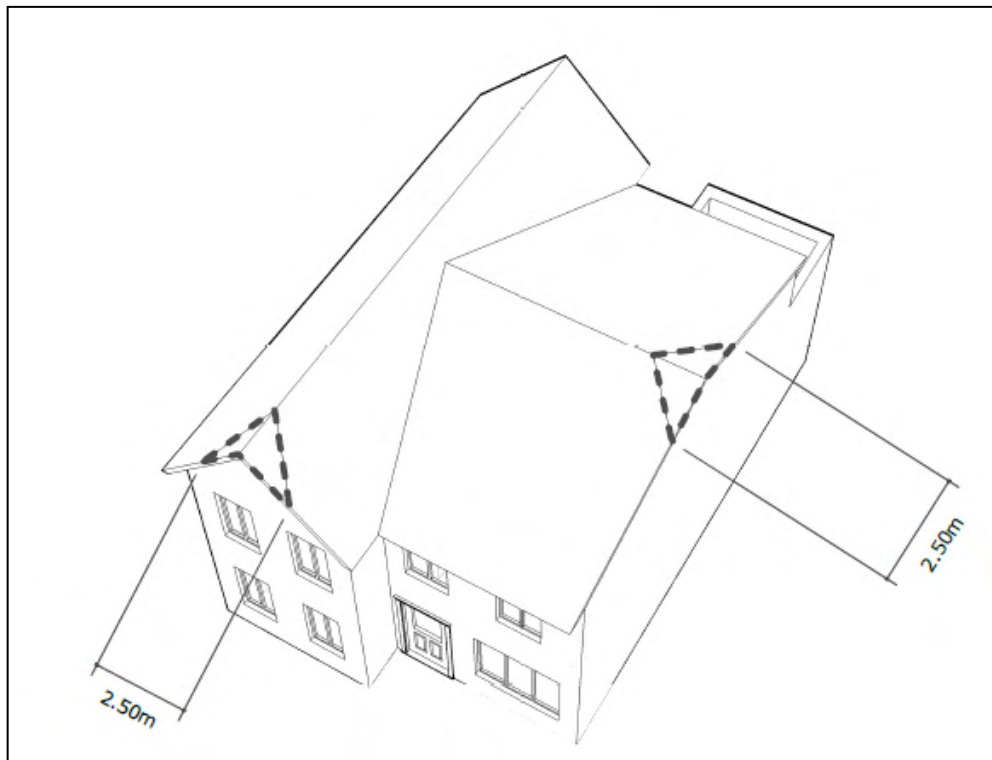
(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

- (3) Standard H3.6.7(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, control in Standard H3.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
 - (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H3.6.7.2 Exceptions for gable ends and dormers and roof projections below .

Figure H3.6.7.2: Exceptions for gable ends and dormers and roof projections



- (6) No more than two gable ends, dormers or roof projections are allowed for every 6m length of site boundary.

H3.6.8. Yards

Purpose:

- to maintain the suburban built character of the streetscape and provide sufficient space for landscaping within the front yard;

- to maintain a reasonable standard of residential amenity for adjoining sites;
 - to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
 - to enable buildings and services on the site or adjoining sites to be adequately maintained.
- (1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H3.6.8.1 Yards below.

Table H3.6.8.1 Yards

Yard	Minimum depth
Front	3m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

- (2) Standard H3.6.8.1 above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H3.6.9. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
 - to support the functioning of riparian yards, lakeside yards and coastal protection yards and water quality and ecology;
 - to reinforce the building coverage and landscaped area standards; and
 - to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.
- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, lakeside yard or coastal protection yard area.

H3.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned suburban built character of buildings.

- (1) The maximum building coverage must not exceed 35 per cent of net site area.

H3.6.11. Landscaped area

Purpose:

- to provide for quality living environments consistent with the planned suburban built character of buildings;
- to maintain the landscaped character of the streetscape within the zone.

- (1) The minimum landscaped area must be at least 40 per cent of the net site area.

- (2) At least 50 per cent of the area of the front yard must comprise landscaped area.

H3.6.12. Front, side and rear fences and walls

Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours, the street or adjoining public place.

- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

(a) Within the front yard, either:

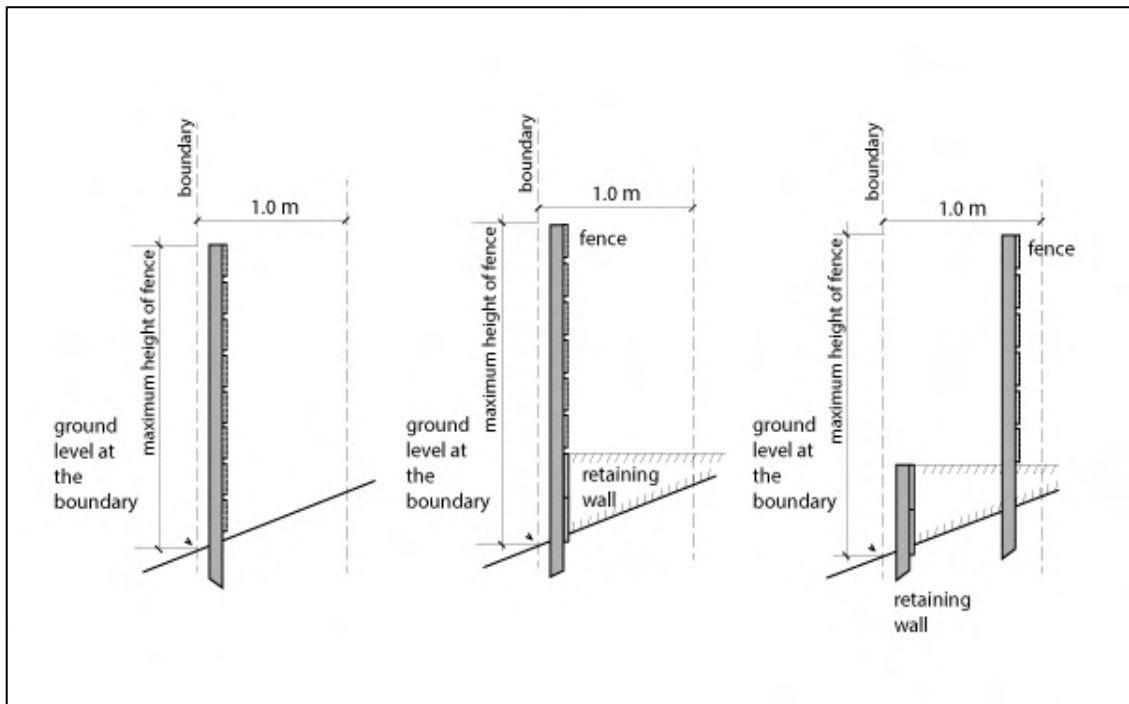
(i) 1.4m in height, or

(ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or

(iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.

(b) Within side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.3.6.12.1 Measurement of fence height



H3.6.13. Rainwater tanks

Purpose: To enable rainwater tank installation while maintaining amenity values

- (1) Rainwater tanks must not be located in a:
 - (a) riparian, lakeside or coastal protection yard unless they are less than 1m in height, or wholly below ground level;
 - (b) front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m.
- (2) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (3) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

H3.7. Assessment – controlled activities

There are no controlled activities in this zone.

H3.8. Assessment – restricted discretionary activities

H3.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application:

- (1) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:
 - (a) the effects on the neighbourhood character, residential amenity and the surrounding residential area from all of the following:
 - (i) building intensity, scale, location, form and appearance;
 - (ii) traffic;
 - (iii) location and design of parking and access; and
 - (iv) noise, lighting and hours of operation.
- (2) for buildings that do not comply with Standard H3.6.6 Building height; Standard H3.6.7 Height in relation to boundary; Standard H3.6.8 Yards; Standard H3.6.9 Maximum impervious areas; Standard H3.6.10 Building coverage; Standard H3.6.11 Landscaped area; Standard H3.6.12 Front, side and rear fences and walls:
 - (a) any policy which is relevant to the standard;
 - (b) the purpose of the standard;
 - (c) the effects of the infringement of the standard;
 - (d) the effects on the suburban built character of the zone;
 - (e) the effects on the amenity of neighbouring sites;
 - (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
 - (g) the characteristics of the development;
 - (h) any other matters specifically listed for the standard; and
 - (i) where more than one standard will be infringed, the effects of all infringements.

H3.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) for dairies up to 100m² gross floor area per site; and healthcare facilities up to 200m² gross floor area per site:

(a) building intensity, scale, location, form and appearance:

- (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

(b) traffic:

- (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

(c) location and design of parking and access:

- (i) whether adequate access is provided or required.

(d) noise, lighting and hours of operation:

- (i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:
 - locating noisy activities away from neighbouring residential boundaries; and
 - screening or other design features; and
 - controlling the hours of operation and operational measures.

(2) for building height:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(4).

(3) for height in relation to boundary:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2); and
- (c) refer to Policy H3.3(4).

(4) for yards:

- (a) refer to Policy H3.3(1);
- (b) refer to Policy H3.3(2);
- (c) refer to Policy H3.3(4); and
- (d) refer to Policy H3.3(5).

(5) for maximum impervious areas:

(a) refer to Policy H3.3(6).

(6) for building coverage:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(7) for landscaped area:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2); and

(c) refer to Policy H3.3(4).

(8) for front, side and rear fences and walls:

(a) refer to Policy H3.3(1);

(b) refer to Policy H3.3(2);

(c) refer to Policy H3.3(3); and

(d) refer to Policy H3.3(4).

H3.9. Special information requirements

There are no special information requirements in this zone.

PC 78 (see
Modifications)

[new text to be inserted]

H5. Residential – Mixed Housing Urban Zone

H5.1. Zone description

The Residential – Mixed Housing Urban Zone is a reasonably high-intensity zone enabling a greater intensity of development than previously provided for.

[new text to be inserted]

Over time, the appearance of neighbourhoods within this zone will change, with development typically up to three storeys in a variety of sizes and forms, including detached dwellings, terrace housing and low-rise apartments. This supports increasing the capacity and choice of housing within neighbourhoods as well as promoting walkable neighbourhoods, fostering a sense of community and increasing the vitality of centres.

Up to three dwellings are permitted as of right subject to compliance with the standards. This is to ensure a quality outcome for adjoining site and the neighbourhood, as well as residents within the development site.

Resource consent is required for four or more dwellings and for other specified buildings in order to:

- achieve the planned urban built character of the zone;
- achieve attractive and safe streets and public open spaces;
- manage the effects of development on adjoining neighbouring sites, including visual amenity, privacy and access to daylight and sunlight; and
- achieve high quality on-site living environments.

The resource consent requirements enable the design and layout of the development to be assessed; recognising that the need to achieve quality design is important as the scale of development increases.

H5.2. Objectives

PC 78 (see
Modifications)

[new text to be inserted]

- (1) Land near the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, high-density residential areas and close to the public transport network is efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.
- (2) Development is in keeping with the neighbourhood's planned urban built character of predominantly three-storey buildings, in a variety of forms and surrounded by open space.
- (3) Development provides quality on-site residential amenity for residents and adjoining sites and the street.

- (4) Non-residential activities provide for the community’s social, economic and cultural well-being, while being compatible with the scale and intensity of development anticipated by the zone so as to contribute to the amenity of the neighbourhood.

PC 78 ([see Modifications](#))

[new text to be inserted]

H5.3. Policies

PC 78 ([see Modifications](#))

[new text to be inserted]

- (1) Enable a variety of housing types at higher densities, including low-rise apartments and integrated residential development such as retirement villages.
- (2) Require the height, bulk, form and appearance of development and the provision of sufficient setbacks and landscaped areas to achieve an urban built character of predominantly three storeys, in a variety of forms.
- (3) Encourage development to achieve attractive and safe streets and public open spaces including by:
 - (a) providing for passive surveillance
 - (b) optimising front yard landscaping
 - (c) minimising visual dominance of garage doors.
- (4) Require the height, bulk and location of development to maintain a reasonable standard of sunlight access and privacy and to minimise visual dominance effects to adjoining sites.
- (5) Require accommodation to be designed to meet day to day needs of residents by:
 - (a) providing privacy and outlook; and
 - (b) providing access to daylight and sunlight and providing the amenities necessary for those residents.
- (10) Recognise the functional and operational requirements of activities and development.
- (6) Encourage accommodation to have useable and accessible outdoor living space.

[new text to be inserted]

- (7) Restrict the maximum impervious area on a site in order to manage the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.

(8) Provide for non-residential activities that:

- (a) support the social and economic well-being of the community;
- (b) are in keeping with the with the scale and intensity of development anticipated within the zone;
- (c) avoid, remedy or mitigate adverse effects on residential amenity; and
- (d) will not detract from the vitality of the Business – City Centre Zone, Business – Metro Centre Zone and Business – Town Centre Zone.

(9) Enable more efficient use of larger sites by providing for integrated residential development.

PC 78 (see Modifications)

[new text to be inserted]

H5.4. Activity table

Table H5.4.1 Activity table specifies the activity status of land use and development activities in the Residential – Mixed Housing Urban Zone pursuant to section 9(3) of the Resource Management Act 1991.

PC 78 (see Modifications)

[new text to be inserted]

Table H5.4.1 Activity table

Activity		Activity status	Standards to be complied with
Use			
(A1)	Activities not provided for	NC	
Residential			
(A2)	Camping grounds	D	
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
(A3)	Up to three dwellings per site	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A4)	Four or more dwellings per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8

H5 Residential – Mixed Housing Urban Zone

PC 78 (see
Modifications)

			Yards
(A5)	The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings	P	Standard H5.6.3 The conversion of a principal dwelling into a maximum of two dwellings
(A6)	Home occupations	P	Standard H5.6.2 Home occupations
(A7)	Home occupations that do not meet Standard H5.6.2	D	
(A8)	Integrated residential development	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A9)	Supported residential care accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A10)	Supported residential care accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A11)	Boarding houses accommodating up to 10 people per site inclusive of staff and residents	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls
(A12)	Boarding houses accommodating greater than 10 people per site inclusive of staff and residents	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
(A13)	Visitor accommodation accommodating up to 10 people per	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard

PC 78 (see
Modifications)

PC 78 (see Modifications)

	site inclusive of staff and visitors		H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A14)	Visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

Commerce

PC 78 (see Modifications)

(A15)	Dairies up to 100m ² gross floor area per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; and Standard H5.6.15 Front, side and rear fences and walls
(A16)	Restaurants and cafes up to 100m ² gross floor area per site	D	
(A17)	Service stations on arterial roads	D	

Community

PC 78 (see Modifications)

(A18)	Care centres accommodating up to 10 people per site excluding staff	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A19)	Care centres accommodating greater than 10 people per site excluding staff	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A20)	Community facilities	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary;

PC 78 (see Modifications)

PC 78 (see Modifications)

PC 78 (see Modifications)

			Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A21)	Education facilities	D	
(A22)	Tertiary education facilities	D	
(A23)	Emergency services adjoining an arterial road	D	
(A24)	Healthcare facilities up to 200m ² gross floor area per site	RD	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; and Standard H5.6.15 Front, side and rear fences and walls
(A25)	Healthcare facilities greater than 200m ² gross floor area per site	D	
(A26)	Veterinary clinics	D	
Rural			
(A27)	Grazing of livestock on sites greater than 2,000m ² net site area	P	
Mana Whenua			
(A28)	Marae complex	D	
Development			
(A29)	Demolition of buildings	P	
(A30)	Internal and external alterations to buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls, Standard H5.6.16 Minimum dwelling size
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]

PC 78 (see
Modifications)

(A31)	Accessory buildings	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
(A32)	Additions to an existing dwelling	P	Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls, Standard H5.6.16 Minimum dwelling size
[new text to be inserted]	[new text to be inserted]	[new text to be inserted]	[new text to be inserted]
(A33)	New buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary	RD	H5.6.6 Alternative height in relation to boundary Note: Compliance with Standard H5.6.5 Height in relation to boundary is not required.
(A34)	New buildings and additions to buildings	The same activity status and standards as applies to the land use activity that the new building or addition to a building is designed to accommodate	
(A35)	Rainwater Tank	P	Standard H5.6.17 Rainwater tanks

H5.5. Notification

- (1) Any application for resource consent for the following activities will be considered without public or limited notification or the need to obtain the written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991:

- (a) four or more dwellings per site that comply with all of the standards listed in Table H5.4.1 Activity table;

PC 78 (see
Modifications)

PC 78 ([see Modifications](#))

- (b) an integrated residential development that complies with all of the standards listed in Table H5.4.1 Activity table;
- (c) New buildings and additions to buildings which do not comply with H5.6.5 Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary;
- (d) development which does not comply with H5.6.15 (1a) Front, side and rear fences and walls; and
- (e) development which does not comply with H5.6.16 Minimum dwelling size.

(2) Any application for resource consent for an activity listed in Table H5.4.1 Activity table and which is not listed in H5.5(1) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

(3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

PC 78 ([see Modifications](#))

[new text to be inserted]

H5.6. Standards

H5.6.1. Activities listed in Table H5.4.1 Activity table

(1) Activities and buildings containing activities listed in Table H5.4.1 Activity table must comply with the standards listed in the column in Table H5.4.1 called Standards to be complied with.

H5.6.2. Home occupations

Purpose: to enable people to work from home at a scale that the residential character and amenity is maintained.

(1) A home occupation must comply with all the following standards:

- (a) at least one person engaged in the home occupation must use the dwelling on the site as their principal place of residence;
- (b) no more than two people who do not use the dwelling as their principal place of residence may work in the home occupation;
- (c) no more than four people in total may work in the home occupation;
- (d) the sale of goods or services from the home occupation that requires customers to come to the site and the delivery of goods to and from the site may not occur before 7am or after 7pm;

- (e) car trips to and from the home occupation activity must not exceed 20 per day;
- (f) heavy vehicle trips must not exceed two per week;
- (g) no more than one commercial vehicle associated with the home occupation may be on site at any one time;
- (h) storage for rubbish and recycling associated with the home occupation must be provided on site and screened from public view;
- (i) materials or goods manufactured, serviced or repaired in the home occupation must be stored and worked on within a building on the same site; and
- (j) goods sold from the home occupation must be:
 - (i) goods produced on site; or
 - (ii) goods that are primarily ordered by mail or electronic transaction and redistributed by post or courier; or
 - (iii) goods ancillary and related to a service provided by the home occupation.

H5.6.3. The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings

Purpose: to enable a dwelling existing as at 30 September 2013 to be converted into a maximum of two dwellings and to provide for sufficient outdoor living space for each of the dwellings.

- (1) Where a principal dwelling existing as at 30 September 2013 is proposed to be converted into a maximum of two dwellings each dwelling must have an outdoor living space that is:
 - (a) at least 5m² for a studio or one-bedroom dwelling and 8m² for a two or more bedroom dwelling; and
 - (b) at least 1.8m in depth; and
 - (c) directly accessible from the dwelling.

PC 78 ([see Modifications](#))

[new text to be inserted]

H5.6.4. Building height

Purpose: to manage the height of buildings to:

- achieve the planned urban built character of predominantly three storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and

PC 78 ([see Modifications](#))

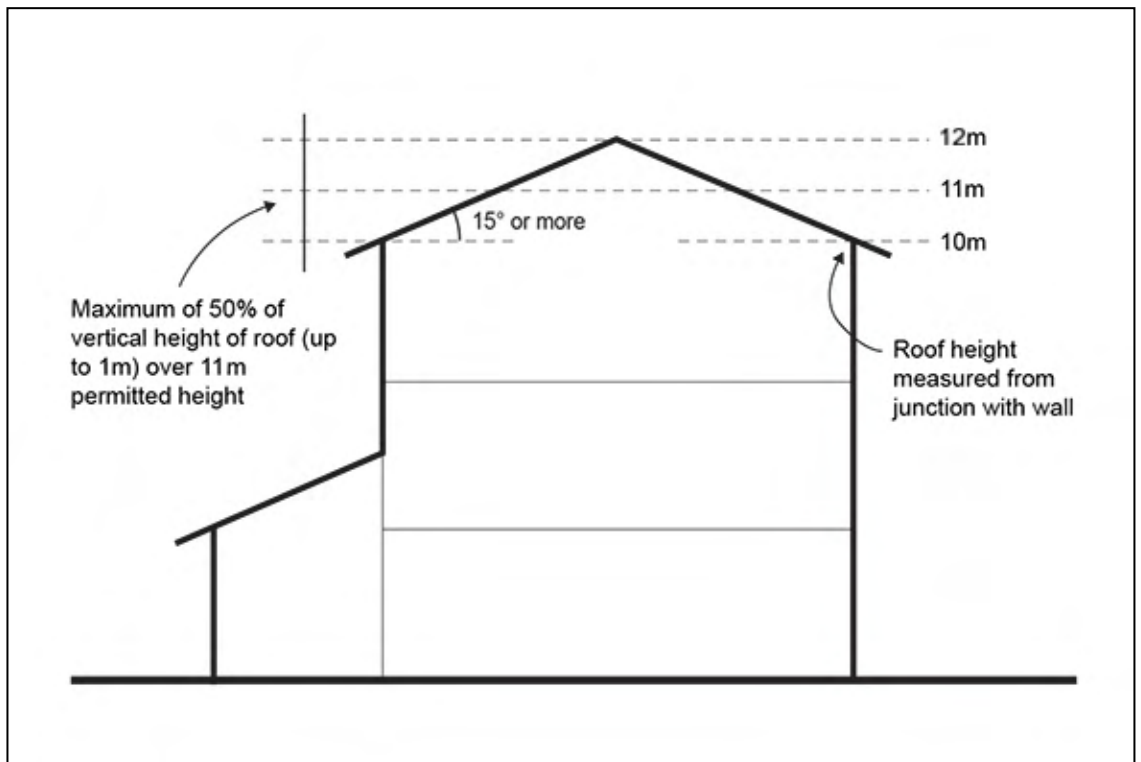
PC 78 ([see Modifications](#))

- provide some flexibility to enable variety in roof forms.

[new text to be inserted]

- (1) Buildings must not exceed 11m in height, except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more, as shown in Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone below.

Figure H5.6.4.1 Building height in the Residential – Mixed Housing Urban Zone



PC 78 ([see Modifications](#))

[new text to be inserted]

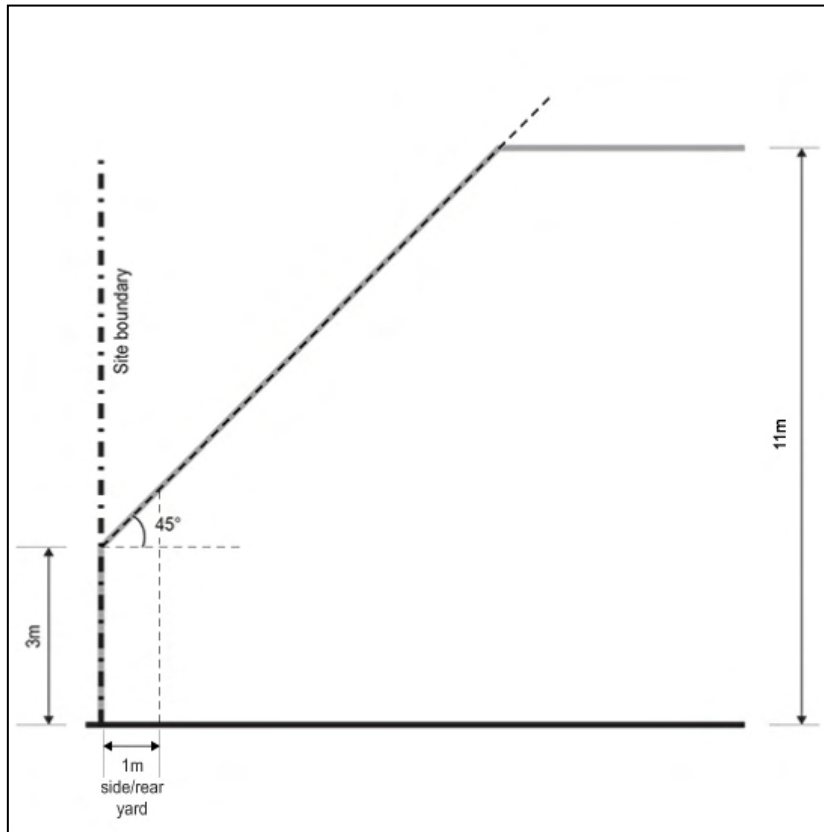
H5.6.5. Height in relation to boundary

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise adverse visual dominance effects to immediate neighbours.

PC 78 ([see Modifications](#))

- (1) Buildings must not project beyond a 45 degree recession plane measured from a point 3m vertically above ground level along side and rear boundaries, as shown in Figure H5.6.5.1 Height in relation to boundary below.

Figure H5. 6.5.1 Height in relation to boundary



PC 78 ([see Modifications](#))

(2) Standard H5.6.5(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:

(a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or

(b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:

(i) that are greater than 2000m²;

(ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

(iii) Where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.

PC 78 ([see Modifications](#))

(3) Standard H5.6.5(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

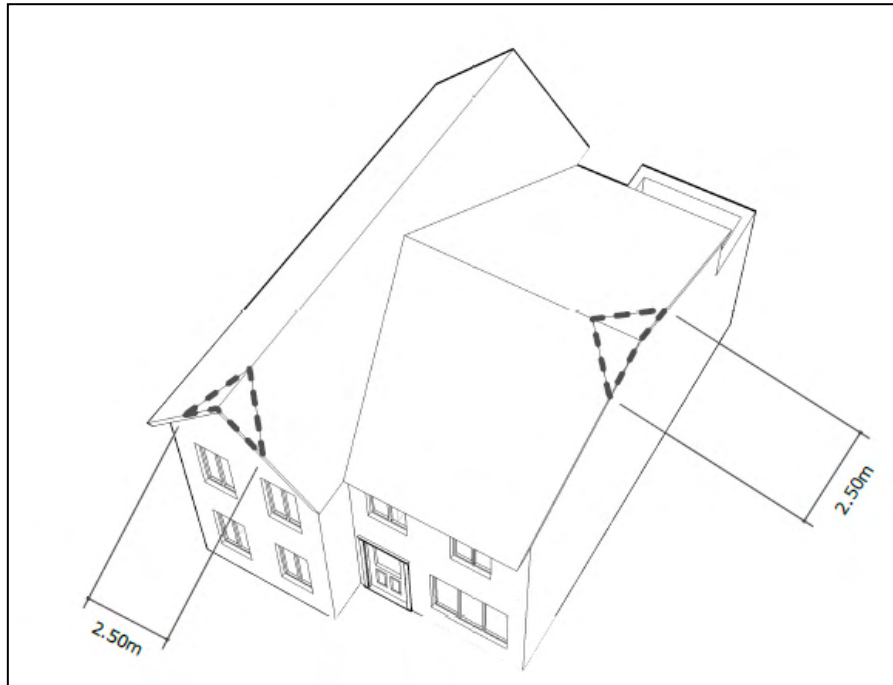
(4) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.5(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

PC 78 (see [Modifications](#))

(5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:

- (a) no greater than 1.5m² in area and no greater than 1m in height; and
- (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections below.

Figure H5.6.5.2 Exceptions for gable ends and dormers and roof projections



(6) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.

(7) The height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

PC 78 (see [Modifications](#))

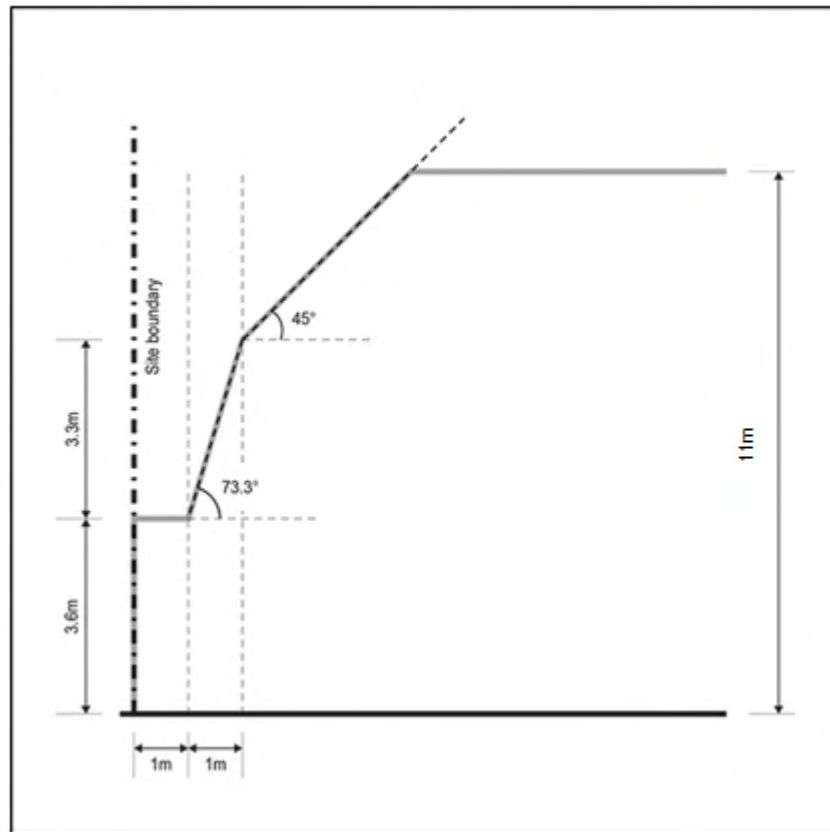
H5.6.6. Alternative height in relation to boundary

Purpose: to enable the efficient use of the site by providing design flexibility at upper floors of a building close to the street frontage, while maintaining a reasonable level of sunlight access and minimising overlooking and privacy effects to immediate neighbours.

(1) This standard is an alternative to the permitted Standard H5.6.5 Height in relation to boundary and applies to development that is within 20m of the site frontage.

- (2) Any buildings or parts of buildings within 20m of the site frontage must not exceed a height of 3.6m measured vertically above ground level at side and rear boundaries. Thereafter, buildings must be set back 1m and then 0.3m for every additional metre in height (73.3 degrees) up to 6.9m and then 1m for every additional metre in height (45 degrees) as shown in Figure H5.6.6.1 Alternative height in relation to boundary below.

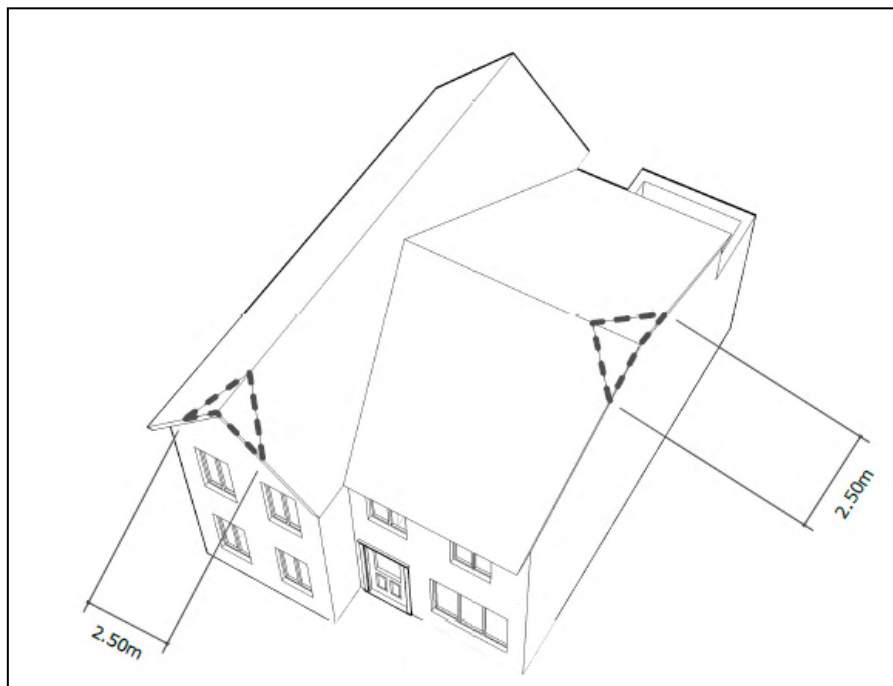
Figure H5.6.6.1 Alternative height in relation to boundary



- (3) Standard H5.6.6(1) above does not apply to a boundary, or part of a boundary, adjoining any of the following:
- (a) a Business – City Centre Zone; Business – Metropolitan Centre Zone; Business – Town Centre Zone; Business – Local Centre Zone; Business – Neighbourhood Centre Zone; Business – Mixed Use Zone; Business – General Business Zone; Business – Business Park Zone; Business – Light Industry Zone and Business – Heavy Industry Zone; or
 - (b) sites within the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone:
 - (i) that are greater than 2000m²;
 - (ii) where that part of the site in (i) is greater than 20 metres in width, when measured perpendicular to the shared boundary; and

- (iii) where an open space comprises multiple sites but has a common open space zoning, the entire zone will be treated as a single site for the purpose of applying the standards listed below.
- (4) Standard H5.6. 6(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (5) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.6(2) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.
- (6) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m² in area and no greater than 1m in height; and
 - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof as shown in Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers below.

Figure H5.6.6.2 Exceptions for gable ends, dormers and roof projections and dormers



- (7) No more than two gable end, dormer or roof projections are allowed for every 6m length of site boundary.
- (8) The alternative height in relation to boundary standard does not apply to existing or proposed internal boundaries within a site.

H5.6.7. Height in relation to boundary adjoining lower intensity zones

Purpose: to manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access and minimise visual dominance effects to immediate neighbours within lower intensity zones and small public open spaces.

(1) Where a site in the Residential – Mixed Housing Urban Zone adjoins:

- (a) a site in the Residential – Single House Zone; or
- (b) a site in the Residential – Mixed Housing Suburban Zone; or
- (c) sites less than 2,000m² in the Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open – Space Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or the Open Space – Community Zone;

then buildings must not project beyond a 45 degree recession plane measured from a point 2.5m vertically above ground level along the boundary of the site in the Residential – Mixed Housing Urban Zone with the zone listed in Standard H5.6.7(1)(a) – (c) above.

(2) Where the boundary forms part of a legal right of way, entrance strip, access site or pedestrian access way, the control in Standard H5.6.7(1) applies from the farthest boundary of that legal right of way, entrance strip, access site or pedestrian access way.

(3) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plan is:

- (i) no greater than 1.5m² in area and no greater than 1m in height; and
- (ii) no greater than 2.5m cumulatively in length measured along the edge of the roof.

H5.6.8. Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H5.6.8.1 Yards below.

Table H5.6.8.1 Yards

Yard	Minimum depth
Front	2.5m
Side	1m
Rear	1m
Riparian	10m from the edge of all other permanent and intermittent streams
Lakeside	30m
Coastal protection yard	10m, or as otherwise specified in Appendix 6 Coastal protection yard

PC 78 ([see Modifications](#))

[new text to be inserted]

- (2) Standard H5.6.8(1) does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

H5.6.9. Maximum impervious area

Purpose:

- to manage the amount of stormwater runoff generated by a development, particularly in relation to the capacity of the stormwater network and potential flood risks;
- to support the functioning of riparian yards, lakeside yards and coastal yards and water quality and ecology;
- to reinforce the building coverage and landscaped area standards;
- to limit paved areas on a site to improve the site's appearance and cumulatively maintain amenity values in a neighbourhood.

- (1) The maximum impervious area must not exceed 60 per cent of site area.
- (2) The maximum impervious area within a riparian yard, a lakeside yard or a coastal protection yard must not exceed 10 per cent of the riparian yard, the lakeside yard or the coastal protection yard area.

H5.6.10. Building coverage

Purpose: to manage the extent of buildings on a site to achieve the planned urban character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 45 per cent of the net site area.

[new text to be inserted]

PC 78 ([see Modifications](#))

H5.6.11. Landscaped area

Purpose:

PC 78 (see
Modifications)

- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by open space; and
- to create a landscaped urban streetscape character within the zone.

(1) The minimum landscaped area must be at least 35 per cent of the net site area.

(2) At least 50 per cent of the area of the front yard must comprise landscaped area.

[new text to be inserted]

H5.6.12. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- in combination with the daylight standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

PC 78 (see
Modifications)

[new text to be inserted]

[new figure to be inserted]

[new text to be inserted]

(1) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external faces with windows the outlook space must be provided from the face with the largest area of glazing.

(2) The minimum dimensions for a required outlook space are as follows:

- (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width; and

[new text to be inserted]

- (b) a principal bedroom of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and

- (c) all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width.

PC 78 (see
Modifications)

(3) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.

PC 78 (see Modifications)

(4) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

[new text to be inserted]

(5) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.

(6) Outlook spaces may be within the site, over a public street, or other public open space.

(7) Outlook spaces required from different rooms within the same building may overlap.

(8) Outlook spaces may overlap where they are on the same wall plane.

(9) Outlook spaces must:

PC 78 (see Modifications)

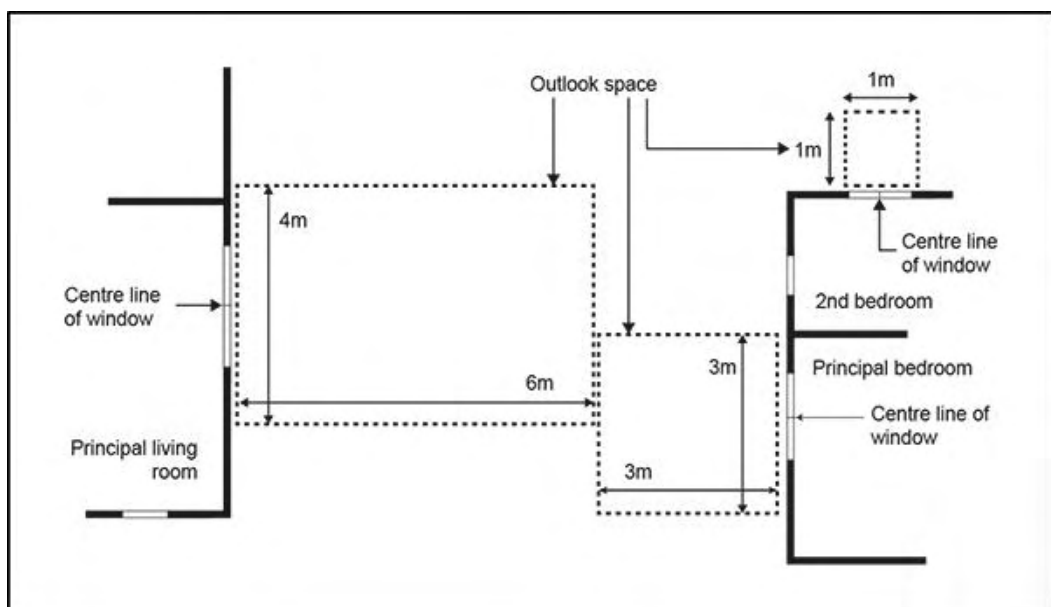
(a) be clear and unobstructed by buildings; and

(b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H5.6.12(6) above; and

(c) not extend over an outlook spaces or outdoor living space required by another dwelling.

[new text to be inserted]

Figure H5.6.12.1 Required outlook space



H5.6.13. Daylight

Purpose:

- to ensure adequate daylight for living areas and bedrooms in dwellings, supported residential care and boarding houses; and
- in combination with the outlook standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

(1) Where the proposed building and/or opposite building contains principal living room or bedroom windows in a dwelling, or main living/dining area or bedroom windows in supported residential care and boarding houses, then:

(a) that part of a building higher than 3m opposite buildings within the same site is limited in height to twice the horizontal distance between the two buildings for a length defined by a 55 degree arc from the centre of the window. The arc may be swung to within 35 degrees of the plane of the wall containing the window as shown in Figure H5.6.13.2 Required setbacks for daylight below.

Refer to Table H5.6.13.1 Maximum height of the part of a building within a site facing a principal living room or bedroom window within the same site; Figure H5.6.13.1 Required setbacks for daylight and Figure H5.6.13.2 Required setbacks for daylight below.

- (2) Where the principal living room, main living/dining area or bedroom has two or more external faces with windows, Standard H5.6.13(1) above will apply to the largest window.
- (3) Where the window is above ground level, the height restriction is calculated from the floor level of the room containing the window.
- (4) Standard H5.6.13(1), (2) and (3) does not apply to development opposite the first 5m of a building which faces the street, measured from the front corner of the building.

Table H5.6.13.1 Maximum height of that part of a building within a site facing a principal living room or bedroom window within the same site

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
1.0m	2.0m	1.0m
1.5m	3.0m	1.5m
2.0m	4.0m	2.0m
2.5m	5.0m	2.5m

Distance of the building from the largest principal living room, living/dining room or bedroom window (x)	Maximum height of the defined portion of wall opposite an identified window	Length of wall restricted if 55 degree arc is perpendicular to window (y) (rounded)
2.7m	5.4m	2.7m
3.0m	6.0m	3.0m
3.5m	7.0m	3.5m
4.0m	8.0m	4.0m
4.5m	9.0m	4.5m
5.0m	10.0m	5.0m
5.5m	11.0m	5.5m
6.0m	12.0m	6.0m

Figure H5.6.13.1 Required setbacks for daylight

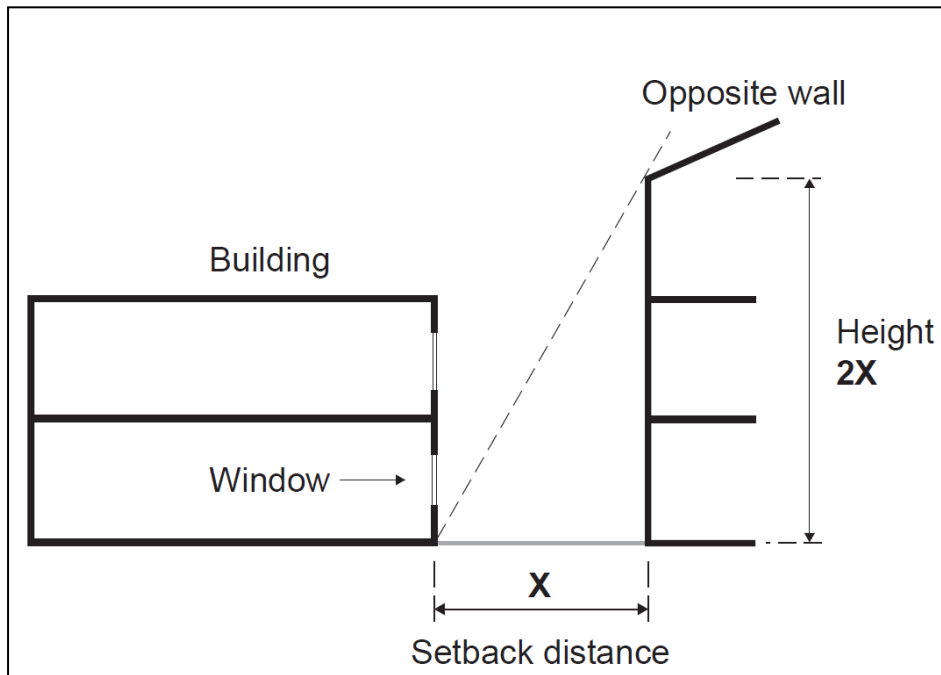
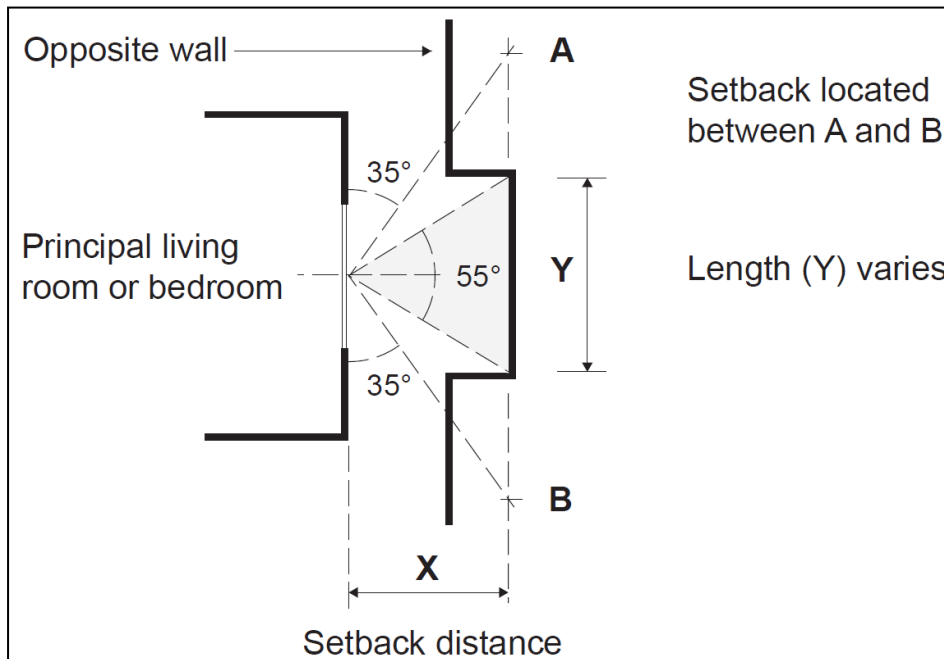


Figure H5.6.13.2 Required setbacks for daylight



H5.6.14. Outdoor living space

Purpose: to provide dwellings, supported residential care and boarding houses with outdoor living space that is of a functional size and dimension, has access to sunlight, and is accessible from the dwelling.

[new text to be inserted]

- (1) A dwelling, supported residential care or boarding house at ground floor level, must have an outdoor living space that is at least 20m² that comprises ground floor and/or balcony/roof terrace space that:
 - (a) where located at ground level has no dimension less than 4m and has a gradient not exceeding 1 in 20; and/or
 - (b) where provided in the form of balcony, patio or roof terrace is at least 5m² and has a minimum dimension of 1.8m; and
 - (c) is accessible from the dwelling, supported residential care unit or boarding house; and
 - (d) is free of buildings, parking spaces, servicing and manoeuvring areas.

- (2) A dwelling, supported residential care or boarding house located above ground floor level must have an outdoor living space in the form of a balcony, patio or roof terrace that:
 - (a) is at least 5m² for studio and one-bedroom dwellings and has a minimum dimension of 1.8m; or
 - (b) is at least 8m² for two or more bedroom dwellings and has a minimum dimension of 1.8m; and

PC 78 (see Modifications)

PC 78 (see Modifications)

- (c) is accessible from the dwelling, supported residential care unit or boarding house.
- (d) except that, a balcony or roof terrace is not required where the net internal floor area of a dwelling is at least 35m² for a studio and 50m² for a dwelling with one or more bedrooms.

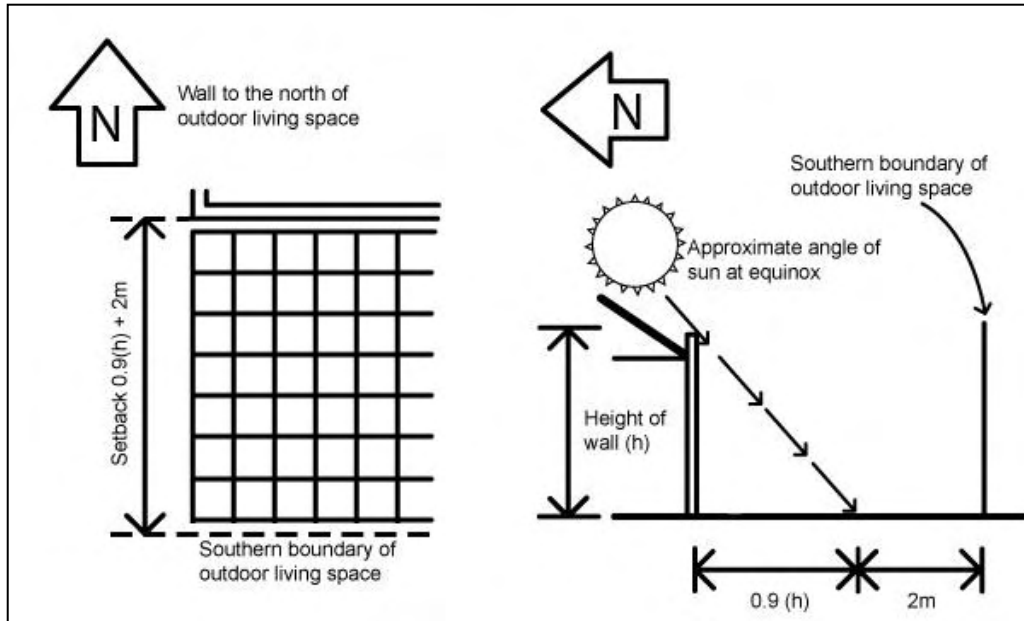
PC 78 (see Modifications)

- (3) Where outdoor living space required by Standard H5.6.14(1) or Standard H5.6.14(2) above is provided at ground level, and is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least 2m + 0.9(h), where (h) is the height of the wall or building as shown in the Figure H5.6.14.1 Location of outdoor living space below. For the purpose of this standard south is defined as between 135 and 225 degrees.

PC 78 (see Modifications)

[new text to be inserted]

Figure H5.6.14.1 Location of outdoor living space



H5.6.15. Front, side and rear fences and walls

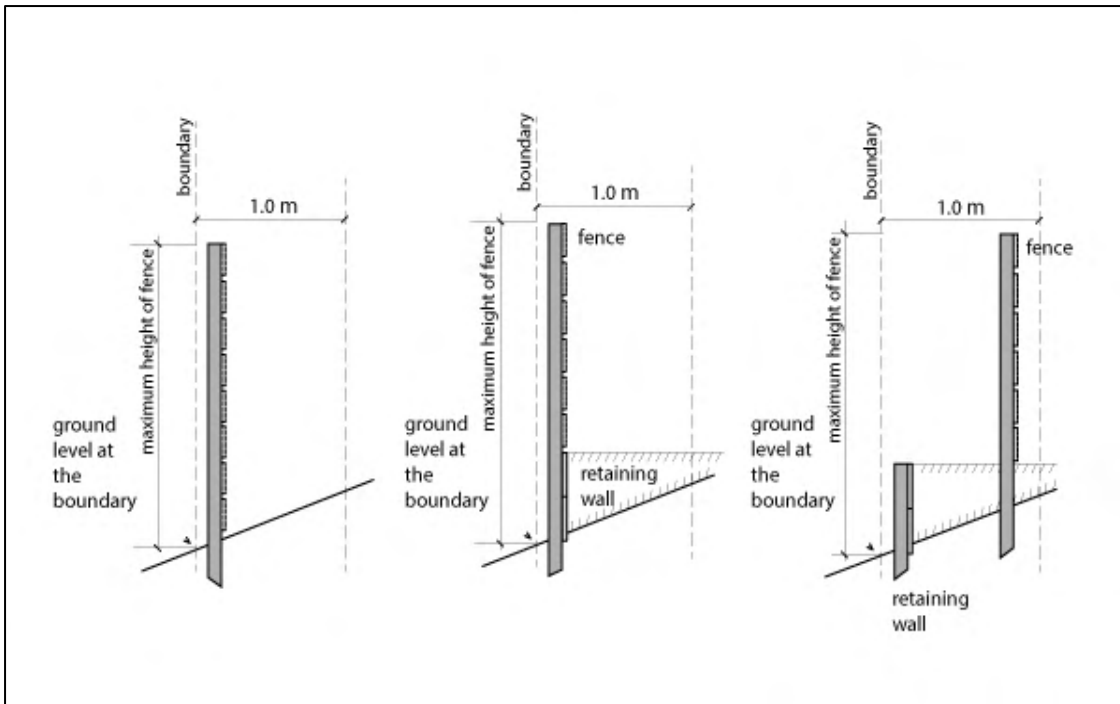
Purpose: to enable fences and walls to be constructed on a front, side or rear boundary or within a front, side, rear, riparian, coastal protection or lakeside yard to a height sufficient to:

- provide privacy for dwellings while enabling opportunities for passive surveillance of the street or adjoining public place
- minimise visual dominance effects to immediate neighbours and the street or adjoining public place.

- (1) Fences or walls or a combination of these structures (whether separate or joined together) must not exceed the height specified below, measured from the ground level at the boundary:

- (a) Within the front yard, either:
 - (i) 1.4m in height, or
 - (ii) 1.8m in height for no more than 50 per cent of the site frontage and 1.4m for the remainder, or
 - (iii) 1.8m in height if the fence is at least 50 per cent visually open as viewed perpendicular to the front boundary.
- (b) Within the side, rear, coastal protection, lakeside or riparian yards: 2m.

Figure H.5.6.15.1 Measurement of fence height



H5.6.16. Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H5.6.17. Rainwater tanks

Purpose: To enable rainwater tank installation and maintain amenity values.

- (1) Rainwater tanks must not be located:
 - (a) in a riparian, lakeside or coastal protection yard unless less than 1m in height, or wholly below ground level;

- (b) in a front yard, unless they are at least 1.5m from the front boundary and are a maximum height of 1 m;
 - (c) forward of any street facing or private vehicle access building façade, unless they are at least 1.5m from the front boundary and are a maximum height of 1m;
 - (d) Clause (c) does not apply
 - (i) to sites with (or proposed to have) three or less dwellings;
 - (ii) to a rear service lane where the dwellings have frontage to a public street.
- (2) Rainwater tanks located within a required outlook area must be no higher than 1m.
- (3) Rainwater tanks located within the required 20m² outdoor living space with minimum dimensions of 4m (Rule H5.6.14(1)) must be installed wholly below ground level.
- (4) Rainwater tanks (excluding any pipework) must not exceed 3 m in height in a rear or side yard.
- (5) Any overflow from the rainwater tank must discharge to the existing authorised stormwater system for the site.

Note: If there is a new stormwater discharge or diversion created Chapter E8.6.2.1 and Building Act requirements must be complied with.

Note: Building Act regulations apply. A building consent may be required under the Building Act.

[PC 78 \(see Modifications\)](#)

[new text to be inserted]

H5.7. Assessment – controlled activities

There are no controlled activities in this zone.

[new text to be inserted]

H5.8. Assessment – restricted discretionary activities

H5.8.1. Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application:

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:

- (a) infrastructure and servicing
- (b) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

PC 78 ([see Modifications](#))

- (i) building intensity, scale, location, form and appearance;
- (ii) traffic;
- (iii) location and design of parking and access; and
- (iv) noise, lighting and hours of operation.

[new text to be inserted]

PC 78 ([see Modifications](#))

- (2) for four or more dwellings per site:

- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

PC 78 ([see Modifications](#))

- (i) building intensity, scale, location, form and appearance;
- [new text to be inserted]
- (ii) traffic; and
- (iii) location and design of parking and access.

PC 78 ([see Modifications](#))

- (b) all of the following standards:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space;
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.16 Minimum dwelling size

- (c) Infrastructure and servicing

[new text to be inserted]

- (3) for integrated residential development:

- (a) the effects on the neighbourhood character, residential amenity, safety, and the surrounding residential area from all of the following:

PC 78 ([see Modifications](#))

- (i) building intensity, scale, location, form and appearance;
- [new text to be inserted]
- (ii) traffic;

PC 78 ([see Modifications](#))

- (iii) location and design of parking and access; and
- (iv) noise, lighting and hours of operation.

PC 78 ([see Modifications](#))

- (b) all of the following standards:
 - (i) Standard H5.6.9 Maximum impervious areas;
 - (ii) Standard H5.6.10 Building coverage;
 - (iii) Standard H5.6.11 Landscaped area;
 - (iv) Standard H5.6.12 Outlook space;
 - (v) Standard H5.6.13 Daylight;
 - (vi) Standard H5.6.14 Outdoor living space;
 - (vii) Standard H5.6.15 Front, side and rear fences and walls; and
 - (viii) Standard H5.6.16 Minimum dwelling size.
- (c) Infrastructure and servicing

PC 78 ([see Modifications](#))

[new text to be inserted]

- (4) for buildings that do not comply with Standard H5.6.4 Building height; Standard H5.6.5 Height in relation to boundary; Standard H5.6.6 Alternative height in relation to boundary; Standard H5.6.7 Height in relation to boundary adjoining lower intensity zones; Standard H5.6.8 Yards; Standard H5.6.9 Maximum impervious areas; Standard H5.6.10 Building coverage; Standard H5.6.11 Landscaped area; Standard H5.6.12 Outlook space; Standard H5.6.13 Daylight; Standard H5.6.14 Outdoor living space; Standard H5.6.15 Front, side and rear fences and walls; Standard H5.6.16 Minimum dwelling size:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the urban built character of the zone;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;
- (h) any other matters specifically listed for the standard; and
- (i) where more than one standard will be infringed, the effects of all infringements.

PC 78 ([see Modifications](#))

- (5) For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary but comply with H5.6.6 Alternative height in relation to boundary:
- (a) Sunlight access;
 - (b) Attractiveness and safety of the street; and
 - (c) Overlooking and Privacy.

[new text to be inserted]

H5.8.2. Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

- (1) for supported residential care accommodating greater than 10 people per site inclusive of staff and residents; boarding houses accommodating greater than 10 people per site inclusive of staff and residents; visitor accommodation accommodating greater than 10 people per site inclusive of staff and visitors; dairies up to 100m² gross floor area per site; care centres accommodating greater than 10 people per site excluding staff; community facilities; and healthcare facilities up to 200m² gross floor area per site:

- (a) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.
 - (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

PC 78 ([see Modifications](#))

- (b) building intensity, scale, location, form and appearance:
 - (i) whether the intensity and scale of the activity, the building location, form and appearance is compatible with the character and residential amenity provided for within the zone and compatible with the surrounding residential area.

- (c) traffic:
 - (i) whether the activity avoids or mitigates high levels of additional non-residential traffic on local roads.

PC 78 ([see Modifications](#))

- (d) location and design of parking and access:
 - (i) whether adequate access is provided or required.

[new text to be inserted]

(e) noise, lighting and hours of operation:

(i) whether noise and lighting and the hours of operation of the activity avoids, remedies or mitigates adverse effects on the residential amenity of surrounding properties, by:

- locating noisy activities away from neighbouring residential boundaries;
- screening or other design features; and
- controlling the hours of operation and operational measures

[PC 78 \(see Modifications\)](#)

[new text to be inserted]

(2) for four or more dwellings on a site:

(a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space;
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.16 Minimum dwelling size.

[new text to be inserted]

(b) The extent to which the development contributes to a variety of housing types at higher densities in the zone and is in keeping with the neighbourhood's planned urban built character of predominantly three storey buildings (attached or detached) by limiting the height, bulk and form of the development and managing the design and appearance as well as providing sufficient setbacks and landscaped areas.

(c) The extent to which development achieves attractive and safe streets and public open space by:

- (i) providing doors, windows and/or balconies facing the street and public open spaces
- (ii) minimising tall, visually impermeable fences

[PC 78 \(see Modifications\)](#)

PC 78 ([see Modifications](#))

- (iii) designing large scale development (generally more than 15 dwellings) to provide for variations in building form and/or façade design as viewed from streets and public open spaces.
 - (iv) optimising front yard landscaping
 - (v) providing safe pedestrian access to buildings from the street
 - (vi) minimising the visual dominance of garage doors, walkways or staircases to upper level dwellings, and carparking within buildings as viewed from streets or public open spaces
- (d) The extent to which the height, bulk and location of the development maintains a reasonable standard of sunlight access and privacy and minimises visual dominance to adjoining sites;
- (e) The extent to which dwellings:
- (i) Orientate and locate windows to optimise privacy and encourage natural cross ventilation within the dwelling
 - (ii) Optimise sunlight and daylight access based on orientation, function, window design and location, and depth of the dwelling floor space
 - (iii) Provide secure and conveniently accessible storage for the number and type of occupants the dwelling is designed to accommodate.
 - (iv) Provide the necessary waste collection and recycling facilities in locations conveniently accessible and screens from streets and public open spaces.
- (f) The extent to which outdoor living space:
- (i) Provides for access to sunlight
 - (ii) Provides privacy between the outdoor living space of adjacent dwellings on the same site and between outdoor living space and the street.
 - (iii) When provided at ground level, is located on generally flat land or otherwise functional
- [new text to be inserted]**
- (g) refer to Policy H5.3(7); and
- [new text to be inserted]**
- (h) infrastructure and servicing:
- (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

PC 78 ([see Modifications](#))

[new text to be inserted]

- (3) for integrated residential development:

PC 78 ([see Modifications](#))

- (a) the extent to which or whether the development achieves the purpose outlined in the following standards or what alternatives are provided that result in the same or a better outcome:

- (i) Standard H5.6.9 Maximum impervious areas;
- (ii) Standard H5.6.10 Building coverage;
- (iii) Standard H5.6.11 Landscaped area;
- (iv) Standard H5.6.12 Outlook space;
- (v) Standard H5.6.13 Daylight;
- (vi) Standard H5.6.14 Outdoor living space;
- (vii) Standard H5.6.15 Front, side and rear fences and walls; and
- (viii) Standard H5.6.16 Minimum dwelling size (excluding retirement villages).

[new text to be inserted]

- (b) refer to Policy H5.3(1);
- (c) refer to Policy H5.3(2);
- (d) refer to Policy H5.3(3);
- (e) refer to Policy H5.3(4);
- (f) refer to Policy H5.3(5);
- (g) refer to Policy H5.3(6);
- (h) refer to Policy H5.3(7);
- (i) refer to Policy H5.3(8);
- (j) refer to Policy H5.3(9); and

PC 78 ([see Modifications](#))

[new text to be inserted]

- (k) infrastructure and servicing:
 - (i) Whether there is adequate capacity in the existing stormwater and public reticulated water supply and wastewater network to service the proposed development.

- (ii) Where adequate network capacity is not available, whether adequate mitigation is proposed.

PC 78 ([see Modifications](#))

[new text to be inserted]

- (4) for building height:

[new text to be inserted]

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4).

[new text to be inserted]

- (5) For new buildings and additions to buildings which do not comply with H5.6.5. Height in relation to boundary, but comply with H5.6.6 Alternative height in relation to boundary:

Sunlight access

- (a) Whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:

Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):

- (i) over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard H5.6.4:
or
- (ii) over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard H5.6.14.

- (b) In circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in (a):

- (i) The extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and
- (ii) The extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Attractiveness and safety of the street

- (c) The extent to which those parts of the buildings located closest to the front boundary achieve attractive and safe streets by:
 - (i) providing doors, windows and balconies facing the street;

PC 78 ([see Modifications](#))

- (ii) optimising front yard landscaping;
- (iii) providing safe pedestrian access to buildings from the street; and
- (iv) minimising the visual dominance of garage doors as viewed from the street.

Overlooking and privacy

- (d) The extent to which direct overlooking of a neighbour’s habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(6) for height in relation to boundary:

[new text to be inserted]

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

[new text to be inserted]

(7) for alternative height in relation to boundary infringements:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(3)
- (c) refer to Policy H5.3(4); and
- (d) refer to Policy H5.3(5).

(8) for height in relation to boundary adjoining lower intensity zones:

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(9) for yards:

[new text to be inserted]

- (a) refer to Policy H5.3(2);
- (b) refer to Policy H5.3(4); and
- (c) refer to Policy H5.3(5).

(10) for maximum impervious areas:

PC 78 ([see Modifications](#))

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(7);

(11) for building coverage:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(2); and

(b) refer to Policy H5.3(4);

[new text to be inserted]

(12) for landscaped area:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(4); and

(c) refer to Policy H5.3(5).

[new text to be inserted]

(13) for outlook space:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(4); and

(c) refer to Policy H5.3(5).

[new text to be inserted]

(14) for daylight:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(4); and

(c) refer to Policy H5.3(5).

(15) for outdoor living space:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(4);

PC 78 ([see Modifications](#))

(c) refer to Policy H5.3(5); and

(d) refer to Policy H5.3(6).

[new text to be inserted]

(16) for front, side and rear fences and walls:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) refer to Policy H5.3(2);

(b) refer to Policy H5.3(3); and

(c) refer to Policy H5.3(4).

(17) For minimum dwelling size:

PC 78 ([see Modifications](#))

[new text to be inserted]

(a) Policy H5.3(5)

[new text to be inserted]

H5.9. Special information requirements

PC 78 ([see Modifications](#))

There are no special information requirements in this zone.

[new text to be inserted]

ATTACHMENT FOUR
SUBMISSIONS

Summary of Decisions Requested

Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
1	1.1	Emma Elizabeth Poyner	emma@nzpoyners.com	Approve the plan change with the amendments I requested
1	1.2	Emma Elizabeth Poyner	emma@nzpoyners.com	Limit to two storey buildings and reduce to 25 apartments
2	2.1	Blair Baldock	blairb@hotmail.co.nz	Decline the plan change
3	3.1	Pero Garlick	perogarlick@gmail.com	Approve the plan change without any amendments
4	4.1	Tim Merkens	tim.jim.merkens@gmail.com	Decline the plan change
5	5.1	Anne-Marie Brill	rie_zwart@hotmail.com	Decline the plan change
6	6.1	Timothy James Orr	t.j.orr@hotmail.com	Decline the plan change
7	7.1	Keegan goodall	gilbertgoodall@hotmail.com	Decline the plan change
8	8.1	Jose Dooley	degrootjose@yahoo.com	Decline the plan change
9	9.1	Francois du Plessis	francois@duplessis.com	Decline the plan change
10	10.1	Sharron Frances	paintpaper_crimson@yahoo.com	Decline the plan change
11	11.1	Shane Dooley	sfdooley@gmail.com	Decline the plan change
12	12.1	Tom Greer	tza.greer@gmail.com	Approve the plan change without any amendments
13	13.1	Martin Coleman	martroid@orcon.net.nz	Decline the plan change
14	14.1	Angela D Lewis	ange.lewis.nz@gmail.com	Decline the plan change
15	15.1	Fran Lowery	fran@croslanmedia.com	Opposed to change of zoning
16	16.1	Peter Douglas	petergddouglas@gmail.com	Decline the plan change
17	17.1	Jessica Maree Dodd	jes@nextgenerationchildcare.co.nz	Decline the plan change
18	18.1	Marais Business Architects Ltd	johnw.marais@gmail.com	Approve the plan change without any amendments
19	19.1	Royda Ann kavalinovich	royda.kavalinovich@icloud.com	Decline the plan change
20	20.1	Kevin Warne	kwarney.kw@gmail.com	Approve the plan change with the amendments I requested
21	21.1	Peter Kerrigan	peterbarbart@gmail.com	Decline the plan change
22	22.1	Brian Williams	brianmwilliams@yahoo.com	Concerned at proposal of zone change
23	23.1	Louise Riddell	mclmriddell@gmail.com	Decline the plan change
24	24.1	Kate Ann Sandford	sandfordgirl@hotmail.com	Decline the plan change
25	25.1	Alastair Mackay	mackay27.am@gmail.com	Decline the plan change
26	26.1	Jeb and Rochelle Warren	rochellekarenlee@gmail.com	Decline the plan change
27	27.1	KC Foong	kcofoong@gmail.com	Decline the plan change
28	28.1	Kimberley Anne Lind	kimberleymackaynz@gmail.com	Decline the plan change
29	29.1	Cherylee Lonsdale c/- Hudson Associates attn: John Hudson	john@hudsonassociates.co.nz	Approve the plan change with the amendments I requested
30	30.1	Paige Louise Mekkelholt	themekkelholts@gmail.com	Decline the plan change
31	31.1	Victoria Mowbray	zoesauffy@gmail.com	Decline the plan change
32	32.1	Elizabeth bell	lilly.beech@gmail.com	Decline the plan change

Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
33	33.1	Mitchell Houlbrooke	mitchellhoulbrooke@gmail.com	Approve the plan change without any amendments
34	34.1	Kim Mekkeholt	k1mb0-m@hotmail.com	Decline the plan change
35	35.1	Lauren Oneill	laurenoneill44@gmail.com	Decline the plan change
36	36.1	Josephine Hawke	josephinehawke932@gmail.com	Decline the plan change
37	37.1	Nina Pettersson-Fox	ninapfox@gmail.com	Decline the plan change
38	38.1	Thomas Flexton	tom.flexton@gmail.com	Decline the plan change
39	39.1	Cheryll Bicar	chieyaun@gmail.com	Decline the plan change
40	40.1	Alison lewis	alisonbonham@gmail.com	Decline the plan change
41	41.1	Sarah Blaney	sarahmason60@gmail.com	Decline the plan change
42	42.1	Matt Pullin	wrc323@gmail.com	Decline the plan change
43	43.1	Paul	paullmat@gmail.com	Decline the plan change
44	44.1	Kathy Williams	sayhey07@hotmail.com	Decline the plan change
45	45.1	Abbagail Head and Benjamin Collings	abbyhead94@outlook.com	Decline the plan change
46	46.1	James Markwick	james77@xtra.co.nz	Decline the plan change
47	47.1	Carol and Bob Hamilton	mayall65@gmail.com	Decline the plan change
48	48.1	Barbara Janis ROTHWELL	Janisnz2022@outlook.com	Decline the plan change
49	49.1	Geoffrey Wilding	wildigeoffrey@gmail.com	Decline the plan change
50	50.1	Anna Lee Smith	nzannalee@gmail.com	Decline the plan change
51	51.1	Helen Lesslie	helennorfolk@gmail.com	Decline the plan change
52	52.1	Keitha Turner	keitha@lamz.kiwi.nz	Decline the plan change
53	53.1	Alison Ann McGlashan	annmcglashan@gmail.com	Decline the plan change
54	54.1	Keith Salmon	kwsalmon@gmail.com	Decline the plan change
55	55.1	Mel and Max ChapmanGataua	melchapmangataua@gmail.com	Decline the plan change
56	56.1	Craig Stanton	01.carrack.sniffs@icloud.com	Decline the plan change
57	57.1	Elisabeth Morgan-Reeve	beth.morganreeve@gmail.com	Decline the plan change
58	58.1	Stephen Hogg	stevedh51@gmail.com	Reject plan change
59	59.1	Catherine Reina Conrad	cathconrad@icloud.com	Decline the plan change
60	60.1	Sean Crawford	c_s.crawford@live.com	Decline the plan change
61	61.1	meinita crerar baker	meinita_baker@hotmail.com	Decline the plan change
62	62.1	Auckland Council	unitaryplan@aucklandcouncil.govt.nz	Decline plan change subject to amendments

Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
				<p>a. Amend the planning maps and/or add a plan to the Precinct to identify that the land within the plan change area is subject to a wastewater infrastructure constraint.</p> <p>b. Amend the Precinct description to identify that there are capacity constraints in the bulk wastewater infrastructure network serving the Beach Haven catchment.</p> <p>c. Amend the Precinct to add new objectives and policies to only enable subdivision and development where there is sufficient wastewater infrastructure capacity.</p> <p>d. Amend the MDRS provisions and all associated explanatory text in the Precinct, to recognise the presence of a qualifying matter, namely wastewater infrastructure capacity constraints.</p> <p>e. Amend IXXX.4.1 Activity Table to add a new rule classifying two or more dwellings per site as a restricted discretionary activity, due to wastewater infrastructure constraints.</p> <p>f. Amend IXXX.4.1 Activity Table to add a rule classifying subdivision as a restricted discretionary activity, due to wastewater infrastructure constraints.</p> <p>g. Add matters of discretion and assessment criteria for two or more dwellings per site and subdivision within the Precinct relating to wastewater infrastructure and servicing.</p> <p>h. Amend IXXX.9 Special information requirements to require all applications for two or more dwellings and subdivision to provide a Wastewater Infrastructure Capacity Assessment.</p>
62	62.2	Auckland Council	unitaryplan@aucklandcouncil.govt.nz	
62	62.3	Auckland Council	unitaryplan@aucklandcouncil.govt.nz	<p>i. Amend IXXX.7.1(1)(c) to read 'the effects of infrastructure provision and management of effects of stormwater.'</p> <p>ii. Amend IXXX.7.2(c)(iii) to refer to 'E38.8' (not E88.8).</p> <p>iii. Amend IXXX.7.2(c)(iii) to list policy E38.8(22).</p>
63	63.1	Geoffrey John Dawson	geoff@inaqua.co.nz	Decline the plan change
64	64.1	Harriet Bennett Allan	HAllan@actrix.co.nz	Decline the plan change or rezone to Residential - Mixed Housing Suburban Zone)
64	64.2	Harriet Bennett Allan	HAllan@actrix.co.nz	Decline the plan change (inclusion of Medium Density Residential Standards)
65	65.1	Charles Ronald Grinter	charlesgrinter@gmail.com	Approve the plan change with the amendments - rezone to Residential Mixed Housing Suburban; decline introduction of precinct with Medium Density Residential Standards
66	66.1	Sarah Menzies	s.menzies@actrix.co.nz	Decline the plan change
67	67.1	Cameron Mark Thorpe	cammthorpe@gmail.com	Decline the plan change
68	68.1	Bilney Lodge Properties Limited	letitiawelsh@gmail.com	Decline the plan change

Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
69	69.1	Eion Martin Bryant	eion@eionbryant.com	Decline the plan change
70	70.1	Tarn Drake	tarnmcc@hotmail.com	Decline the plan change
71	71.1	Daisy Kay	daisy.kay@live.com	Reject plan change as notified
71	71.2	Daisy Kay	daisy.kay@live.com	Alternative relief sought if approved - require restricted discretionary activity to address: 1. transport and parking effects on transport corridors and in particular on Cresta Avenue and Beach Haven Road (including safety) 2. impacts on other infrastructure, particularly stormwater, to avoid any adverse impacts on neighbouring properties and the local environment 3 comply with a local area/precent plan developed with Council and the Community that should provide, at a minimum for: increasing access and facilities for frequent and more reliable public transport services; improving pedestrian an cycle safety within the road corridor; and for adequate parking on MHU zoned land that avoids impacts on the existing capacity of the local area's public parking (including recreation)
72	72.1	New Zealand Defence Force	rebecca.davies@nzdf.mil.nz AND kbaverstock@tonkintaylor.co.nz	Amend the Precinct chapter to reference Designation 4311 requirements.
72	72.2	New Zealand Defence Force	rebecca.davies@nzdf.mil.nz AND kbaverstock@tonkintaylor.co.nz	Amend IXXX.1 Precinct description to add a sentence referencing Designation 4311 (additions underlined): ... <u>The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.</u>
72	72.3	New Zealand Defence Force	rebecca.davies@nzdf.mil.nz AND kbaverstock@tonkintaylor.co.nz	Amend IXXX. Activity table to add a sentence referencing Designation 4311 (additions underlined): <u>Note 3</u> <u>The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.</u>

Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
73	73.1	Airedale Property Trust	c.covington@harrisingrierson.com	Approve the plan change with amendments a) Amend the precinct provisions to address the matters raised above, in particular: <ul style="list-style-type: none"> •Remove reference to the MDRS or ensure that these are only applied if PC78 becomes operative. •Reduce the maximum building height to 8m for a 10m setback adjacent to the APT site north boundary and include a specific height in relation to boundary standard for this boundary which matches the current standard in the Residential-Mixed Housing Urban Zone (3m plus 45 degree recession plane). •Include precinct provisions to restrict the existing driveway to the site from Beach Haven Road to only be used for pedestrian access and that any pedestrian access design should incorporate CPTED principles and ensure lighting and security considerations are part of any application assessment. •That Standard IXXX.6.1.2 Building height, Standard IXXX.6.1.5 Building coverage, Standard and IXXX.6.1.6 Landscaped area are removed from the matters which are precluded from notification and the need to obtain written approval from affected persons.
73	73.2	Airedale Property Trust	c.covington@harrisingrierson.com	
74	74.1	Paul Heiplik	paul@heiplik.com	Decline the plan change
75	75.1	Elizabeth Hurley	ehurley@xtra.co.nz	Decline the plan change
76	76.1	Frances Hogg	francesah@gmail.com	Reject plan change as notified
77	77.1	Crispin Robertson	crispinrobo@gmail.com	Decline the plan change but if approved, potentially change zoning to Mixed Housing Suburban Zone (due to density and building height)
78	78.1	Simon Richard Taylor	simontaylor@outlook.co.nz	Decline the plan change
79	79.1	Watercare Services Limited	planchanges@water.co.nz	Decline plan change unless it is amended as outlined in the submission (refer Attachment 1)
80	80.1	Anne Mutu	wharenuui93@hotmail.com	Decline the plan change
81	81.1	Maria Mutu	93 Beach haven Road Beach haven Auckland 0626	Decline the plan change
82	82.1	Inger Bennett	ibennett1304@hotmail.com	Decline the plan change
83	83.1	Tania McBeth-Stanton	tania.mcbeth@gmail.com	Decline the plan change
84	84.1	Judith Rochelle Lardner Rivlin	jude.rivlin@gmail.com	Decline the plan change, but if approved, make the amendments I requested
84	84.2	Judith Rochelle Lardner Rivlin	jude.rivlin@gmail.com	If approved, decrease the number of proposed dwellings to 40-50

Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Summary of Decisions Requested

Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
85	85.1	Kirk David Vette	kirkdv@gmail.com	Decline the plan change
86	86.1	Rian Drake	rian.drake.nz@gmail.com	Decline the plan change
87	87.1	Alex Hurley	alexhurley92@gmail.com	Decline the plan change
88	88.1	Andrew Mcmanus	andymac.189@gmail.com	Decline the plan change
89	89.1	Robyn Plummer	robyn.a.plummer@gmail.com	Decline the plan change
90	90.1	Gallo Boyle and James Boyle	gallo@nhae.co.nz	Decline the plan change

Submissions

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Emma Elizabeth Poyner
Date: Thursday, 18 April 2024 4:00:18 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Emma Elizabeth Poyner

Organisation name:

Agent's full name: Emma Elizabeth Poyner

Email address: emma@nzpoyners.com

Contact phone number:

Postal address:

6 Gazelle Ave Beach Haven

Auckland

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

13 Cresta Ave and 96 Beach Haven Road Beach Haven

Property address: 13 Cresta Ave and 96 Beach Haven Road Beach Haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I am concerned about transport in and out of Beach Haven along either Rangitira Rd or Beach Haven Kaipatiki Rd. It is already congested and vulnerable to accidents/ flooding. The housing intensity has already increased traffic. I am also concerned about the biodiversity of the native bush around Shepherd's Park being detrimentally affected by this requested change. I am also concerned that this change may affect the marae build next to the Beach Haven Bowling Club.

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

1.1

Details of amendments: Limit to two storey buidings and reduce to 25 apartments

1.2

Submission date: 18 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Blair Baldock
Date: Thursday, 18 April 2024 4:45:15 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Blair Baldock

Organisation name:

Agent's full name:

Email address: blairb@hotmail.co.nz

Contact phone number:

Postal address:
80 beachhaven road
Beachhaven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 cresta ave

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
This will create issues such as flooding and storm water issues, traffic and lack of parking

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

Submission date: 18 April 2024

Attend a hearing

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

Declaration

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

2.1

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Pero Garlick
Date: Thursday, 18 April 2024 8:45:12 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Pero Garlick

Organisation name:

Agent's full name:

Email address: perogarlick@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

All the objectives and policies of the proposed precinct.

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I support the proposed private plan change (PPC).

The proposed objectives and policies in the proposed precinct, which are taken for the NPS-UD, will ensure that development achieves the quality compact urban form and a WFUE. This is the model of growth in the Auckland Plan 2050 and FDS 2023. Therefore, the PPC will also achieve the objectives and policies of the RPS. The PPC will achieve this for the following reasons:

- The location of the plan change is highly accessible and the site is suitable for intensive quality developments. Three-storey apartments are suitable for the area noting the three-storey Kāinga Ora apartments nearby and the nearby MHU zoned land. Therefore, the PPC area is a 'good location' for intensive development.
- Nearby Shepard's Park provides future residents convenient access to an important amenity. This aligns with the principles of green-space orientated development.
- The ferry and bus services provide good accessibility to major employment area (city centre) and the adjacent local centre provides for the day-to-day needs of future residents. This provides a

viable and competitive alternative to driving for future residents. This supports VKT and emission reductions as aimed for by TERP and Te Tāruke-ā-Tāwhiri.

- The FDS and the Auckland Plan 2050 direct that most new housing should be within the existing urban area. This large development site, with appropriately managed natural hazard risks, is an excellent site and aligns with council's strategic spatial framework.

- I agree with the s32 report that THAB would be inappropriate, as although it would enable greater density, it would come with the cost of poorer onsite and off-site amenity. SHZ would not enable enough affordable housing and would not be an efficient use of land. MHU is the most appropriate zoning.

The technical reports provided demonstrate that the site is suitable for intensive development. Flood modelling and stormwater mitigation will adequately mitigate adverse effects from onsite flooding from the OLFP. This is especially important in context of climate change and the extreme weather events of early 2023. I expect that the resource consent process will appropriately manage upstream and downstream flooding effects from the development.

I acknowledge that council has identified the area as infrastructure constrained in the notified PC 78. However, the applicant has demonstrated through the application that future development can be adequately serviced by infrastructure. I agree with the s32 report.

I expect other submitters to argue that the request is too intensive for the area and would result in adverse amenity and character effects.

- As mentioned, there are three-storey apartment developments in the wider environment. There is abundant MHU zoned land adjoining and adjacent to the PPC area. This provides ample evidence that the surrounding area's existing and planned character is appropriate for development envisaged by the PPC. The surrounding MHU land already enabled similar development to the PPC.

- To achieve a WFUE, as required by the NPS-UD, the suburban character of many neighbourhoods is expected to change and must change if we are to achieve housing affordability.

- These issues have been raised, debated and settled during the AUP and the NPS-UD processes. Cities are not museums, they are meant to change and be responsive. The views of NIMBY residents often hold sway, but I urge the hearing panel to consider the views of future residents and generations who are 'locked out' of living in good accessible and amenity rich areas such as Beach Haven. The current high housing prices force people to either move further out (contributing to higher transport costs and emissions) or out of Auckland entirely.

- Any submissions regarding 'slums', 'renters', 'bringing in young people', 'bedroom commuters' or 'cesspit for crime' are frivolous, hold no merit and offensive. I urge the hearing panel to dismiss any submissions.

I or we seek the following decision by council: Approve the plan change without any amendments

3.1

Details of amendments:

Submission date: 18 April 2024

Attend a hearing

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

Declaration

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

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

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

No

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Tim Merkens
Date: Thursday, 18 April 2024 9:30:14 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tim Merkens

Organisation name:

Agent's full name:

Email address: tim.jim.merkens@gmail.com

Contact phone number:

Postal address:
93 Lancaster Rd
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The proposed rezoning of this site at Cresta Ave, Beach Haven.

There has already been a RC hearing where the application was quite rightly refused for valid reasons.

This is just another attempt to get the development approved.

The community are concerned about the massive impact this could have and object to it.

Property address: 13 cresta Ave, beach haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This level of intensification, if allowed at this prominent site would dramatically affect the centre of beach haven.

This is a suburban neighbourhood that has already fought and succeeded in preventing this already

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

Submission date: 18 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Anne-Marie Brill
Date: Thursday, 18 April 2024 9:45:15 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anne-Marie Brill

Organisation name:

Agent's full name:

Email address: rie_zwart@hotmail.com

Contact phone number:

Postal address:

0626

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Rezoning land

Property address: 13 Cresta and 96 beach haven rd

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We do not want the development as it was proposed.

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

Submission date: 18 April 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Timothy James Orr
Date: Thursday, 18 April 2024 10:45:16 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Timothy James Orr

Organisation name:

Agent's full name:

Email address: t.j.orr@hotmail.com

Contact phone number: 02102282119

Postal address:
68 Tramway Road
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 17 Cresta Avenue

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The area and infrastructure cannot support the proposed amendment and it does not fit with the character of the street or its surrounding streets.

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

Submission date: 18 April 2024

Attend a hearing

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

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

Declaration

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

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

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

No

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Keegan goodall
Date: Friday, 19 April 2024 8:00:59 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keegan goodall

Organisation name:

Agent's full name: 57a fordham street

Email address: gilbertgoodall@hotmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 cresta

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Not enough work being done to support the additional houses already in place.

Roads are getting so much worse. Crime is through the roof in the area.

Parking is an issu

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

Submission date: 19 April 2024

Attend a hearing

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

Declaration

| 7.1

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

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

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

No

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Jose Dooley
Date: Friday, 19 April 2024 10:01:12 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jose Dooley

Organisation name:

Agent's full name:

Email address: degrootjose@yahoo.com

Contact phone number:

Postal address:
26 Beach Haven Road
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

I am against the rezone 13 Cresta Ave and 96 Beach Haven Rd from Residential - Single House Zone to Mixed housing Urban Zone.

I am against the introduction of a precinct to 13 Cresta Ave and 96 Beach Haven Rd to incorporate the Medium Density Residential standards.

Property address: 13 Crest Ave and 96 Beach Haven Rd, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Overcrowding of local infrastructure and space. During Feb 2022, Beach Haven suffered shocking storm water flooding, the local infrastructure does not cope with the existing population let alone to allow for intense mixed housing. There is not enough parking for mixed housing in this area, cars will clog up the local roads throughout Beach Haven. Concern over the environment and attractiveness of the area deteriorating if mixed housing is allowed. We have lived here for 20 years and love the community and beauty of Beach Haven, we will move out of this area if mixed housing is allowed.

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

Submission date: 19 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Francois du Plessis
Date: Friday, 19 April 2024 10:15:59 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Francois du Plessis

Organisation name:

Agent's full name:

Email address: francois@duplessis.com

Contact phone number: 0210 742 936

Postal address:

6 Cronin place

Beach haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Zoning of the Land from single home

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The infrastructure in beach haven is not capable of supporting the rapid growth of residential units. Sewer is a constant problem and the roaring and public transport infrastructure does not serve the community well either.

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

Submission date: 19 April 2024

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Sharron Frances
Date: Saturday, 20 April 2024 10:15:16 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sharron Frances

Organisation name: N/A

Agent's full name: Sharron Frances

Email address: paintpaper_crimson@yahoo.com

Contact phone number:

Postal address:

1/27 Sunnyhaven Ave

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Auckland Unitary Plan

Proposed Plan Change 99 (Private) – 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven.

Auckland Council has accepted a private plan change request to the Auckland Unitary Plan

(Operative in

Part) from Beach Haven Road Apartments Limited under Schedule 1 to the Resource Management Act

1991 (RMA).

Proposed Private Plan Change 99 is a proposal that seeks to rezone approximately 7,147m2 from

Residential – Single House Zone to Residential – Mixed Housing Urban Zone. The request also

seeks to

introduce new precinct provisions to incorporate the Medium Density Residential Standards in accordance

with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

Property address: 13 Cresta Avenue, Beach Haven

Map or maps:

Other provisions:

Auckland Unitary Plan

Proposed Plan Change 99 (Private) – 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven.

Auckland Council has accepted a private plan change request to the Auckland Unitary Plan

(Operative in

Part) from Beach Haven Road Apartments Limited under Schedule 1 to the Resource Management Act

1991 (RMA).

Proposed Private Plan Change 99 is a proposal that seeks to rezone approximately 7,147m² from Residential – Single House Zone to Residential – Mixed Housing Urban Zone. The request also seeks to introduce new precinct provisions to incorporate the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

My family wants the core of Beach Haven to remain under current rules for development. The number of proposed dwellings is far too high for that area. We enjoy living in Beach Haven and want the essential character and function of our beautiful township to remain true to it's current state.

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

10.1

Submission date: 20 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Shane Dooley
Date: Saturday, 20 April 2024 10:30:15 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Shane Dooley

Organisation name:

Agent's full name:

Email address: sfdooley@gmail.com

Contact phone number:

Postal address:

Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach Haven Rd, Beach Haven

Map or maps:

Other provisions:

Re zoning 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven from Residential-single house zone to residential- mixed housing urban.

Introduction of a precinct to both addresses to incorporate the Medium Density Residential Standards in accordance with section 77G(1) and schedule 3A of the Resource Management Act 1991.

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I believe that Beach Haven resources and infrastructure are already under pressure because of the recent and continuing development of apartments in the locality. These are being built without adequate parking. Increasing congestion on the local roads making our roads less safe and useable.

Recent flooding in 2023 points out that our storm water system is inadequate. Increased density housing will exacerbate this continuous degradation of services.

The neighbourhood has bourn enough infill high density housing on Beach Haven Road and Rangatira Road.

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

Submission date: 20 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Tom Greer
Date: Saturday, 20 April 2024 6:00:15 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tom Greer

Organisation name: Huh

Agent's full name: Tom Greer

Email address: tza.greer@gmail.com

Contact phone number: 0211055076

Postal address:
37B Sispara Place
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Change from single housing residential to mixed housing urban.

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
We need more housing. Apartments reduce the cost of housing, and allow us to retain more land for public use. Single dwellings are a complete waste of space, especially when you consider the endless expansion of driveways needed for all the cramped subdivisions everyone seems to love.

I or we seek the following decision by council: Approve the plan change without any amendments

Details of amendments:

Submission date: 20 April 2024

Attend a hearing

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

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

Yes

Declaration

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

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

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

No

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Martin Coleman
Date: Monday, 22 April 2024 7:45:21 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Martin Coleman

Organisation name:

Agent's full name:

Email address: martroid@orcon.net.nz

Contact phone number:

Postal address:
14C Cresta Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 14C Cresta Avenue

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The rezone proposal could impact traffic and amenity in the surrounding properties. Additionally, there exists the potential for flooding effects on downstream properties and structures through the overland flow path. This includes the water supply and wastewater infrastructure within the Beach Haven catchment, all stemming from the development enabled by the rezoning requested.

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

Submission date: 22 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Angela D Lewis
Date: Monday, 22 April 2024 12:45:54 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Angela D Lewis

Organisation name:

Agent's full name: Angela D Lewis

Email address: ange.lewis.nz@gmail.com

Contact phone number:

Postal address:

70 Beachhaven road

Auckland

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Medium density

Property address: 13 Cresta avenue, beach haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Too many houses for coastal area. But enough infrastructure to support number of houses. Roads are too narrow to support current number of houses down this area with multiple cars being hit on the roadside.

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

Submission date: 22 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Fran Lowery](#)
To: [Unitary Plan](#)
Subject: Submission opposing change to unitary plan for 13 cresta avenue
Date: Monday, 22 April 2024 4:20:58 pm

Hi there

I live at and own 38a rambler crescent, beach haven.

I would like to register my **strong** opposition to any changes to the zoning of 13 cresta avenue/96 Beach haven.

15.1

The current single house zoning is appropriate to the area.

Changing it to medium density would be entirely inappropriate for the area and would have adverse effects on so many factors including traffic, parking, schools, environment and infrastructure generally.

The developer knew the zoning when they bought the properties and should not be attempting to profit by pressurising the council to change the rules to profit themselves and adversely effect the local population.

These sites should be for decent sized houses with gardens!

If the council approved this change I believe an investigation into corruption and inappropriate conduct on the councils behalf would be entirely appropriate and would be something I would strongly support.

I have faith that the council will step up and stand for the local people that they serve and that pay their rates, and turn down this cynical and corrupt attempt to mess up this beautiful neighbourhood for profit.

And I have even more faith that our local councillors will continue to ensure that our views as locals are clearly represented to the council in case they are in any doubt as to our position on this matter, as they did for the previous planning request.

Justice will prevail, thank you for your kind attention and have a beautiful day

Warm regards

Fran

Sent from my iPhone

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Peter Douglas
Date: Monday, 22 April 2024 7:45:59 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Douglas

Organisation name:

Agent's full name: Peter 15 Douglas

Email address: petergddouglas@gmail.com

Contact phone number:

Postal address:
flat 32 120 Beach Haven Rd
Beachhaven
Beachhaven 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Ave- 96 Beach haven rd. Beach haven.

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This lot is right next door to me and the main thing what impact will this have for our area, and the lack of concur for the people of Beachhaven.

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

Submission date: 22 April 2024

Attend a hearing

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

Declaration

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

| 16.1

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Jessica Maree Dodd
Date: Tuesday, 23 April 2024 8:01:02 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jessica Maree Dodd

Organisation name:

Agent's full name:

Email address: jes@nextgenerationchildcare.co.nz

Contact phone number: 0210 233 4499

Postal address:

0626

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Changing the zoning to the unitary plan for Cresta Ave

Property address: Cresta Ave

Map or maps:

Other provisions:

Traffic

Loss of character

Over intensification

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

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

The reason for my or our views are:

the traffic reporting data from 2022 is outdated and there has been considerable more development in the area since this.

After being in the area for the past 9 years we have seen large areas have all character removed. This has impacted the community we live in in a negative way. We no longer see it as a place we want to have our children grow up in and this has become the conversation many locals are now having due to the loss of community and character.

There are no services for people in the area, there are no supermarkets in walking distance, the bus options and times between busses in off peak hours make travel to lower cost supermarkets

extremely challenging. There are no other community places such as libraries, enough medical or dental services, community hubs for people.

The intermediate school and high school in Birkdale will be under further increased pressures. There is only one free kindergarten close by.

The removal of single home sites reduces the options for families when wanting to buy or rent a home that has space for outdoor living, therefore removing this as an option for many as the few left become very desirable and unaffordable.

The roading network is becoming stressed

The services such as storm water and sewerage will be put under further stress with the change to the plan. The reduction of permeable surfaces will add to the risk of flooding and surface water in the area.

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

17.1

Submission date: 23 April 2024

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Johannes Marais
Date: Tuesday, 23 April 2024 3:01:32 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Johannes Marais

Organisation name: Marais Business Architects Ltd

Agent's full name: John Marais

Email address: johnw.marais@gmail.com

Contact phone number:

Postal address:

38 Inlet Views

Stillwater

Auckland 0993

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

GD01 and TP10

Property address: 96 Beach Haven Road, Beach Haven

Map or maps: PC99 - Proposed Zoning Map

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

It is a quality improvement in the area with the proviso that stormwater discharge to surrounding properties are managed.

I or we seek the following decision by council: Approve the plan change without any amendments

Details of amendments:

Submission date: 23 April 2024

Attend a hearing

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

18.1

Declaration

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

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

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

No

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Royda Ann kavalinovich
Date: Tuesday, 23 April 2024 4:46:02 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Royda Ann kavalinovich

Organisation name:

Agent's full name:

Email address: royda.kavalinovich@icloud.com

Contact phone number:

Postal address:
 15/2 John bracken way
 Beach haven
 Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
 13 cresta avenue and 96 beach haven road

Property address:

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
 We do not need or want any more high density housing in the area.

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

Submission date: 23 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Kevin Warne
Date: Wednesday, 24 April 2024 5:46:05 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kevin Warne

Organisation name:

Agent's full name:

Email address: kwarney.kw@gmail.com

Contact phone number: 0272689035

Postal address:
 27 beachhaven rd
 Beachhaven
 Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
 Transport , in particular road width and associated congestion

Property address: 27 beachhaven rd

Map or maps:

Other provisions:
 Buses and parking along the road

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

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

The reason for my or our views are:
 Left field as it may seem As it is we now the berms would it not make sense to allow parking on the berms to ease congestion , narrow roadway thus pre venting potential stress and accidents

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

Details of amendments: Allow berm parking for beachhaven rd , Cresta Ave

Submission date: 24 April 2024

Attend a hearing

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

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

No

Declaration

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

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

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

No

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Peter Kerrigan
Date: Wednesday, 24 April 2024 6:46:08 pm
Attachments: [Town planning.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Peter Kerrigan

Organisation name:

Agent's full name:

Email address: peterbarbart@gmail.com

Contact phone number:

Postal address:
38 Cresta Ave
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Ave and 96 Beach Haven Road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
submission attached

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

Submission date: 24 April 2024

Supporting documents
Town planning.pdf

Attend a hearing

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

| 21.1

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Te Na Koe,

1. The purpose of the Plan Change, or the objective of the Plan Change, is to enable greater density to make “efficient” use of highly accessible land close to the Beach Haven Local Centre and public transport. The reason for this Plan Change is that the applicant, intends to develop the site in a manner consistent with the MHU zones, that is, urban rather than suburban, a greater density.

2. The applicant seeks to rezone the whole site from Residential Single House Zone SHZ to Residential Mixed Housing Urban Zone MHU including the Cresta Avenue frontage access leg (13 Cresta Ave) which used to have a typical Beach Haven bungalow on it until it was abandoned and left to deteriorate. It subsequently became surplus to the applicant’s requirements and was demolished!

3. The intention of the application however, does not maintain a consistent zoning pattern along Cresta Avenue which is Mixed Housing Suburban MHS

4. While the applicant considers that the development would be consistent with the urban MHU zone, I am doubtful, and consider it more consistent with the adjoining suburban MHS zone to the west and not to the east and south of the subject land. Also, in view of the current suburban nature of this area, the land to the north should also be zoned MHS rather than SHZ as it is now to be consistent with land fronting Cresta Ave.

I therefore object to this proposal on the grounds of paragraphs 3 and 4 above.

Ka kite ano,

P M Kerrigan

From: [Brian Williams](#)
To: [Unitary Plan](#)
Subject: Submission on Plan change 99 (Private)-13Cresta Avenue and 96 Beachaven rd BEACHHAVEN .
Date: Monday, 29 April 2024 3:49:39 pm

To whom it may concern

As a long term resident of BEACHHAVEN.

I am again concerned at the proposal of the Zone changes which will allow the continual development around BEACHHAVEN road and Cresta Avenue. The increase of Vehicles which will be parked on the road, both sides of the road reduces the available width , one lane Traffic will even further result in the congestion on BEACHHAVEN Rd. Also the roundabout at the intersection of BEACHHAVEN road and Rangatira Rd will become a massive bottle neck further impeding the traffic flow.

22.1

The second issue Is that of additional infrastructure that will be required to contain and control the additional Potable Black and Greywater

Can you advise if the infrastructure is to be upgraded to a suitable standard to ensure That Black ,Grey and Potable water services are not compromised.

Third issue

What controls are /will be in place to protect the integrity of the waters of the upper harbour during and after completion of the work

If you could advise me in the short term what plans and/or works have been done to date. Thank you and regards Brian M Williams
Sent from Brian's iPad

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Louise Riddell
Date: Tuesday, 30 April 2024 4:46:08 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Louise Riddell

Organisation name:

Agent's full name:

Email address: mclmriddell@gmail.com

Contact phone number:

Postal address:

5 Pluto Place
Beach Haven
Beach Haven
Beach Haven
Auckland
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

rezone approximately 7,147m² from residential - single house zone to mixed housing urban zone

Property address: 13 Cresta Avenue and 96 Beach Haven Road Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The suburb will be too overcrowded and a huge drain on the water services in the area.
There will be not enough off street parking and this will clog the roads.

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

Submission date: 30 April 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[Jumpstart your fitness. Join Today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Miss Kate Ann Sandford

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

3 Lancaster Road, Beach Haven, Auckland 0626

Telephone: Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or

Property Address

Or

Map

Or

Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I support the specific provisions identified above

I oppose the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:
Attached as separate document - referring back to my initial submission in opposition against this development last year.
The rules should NOT be able to be changed or worked around, or reapplied for - when it has already been declined based on a community based effort to stop a massive development like this coming into our community.
(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below.

24.1

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

Kate Sandford
Signature of Submitter
(or person authorised to sign on behalf of submitter)

01/05/2024
Date

Notes to person making submission:
 If you are making a submission to the Environmental Protection Authority, you should use Form 16B.
 Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.
 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 /could not gain an advantage in trade competition through this submission.
 If you could gain an advantage in trade competition through this submission please complete the following:
 I am / am not directly affected by an effect of the subject matter of the submission that:
 (a) adversely affects the environment; and
 (b) does not relate to trade competition or the effects of trade competition.

Proposed Development at 96 Beach Haven Road and 13 Cresta Avenue, Beach Haven.

This is a submission letter in opposition to the current proposal.

PERSONAL STATEMENT

I am a 40 year old female, that has lived in Beach Haven her whole life.
I went to the local schools here, and currently still reside in the area with my partner.

My parents have lived in the same house in Beach Haven for over 40 years.
They have been rate payers and upstanding citizens of this community the entire time.

A couple of years ago, they decided to use some of their retirement 'nest egg' to see about sub-dividing their section (they are the ONLY ones on their street that haven't sub-divided.) After 2 years of jumping through hoops every time the 'rules' changed, and needing something else to be signed off – they were declined their request to subdivide. They lost close to \$200k of their well earned retirement money, to pay for all the council requests and regulations, and surveys etc.

A month later – the new rules regarding building consents came into play. HALF of the hoops my parents had to jump through, were no longer needed. But alas, my poor parents were so broken from their endeavours to better themselves, that they decided to give up.

How is it right that a couple from this community are any different to the developer trying to build this 81 apartment building block? Despite the rule/law change?

I want to be VERY CLEAR.

I DO NOT oppose all developments going in this area. I understand that we need more housing desperately.

HOWEVER, what must be taken into consideration BEFORE this goes ahead, is the need for more upgrades in our community to allow for these to go ahead. To not just add onto current citizens headaches!

I definitely oppose the size and need for 81 apartments, despite them being studio to 2-bedroom apartments.

Why not cut it in half or even a quarter of that, (even thought that is still WAY over the council recommended zoning plan), which I think is perfectly reasonable IF the following is taken into consideration:

CURRENT APARTMENTS IN THE AREA

These are built in a convenient gully behind the current shops, and surrounded by Shepherds Park Bush – so not as widely visible. They also have adequate parking onsite. People arguing that these show we already have apartments here, have not seen how different these are to what is proposed.

To add 81 apartments in an area that there were previously 2 houses – how can someone argue that this would have minimal impact on the surrounding houses and the suburb as a whole?

ONE RULE FOR ALL

The current piece of land that has been purchased, is zoned for single house zone. This plan was constructed by the council - and people, just like my parents, have been turned down from their plans to subdivide due to this plan – then why can a developer come in, throw money at it, and expect the law to change just to suit the need for further intensification?

There shouldn't even be a question of requesting a development in an area already zoned as it is.

The law/plan is there for a reason.

PLUS, the community tried to fight back hard against this last year – and technically won – how many times do we need to write submissions before our little suburb is left alone?

INTENSIFICATION/MORE HOUSING

Yes. I completely agree we need more affordable housing.

I currently rent, with no current way of possibly getting a home due to mine AND my partners income. Neither of us is on the dole/benefit.

Our main downside, we are builders/tradies.

None of these new apartments or new homes being built everywhere, can cater for a first home buyer like me, that needs space for a work truck, trailer, separate car AND enough storage for all my tools needed on a daily basis.

What about all the other builders/tradies/truck drivers/ etc?? Where are the homes being built for us? Or are we not a part of this nation too?

A single house gets knocked down, and 6 units go up in its place. There are MAJOR subdivisions going in 10 minutes north on the motorway – why is the council not forcing developers to have to buy in these new areas first – where the infrastructure is new, and built for the intensification? There are suburbs and clear areas closer to all actual 'reliable' transport systems – Beach Haven is NOT a needed 'apartment' area.

This development is about making as much money for the developer as possible. They bought the land for \$5 million. Even if every single apartment was sold for a minimum of \$500,000 (which they wouldn't anyway!) then the developer gets \$20,500,000!!!! (Obviously this doesn't include the costs of actually building the units in the first place.)

But they are definitely not being built to provide quality homes for people in the neighbourhood, or people wanting to move into the neighbourhood.

The Kainga Ora development further down on Beach Haven Road has 70 dwellings on 10,093sqm, meanwhile this development proposes 81 dwellings on only 7,147sqm?

WHY do they need to be 3 stories high?

TRANSPORT

There are arguments saying that Beach Haven is the perfect community to commute to and from the city. Well it is not.

We have a substandard ferry service, that can not operate in bad weather, only operates for some parts of the day, and most current residents cannot afford.

This development would be at the longest end of any bus route coming into Beach Haven – and with the already increased numbers in the community due to Kainga Ora housing – the buses do NOT take 20 minutes into the city.

With the amount of stops that are taken between Beach Haven and the bottom of Onewa Road, if heading into the city – you are sorely mistaken.

Advertising this area as being a 20 minute trip at peak hour traffic when everyone else is on the roads also, is insanely false advertising.

When there is brand new bus lanes built for traffic along the motorway, why are we not trying to push developers to build apartments for commuters along these pathways, and leave these single zone areas for people to actually build a house on that they can utilize or actually need for the space??

I am currently helping pay for all these new bus lanes – however I have never used one – because I NEED to take my car everywhere for work, and 90% of the time, also take a trailer! Yes, I know NZ is trying to get everyone to buy hybrids and take the bus, and not use cars, but when NZ is a country filled with farmers and tradies etc – people are STILL GOING TO USE THEIR CARS.

The new mandate that goes with these new developments that they do not have to supply carparking – is worrying to the extreme.

Beach Havens roads are already taken up by multiple vehicles for housing, and to think that everyone moving into these apartments will bike to work is a joke.

Beach Haven is at the bottom of a hill no matter what direction you go, so there's not many that can have that as their option either.

There are also no dedicated cycle lanes in Beach Haven and with the increased traffic, the narrow roads will be even more lethal.

Cresta Ave, I agree, is one of the widest roads in Beach Haven.

HOWEVER, Beach Haven Road, that the tenants will have to get onto as their main entry and exit, is not.

The current roundabout at Beach Haven shops, barely works for the amount of traffic we have now – let alone another approx. 19% of people increasing traffic on that particular road.

Despite the claims of the developer's report, the increase in traffic will have a major impact. The submitted report about traffic flows was based on a survey taken on Tuesday 9 March 2021: Auckland moved from Level 3 to Level 2 on 7 March 2021, so many people were still working from home at this point.

I would suggest a new traffic survey, when kids are back in school, and people are back at work (not on holiday) to be done on the area.

This is NOT an easily accessible place, you can't live here easily without a car. Uber's to get anywhere from Beach Haven can get costly too!

INFRASTRUCTURE

I am worried about how this many apartments in this particular area will impact our current infrastructure.

A local drainlayer previously stated in our earlier submissions in opposition that all their "shit" needs to go somewhere. YES, we got a massive upgrade for this along Kaipatiki Road and up Eastern Park Parade – I am not disputing this. However this needed to be done well in advance of further loading people on top of people in our suburb.

It is the same with waste water, Watercare, electricity, rubbish collection.

SCHOOL AVAILABILITY

Has there been sufficient survey of which schools are within zone, and if they have the capabilities for an influx of pupils – if even half of these apartments end up with children living in them also?

I am friends with a deputy principal of a local school, and she has said they are already at capacity with the latest influx from the Kainga Ora development.

Extra classrooms have been added onto the school fields of many of the local schools, cutting down on space for children to actually play.

TECHNICAL/GEO TECH/INFRINGMENTS

I think there should be an updated full report on the geo-tech for the site.

I do not believe the existing report (told via our online forum regarding this project – has been checked by an engineer NOT associated with this project).

They said it is 'under-tested' for this many residences in one area – and this alone should require ALL reports to be redone to account for the actual size of this project.

The proposal is clearly not high-quality, neither for the new inhabitants nor the existing neighbours as, according to the paperwork supplied, it infringes zone restrictions, maximum 8m height restrictions (in some cases by as much as 3.2m) on multiple sides, infringes the 2.5m + 45° recession plane restrictions in multiple places, as well as yard setbacks, not meeting the minimum 40% required for the landscaped area and flouting noise and transport standards.

All these requirements are put in place for GOOD reasons and the infringements will impact SIGNIFICANTLY on those living there and nearby – the assessment that the impact will be less than minor is made by those who do not live nearby. Even the developer admits that

‘the proposal infringes the density, height, height in relation to boundary and yard standards’, so why is the Council even contemplating this proposal?

SOCIAL ISSUES

In direct comparison, similar blocks are being put into Northcote. The whole area there has been redesigned so that the blocks don't overlook neighbours and have wide streets between them and neighbouring dwellings. The new Northcote development has three new parks on top of the four existing ones which are to be upgraded, it also has upgraded streets, a new greenway being built and a new town centre in the offing. The intensification there has been planned and has huge amounts of public and private money poured into it.

Residents bordering this proposed Beach Haven development will have light blocked out, added noise, privacy issues, vermin and stench concerns from the large waste collection areas.

These dwellings are likely to be snapped up by landlords who will give little investment – let alone financial or social – in the area, and rented out. There has been no notification of whether these are earmarked for first home buyers, but looks to be a money grabbing exercise.

This is not a case of not wanting new people in our neighbourhood. Far from it. It is just that we want to be heard when we ask, why, when we already house people not wanted in other suburbs: we have the elderly, refugees, the mentally disabled, physically disabled, financially disabled, single families, gang members, are we requested to add more for intensification?

Also please note there are no Kainga Ora developments in Birkenhead, Takapuna, Devonport, Browns Bay, or Milford. There is one in Glenfield and the rest are in poor Northcote.

How many of these suburbs, closer to transport hubs, are being pushed to include 81 apartments on sections of land?

Beach Haven has already done its bit for intensification (not to mention the other, infill buildings that have been allowed to go in). The Council WILL turn Beach Haven into a ghetto if it enables yet more low cost, sub-standard, intensive housing to be shoe-horned in. Beach Haven is not a major shopping or commercial area, and its community facilities are very limited – this is not a centre but a very small outer suburb with a handful of minor shops and two roads coming into it. Unlike Northcote, or Birkenhead, or Glenfield, it does not have a supermarket. It has dairies and a few takeaways. It is approximately an hour's walk to the nearest supermarkets.

CONCLUSION

For the above reasons, the Council should not permit this development.

Changing the rules to suit developers is not right.

There are so many regulations that have not been met, which makes the whole development look like it is cutting corners.

The developer would still make a profit if they built even a quarter of what they are suggesting - dwellings that are of genuine quality and suit the need for intensification, but also first home buyers.

Every single statement above, comes from someone that has never protested anything, and has never challenged the status quo. Doesn't that say something about the people of this area? The group of us that are opposing this development are passionate about our community. However we have been misjudged by the media, mocked and all the keyboard warriors and armchair trolls do not understand why we feel the need to stand up and be heard.

Please listen to us, hear our voices. We already get called Beach 'Harlem'. Please don't make us "Ghetto City".

If Council gives way on all these regulations, what is next?

From: [Alastair Mackay](#)
To: [Unitary Plan](#)
Subject: Changes to 13 cresta Avenue beachhaven
Date: Thursday, 2 May 2024 7:56:06 pm

I strongly oppose the development of the above location . Go SOMEWHERE else.

25.1

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Jeb and Rochelle Warren
Date: Monday, 6 May 2024 10:46:08 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Jeb and Rochelle Warren

Organisation name:

Agent's full name:

Email address: rochellekarenlee@gmail.com

Contact phone number:

Postal address:
 rochellekarenlee@gmail.com
 Beach Haven
 AUckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
 Plan change 90

Property address: 13 Cresta and 96 Beach Haven Road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
 we oppose the application to change to mixed housing urban zone from single housezone.
 This opens up multiple housing development's and the current road into and out of the peninsula that these streets feed are already hard to navigate. there is already a need to stop and give way to on coming cars because Beach Haven road is to narrow to park and drive cars. Also the watercare infracstructure in the neighbourhood is not fit for purpose for a big development.

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

Submission date: 6 May 2024

Attend a hearing

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

Declaration

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

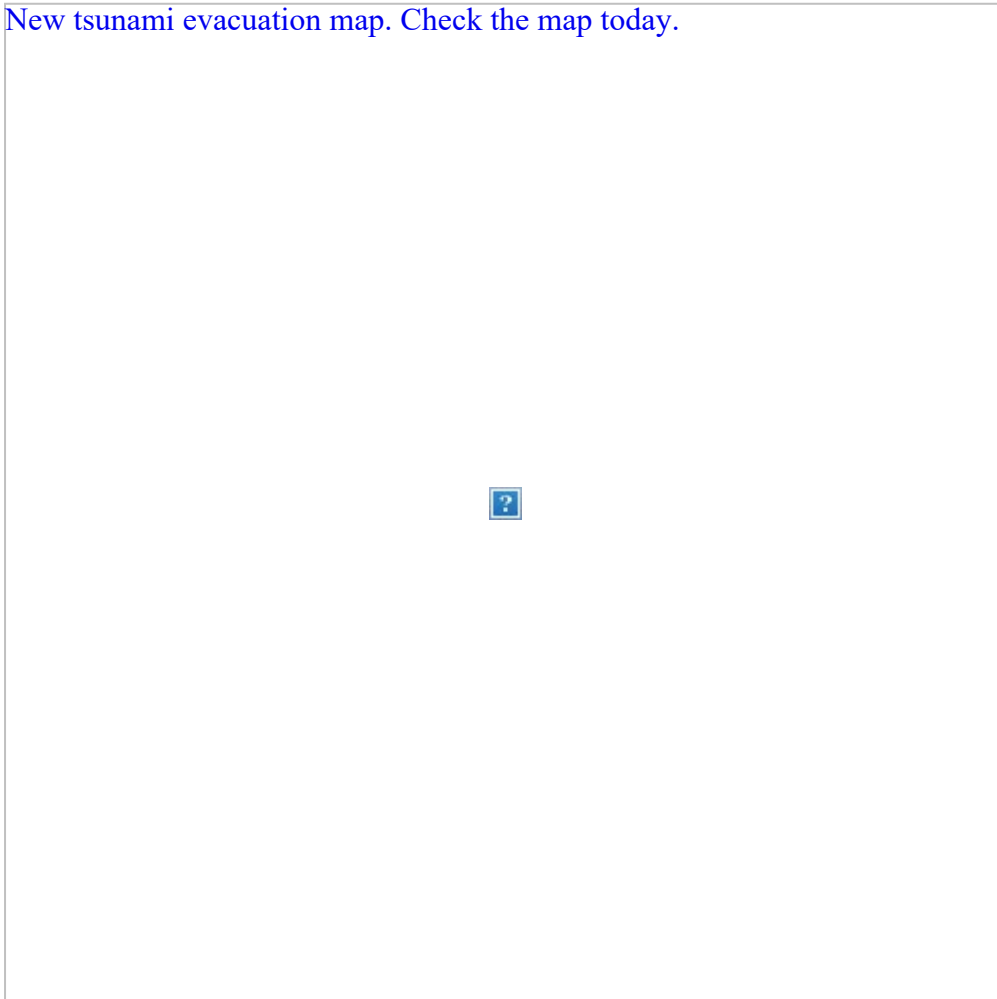
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission on a notified proposal for policy statement or plan change or variation
Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to urbanplan@aucklandcouncil.govt.nz or post to:

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Ms/Ms/Rev/Pastor
(Name)

KWOK FOUNG

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

37A BEACH HAVEN ROAD

Telephone:

Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:
(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

Page 1 of 3

The reasons for my views are

Zoning is already in place for the area. Every resident is obliged to adhere to it. If precedence is made to allow rezoning it, every Tom Dick and Harry can and many will request similar changes. If exception is given to rezone it, every Tom Dick and Harry will be able to get exception and they will. Then why do we spend so much money on rezoning the city. What is the point of it if council do not follow their own rule.

Potentially there will be a steady stream of similar submissions. This will put unnecessary pressure on residents to spend unpaid time to respond to each submission.

This proposal will inevitably put more parking pressure on Beach Haven Road. Has anybody in the council been down to the stretch of Beach Haven road. Cars parked on both sides of the road make it impossible for two cars to pass each other even under the present zoning system. Ask AT bus drivers about it. Imagine what it will be like if the zoning is changed to allow more houses to be built in the area.

When the ferry services at the end of Beach Haven Road pick up, there will also be more traffic on this stretch of the "dead end" road. There is no alternative way to get to Cresta Avenue.

The second danger is accidents. Children running between park cars cannot be easily seen and similarly old people crossing the road will be affected. There are a lot of young people and retirees living in this area. Pedestrian crossings don't really work because the driver cannot see people appearing say between two parked vans close to the crossing. It is even more dangerous with the raised pedestrian crossings as driver has to focus on the ramp up to the crossing instead of looking out for pedestrian appearing between parked vans (vehicles)

Storm water may not be affected except for reduced soakage areas of high-density living area. the reduction of soakage area will increase storm water flow through existing storm water pipes. Are existing storm water pipes large enough to cope with the increase flow? Will the increase flow in the discharge areas over the cliffs cause more slips like when we had Gabriel storming over the area a couple of years ago?

Sewage. Water and electric city usage will definitely increase. Can existing underground "old" sewage system and water reticulation system cope with it? Are residents expected to cope with endless diggings around the neighborhood and placements of road cones to restrict traffic flow. There are electrical cables. Power poles, communication and fiber optic cables to be laid

- I support the specific provisions identified above
- I oppose the specific provisions identified above
- I wish to have the provisions identified above amended Yes No

The reasons for my views are:

See attached page 2 of 3

(continue on a separate sheet if necessary)

I seek the following decision by Council:

- Accept the proposed plan change / variation
- Accept the proposed plan change / variation with amendments as outlined below
- Decline the proposed plan change / variation
- If the proposed plan change / variation is not declined, then amend it as outlined below

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission
- If others make a similar submission, I will consider presenting a joint case with them at a hearing

[Signature]
 Signature of Submitter
(or person authorized to sign on behalf of submitter)

6/5/2024
 Date

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

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 / could not gain an advantage in trade competition through this submission.

If you could gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

Page 3 of 3

27.1

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Kimberley Anne Lind
Date: Wednesday, 8 May 2024 10:33:02 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kimberley Anne Lind

Organisation name:

Agent's full name:

Email address: kimberleymackaynz@gmail.com

Contact phone number: 0224797258

Postal address:

8 Cresta Avenue

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The request to change the unitary plan from Residential – Single House Zone Residential – Mixed Housing Urban Zone

Property address: 13 Cresta Avenue, 96 Beach Haven Road

Map or maps:

Other provisions:

Auckland Transport and Watercare - there are concerns around the infrastructure provisions. This needs to be addressed.

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

If the request from the developers for the unitary plan to change to Residential – Mixed Housing Urban Zone, then they can build what they want. I don't trust that they will change their original plan for 80+, 3 story apartments and some parking. I am very concerned for the congestion in our street (traffic and parking) as well as waste water. We have a number of sporting events with Shepards Park, Tennis Club and Bowling Club on Cresta Avenue during weekends and week nights, that it is already at capacity with traffic. I would like to see if this has been considered in the developers plans? The residents have not been made aware of their intent. If they build 2-3 level buildings, this will cut out our morning sun to our side of the street and I also feel like it will disturb all our native birds in the area. Beach Haven has has so much construction with apartments going up along Rangatira Road and Beach Haven Road, it has disrupted so much of the street & Parking and

getting to and from Kindy and BH Primary School. I would be concerned if the unitary plan is changed in our zone and disappointed with council this this is approved.

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

28.1

Submission date: 8 May 2024

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Cherylee Lonsdale
Date: Thursday, 9 May 2024 11:30:53 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Cherylee Lonsdale

Organisation name: Hudson Associates

Agent's full name: John Hudson

Email address: john@hudsonassociates.co.nz

Contact phone number: 0275609530

Postal address:

PO Box 8823

Havelock North

Hastings 4130

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Proposed Private Plan Change 99

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

If the developer does what he says he will do, then I support the plan change. However, to have some surety that he will build what he says and not simply up-zone and on-sell, then he should apply for Resource Consent for his proposal at the same time as applying for a private plan change. Although this doesn't prevent him from selling or re-applying for higher density, it is a good faith gesture.

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

Details of amendments: Apply for Resource Consent for his proposal at the same time as applying for a private plan change

Submission date: 9 May 2024

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

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

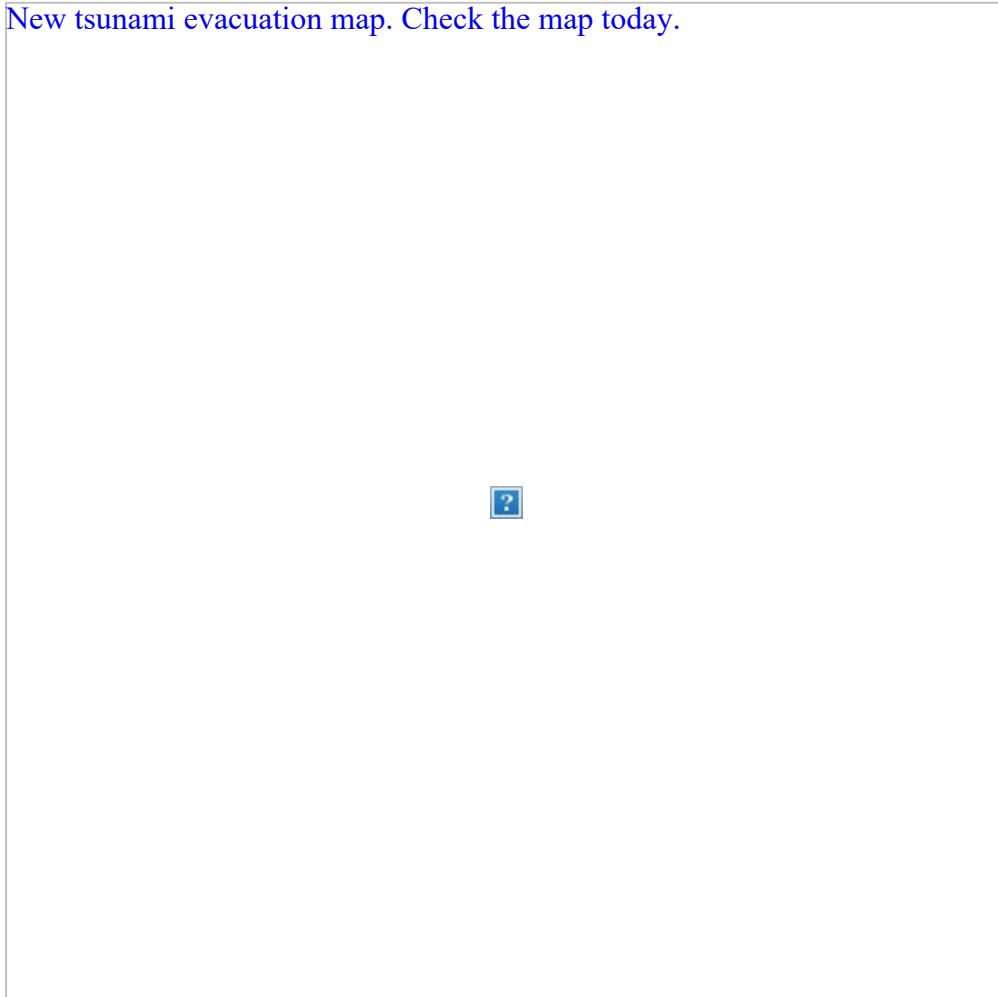
Are you directly affected by an effect of the subject matter of this submission that:

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Paige Louise Mekkelholt
Date: Friday, 10 May 2024 1:30:42 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Paige Louise Mekkelholt

Organisation name:

Agent's full name: Paige Byfield

Email address: themekkelholts@gmail.com

Contact phone number:

Postal address:

Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Opposing the proposal to change the Auckland Unitary Plan at 13 Cresta Ave and 96 Beach Haven Rd

Property address: 13 Cresta Ave and 96 Beach Haven Rd

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We do not have the local business, parking and general infrastructure to support this many apartments to be built. This change if approved will have a significant flow-on effect and I feel will negatively impact the morale of the community.

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

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Victoria Mowbray
Date: Friday, 10 May 2024 5:30:34 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Victoria Mowbray

Organisation name:

Agent's full name:

Email address: zoesaffy@gmail.com

Contact phone number:

Postal address:
21 Rangatira Road
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I have no issues with intensified housing as people need to live somewhere. My concern is with all the infill & intensive housing that has taken place in Beachhaven under the previous governments unthought through changes where there has been no consideration given to the impact this huge influx of new residents has had, with no improvements or changes to the already challenged infrastructure in the area. Roading a big one. Onewa Rd is now chaos. You cannot increase the base population without dealing with these issues. I have no doubt just as little thought has been given to stormwater, the covering or permeable ground to prevent flooding, schools etc. The fact that 3 story terraced townhouses are able to engulf existing bungalows is obscene, not to mention that most of these new dwellings are cheaply built with no parking. This means wide, safe roads have now become carparks. They are building ghettos. Not to mention the impact this has on local schools etc. No more consents should be given until these issues are addressed surely in the name of common sense and the consequences for the future.

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

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Elizabeth bell
Date: Friday, 10 May 2024 8:00:40 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elizabeth bell

Organisation name:

Agent's full name:

Email address: lilly.beech@gmail.com

Contact phone number:

Postal address:

82 paragon ave

Beachhaven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The change of zoning

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The land shouldn't be rezoned. There is already too many houses on this area with high density. Also there is not enough parking or public transport to support a change in zoning to allow 70 apartments.

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

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Mitchell Houlbrooke
Date: Friday, 10 May 2024 8:15:34 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mitchell Houlbrooke

Organisation name:

Agent's full name:

Email address: mitchellhoulbrooke@gmail.com

Contact phone number:

Postal address:

7/2 Rangitamiro Place

Hobsonville

Auckland 0616

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This re-zoning will allow for much-needed housing in the area. Density in our central suburbs is a far better use of infrastructure than greenfields sprawl.

I or we seek the following decision by council: Approve the plan change without any amendments

Details of amendments:

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Kim Mekkeholt
Date: Friday, 10 May 2024 8:30:36 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kim Mekkeholt

Organisation name:

Agent's full name:

Email address: k1mb0-m@hotmail.com

Contact phone number:

Postal address:

34c cresta ave

Beach haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Unitary plan 99

Property address:

Map or maps:

Other provisions:

Opposing change to Proposal to change housing zone

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

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

The reason for my or our views are:

We do not have the local business, parking and general infrastructure to support this many apartments to be built. This change if approved will have a significant flow-on effect and I feel will negatively impact the morale of the community. This will have negative effect on ferry schedules due to limited parking.

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

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

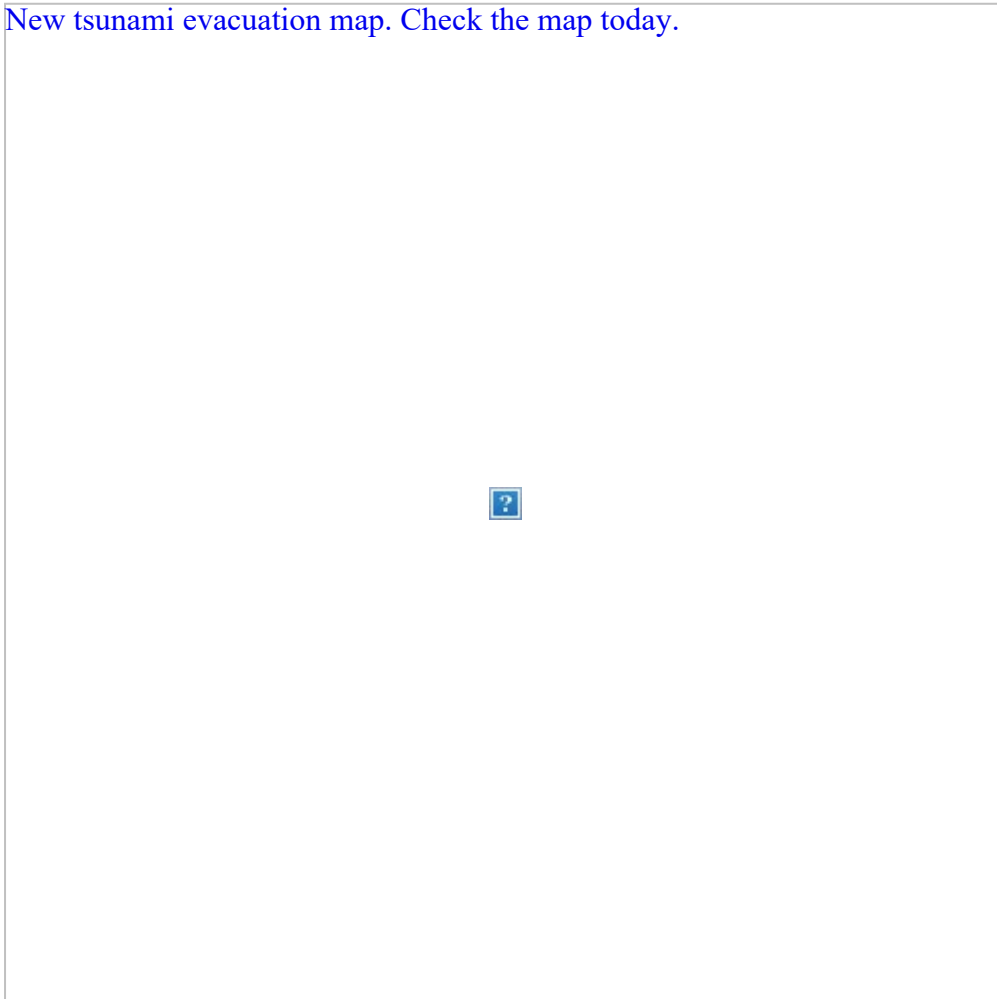
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Lauren Oneill
Date: Friday, 10 May 2024 9:45:34 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Lauren Oneill

Organisation name:

Agent's full name:

Email address: laurenoneill44@gmail.com

Contact phone number:

Postal address:

Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Plan change

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
The additional housing will put such stress on our current infrastructure and devalue the area

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

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission on a notified proposal for policy statement or plan change or variation

Clause 6 of Schedule 1, Resource Management Act 1991
FORM 5



Send your submission to unitaryplan@aucklandcouncil.govt.nz or post to :

Attn: Planning Technician
Auckland Council
Level 16, 135 Albert Street
Private Bag 92300
Auckland 1142

For office use only
Submission No:
Receipt Date:

Submitter details

Full Name or Name of Agent (if applicable)

Mr/Mrs/Miss/Ms(Full Name) Josephine Hawke

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

Telephone: Email:

Contact Person: (Name and designation, if applicable)

Scope of submission

This is a submission on the following proposed plan change / variation to an existing plan:

Plan Change/Variation Number

Plan Change/Variation Name

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Or
Property Address

Or
Map

Or
Other (specify)

Submission

My submission is: (Please indicate whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views)

I **support** the specific provisions identified above

I **oppose** the specific provisions identified above

I wish to have the provisions identified above amended Yes No

The reasons for my views are:

I oppose the above for the same reasoning as every other opposing persons

(continue on a separate sheet if necessary)

I seek the following decision by Council:

Accept the proposed plan change / variation

Accept the proposed plan change / variation with amendments as outlined below

Decline the proposed plan change / variation

If the proposed plan change / variation is not declined, then amend it as outlined below.

36.1

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

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

Jhawke

05/10/2024

Signature of Submitter

Date

(or person authorised to sign on behalf of submitter)

Notes to person making submission:

If you are making a submission to the Environmental Protection Authority, you should use Form 16B.

Please note that your address is required to be made publicly available under the Resource Management Act 1991, as any further submission supporting or opposing this submission is required to be forwarded to you as well as the Council.

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 /could not gain an advantage in trade competition through this submission.

If you **could** gain an advantage in trade competition through this submission please complete the following:

I am / am not directly affected by an effect of the subject matter of the submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Nina Pettersson-Fox
Date: Friday, 10 May 2024 10:30:44 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Nina Pettersson-Fox

Organisation name:

Agent's full name:

Email address: ninapfox@gmail.com

Contact phone number:

Postal address:

0626

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address:

Map or maps:

Other provisions:

The overall concept of multiple housing in an area that will not be able to cope. Infrastructure around is inadequate. Traffic and congestion will be an issue

Location of property means there is only one entry/exit point. Meaning an additional 70+ households will need to make their way in and out of an already congested area.

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Congestion and overpopulation

This development will be damaging for our community

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

Submission date: 10 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Thomas Flexton
Date: Saturday, 11 May 2024 2:15:34 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Thomas Flexton

Organisation name:

Agent's full name:

Email address: tom.flexton@gmail.com

Contact phone number:

Postal address:

0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I oppose increasing density in the beach haven area, for as long as there are no improvements to the transport network. Onewa road has too much traffic, and increasing housing density that deep into a suburban area will make things worse

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

Submission date: 11 May 2024

Attend a hearing

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

Declaration

38.1

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Cheryll Bicar
Date: Saturday, 11 May 2024 4:46:10 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Cheryll Bicar

Organisation name:

Agent's full name:

Email address: chieyaun@gmail.com

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
PC 99 (Private):

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Keep unitary plan for 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

1. Changing it to PC99 will enable the development of much larger communities houses which would over load the existing infrastructure.

These people from the dwellings will be using existing facilities and infrastructure.

The area is already congested as it is and traffic is worsening every day.

Adding a dense community housing to an already dense community without any improvements to the roads

2. Approval of the plan might Pave way to similar request in the future and without changes to the

existing roads and infrastructure, this will affect the quality of life of the surrounding neighbourhood

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

39.1

Submission date: 11 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Alison lewis
Date: Saturday, 11 May 2024 7:00:47 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alison lewis
Organisation name:
Agent's full name:
Email address: alisonbonham@gmail.com
Contact phone number:
Postal address:
10 taynith place
Glenfield
Auckland 0629

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)
Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
All PC plan change
Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven
Map or maps:
Other provisions:
Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified
Do you wish to have the provisions you have identified above amended? No
The reason for my or our views are:
Over crowding, public systems storm water and parking not supportive
I or we seek the following decision by council: Decline the plan change
Submission date: 11 May 2024

Attend a hearing

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

Declaration

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

| 40.1

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Sarah Blaney
Date: Saturday, 11 May 2024 8:00:46 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sarah Blaney

Organisation name:

Agent's full name:

Email address: sarahmason60@gmail.com

Contact phone number:

Postal address:
0626

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
13 cresta avenue/96 beach haven raid

Property address: 13 cresta/96 beach haven road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Lack of infrastructure,

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

| 41.1

Submission date: 11 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Matt Pullin
Date: Saturday, 11 May 2024 10:00:47 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Matt Pullin

Organisation name:

Agent's full name:

Email address: wrc323@gmail.com

Contact phone number:

Postal address:
36a wicklam lane
Greenhithe
Auckland 0632

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 cresta avenue and 96 beach haven road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Over intensification, infrastructure unable to cope and the dire impact on the local community from a traffic, social and sanitary perspective

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

Submission date: 11 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Paul
Date: Monday, 13 May 2024 12:30:47 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Paul

Organisation name:

Agent's full name:

Email address: paullmat@gmail.com

Contact phone number:

Postal address:
beach Haven Road
Beach Haven
Auckland 2626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Zoning Change

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:
Against this submission of a zoning change

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Beach haven infrastructure can not support this, right now i can't even get out of my driveway due to cars parked on each side of the road.

The waste water infrastructure can't support this, supporting documentation shows this.

Traffic is a complete nightmare already.

The issue here is there is no trust what the developer will done if this got changed, they tell people they are going to build 2 story but once it's changed they can goback to trying to add 100 apartments and 3 story high.

If they were to only build townhouses and had to stick to this and the land was only allows this i

would actually be ok but i am 100% against the 80 + apartment build they originally requested.

Due to a zoning change which allows them to build whatever they want this is why i am against it.

If you allow this zoning change then be prepared to change every single zone in Auckland for anyone that requests it as you will have now set a precedence

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

| 43.1

Submission date: 13 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Kathy Williams
Date: Monday, 13 May 2024 5:30:47 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kathy Williams

Organisation name:

Agent's full name:

Email address: sayhey07@hotmail.com

Contact phone number: 021777083

Postal address:
 39B BeachHaven Rd
 BeachHaven
 Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
 Zone change.

Property address: 13 Cresta Avenue, BeachHaven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

An older area, cannot withstand the increase in this type of development. This would set a precedent for other developments. We are coastal and do not have the infrastructure to absorb this. If you give permission to change the zoning, the developers can on sell. We pay rates and expect some protection. Please don't allow this to happen.

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

Submission date: 13 May 2024

Attend a hearing

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

Would you consider presenting a joint case at a hearing if others have made a similar submission?
No

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Abbagail Head and Benjamin Collings
Date: Monday, 13 May 2024 8:00:54 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Abbagail Head and Benjamin Collings

Organisation name:

Agent's full name: Abbagail Head and Benjamin Collings

Email address: abbyhead94@outlook.com

Contact phone number:

Postal address:
94 Lauderdale Road
Birkdale
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The Plan Change request is not in accordance with sound resource management practice (clause 25(4)(c));

The Plan Change request would make the plan inconsistent with Part 5 - Standards, Policy Statements and Plans (clause 25(4)(d)).

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

1. Non-compliance with Regional Policy Statement Objectives:

Sustainable Management: The Regional Policy Statement promotes sustainable management of our natural and physical resources. The proposed development, requires significant upgrades to infrastructure which are currently insufficient. This situation could lead to overflows and inadequate service provision, which are counterproductive to sustainability principles.

Avoidance of Natural Hazards: Further, the policy aims to minimise the risks associated with natural hazards like flooding. The inadequate flood effects assessment provided raises concerns that the

development could increase flood risks for downstream properties, which is against these regional directives.

2. Conflict with District Plan Infrastructure Requirements:

Infrastructure Capacity and Development Sequencing: According to the District Plan, infrastructure must adequately support any new development. The plan change reveals a clear need for extensive upgrades to the existing water supply and wastewater systems to handle the proposed development. Moving forward without these upgrades would not only overburden the existing systems but also fail to comply with the District Plan's stipulations for development sequencing and infrastructure readiness.

3. Inadequate Stormwater Management:

Stormwater Runoff and Flooding: The stormwater management strategy for the proposed development is lacking in comprehensive modelling and fails to consider the full impact of increased flood risks in both pre- and post-development scenarios. This oversight could lead to increased environmental degradation and is inconsistent with the District Plan's rigorous standards for stormwater management, which are designed to protect water quality and manage stormwater sustainably.

Exclusion of Cyclone Gabrielle Data: The flood modelling supporting the plan change does not incorporate data from Cyclone Gabrielle, which occurred in 2023. This significant weather event brought unprecedented rainfall and severe flooding to the region, providing critical insights into the area's flood risks. By relying on outdated modelling that predates Cyclone Gabrielle, the assessment fails to accurately reflect the current flood hazards. This omission undermines the reliability of the proposed stormwater management and flood mitigation measures, as it does not account for the increased risk and impact demonstrated by this recent event. Including such data is essential to ensure a realistic evaluation of flood risks and the effectiveness of mitigation strategies.

4. Environmental Effects and Mitigation:

Insufficient Mitigation Measures: The proposed plan does not adequately address the adverse environmental impacts identified, particularly in relation to downstream flooding and the management of overland flow paths. The lack of robust mitigation measures contradicts both the Regional Policy Statement and the District Plan, which demand effective strategies to mitigate environmental impacts.

5. Sound Resource Management Practices:

Significant Infrastructure Constraints: The substantial infrastructure constraints, particularly with the wastewater network's inability to handle additional loads, demonstrate a disregard for sound resource management practices. Allowing the development to proceed without addressing these constraints could lead to increased environmental degradation and public health risks, which contradicts the principles of sound resource management that prioritize sustainability and environmental protection.

Insufficient Existing Resources: The proposed development's reliance on significant infrastructure upgrades highlights a lack of existing resources to support it. Advancing this plan change without ensuring that infrastructure can meet the increased demand fails to adhere to sound resource management practices, which emphasize the need for resource capacity to be established before development proceeds.

For these reasons, I strongly oppose the proposed zoning change. The plan change request not only fails to comply with the critical aspects of our regional and district planning frameworks but also demonstrates a concerning disregard for sustainable and sound resource management practices.

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

Submission date: 13 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - James Markwick
Date: Monday, 13 May 2024 9:45:43 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: James Markwick

Organisation name:

Agent's full name: James Markwick

Email address: james77@xtra.co.nz

Contact phone number:

Postal address:
 9 Taurus crescent,
 Beach Haven
 Beach Haven 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Plan Change 99 and rezoning from Residential – Single House Zone" to "Residential – Mixed Housing Urban Zone"

* introduce a precinct to both sites which incorporates the Medium Density Residential Standards (MDRS) in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

Property address: 96 Beach Haven Road and 13 Cresta Avenue:

Map or maps:

Other provisions:

Zone changes

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Developer not stated how large a development or how many apartments could or would be built Impact and also no provision for parking needed With higher density houses sometimes under plan change 99 likely to impact the area as to parking If no restrictions Parking and impact of the local street residents for increased traffic etc Keep the character of the existing neighbourhood

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

Submission date: 13 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Carol and Bob Hamilton
Date: Tuesday, 14 May 2024 11:30:37 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Carol and Bob Hamilton

Organisation name:

Agent's full name:

Email address: mayall65@gmail.com

Contact phone number:

Postal address:
32 Mayall Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Resource management practice (clause 25(4)(c))

Part 5 - Standards, Policy Statements and Plans (clause 25(4)(d))

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We have resided in Beach Haven since the early 1970s and witnessed significant development, some positive and some negative. Our community is exceptional, and Beach Haven Road holds a special place for us. However, changing the zoning in one area to allow high-rise buildings would be out of character with the existing surroundings and place pressure on existing infrastructure now and in the future and for this reason and the reasons identified below, we oppose the development.

Insufficient Parking Provision:

The proposed development offers 63 parking spaces for 80 apartments, potentially leading to a shortfall in parking availability. This discrepancy could result in an increased demand for on-street parking, which, despite current availability, could lead to parking congestion and affect the residential character of the neighborhood. Over time, as the area develops further or if parking

behaviors change, the shortage could exacerbate local traffic conditions and reduce the quality of life for existing residents.

Infrastructure Strain:

The existing road network may experience increased strain as traffic volumes grow. This could lead to longer term requirements for costly infrastructure upgrades, which may not have been fully considered in the planning stages. Overloading the existing infrastructure without immediate plans for enhancement could lead to deterioration in service levels and increased maintenance costs.

Potential for Overland Flow Path Obstruction:

Concerns about the overland flow path, particularly with alterations that might come with the development, could lead to issues with stormwater management. If not managed properly, modifications to the land could alter the natural drainage patterns, potentially increasing the risk of flooding, both on-site and in the surrounding areas, especially during severe weather events.

Stormwater Runoff and Flooding:

The stormwater management strategy for the proposed development relies on outdated models that do not include data from Cyclone Gabrielle, a significant weather event in 2023 that caused extraordinary rainfall and flooding. This oversight in the modeling process omits vital information necessary for understanding the area's flood risk. Consequently, the stormwater assessment does not accurately reflect the potential impacts of flooding. This deficiency could lead to further environmental degradation and fails to meet the District Plan's requirements for sustainable stormwater management and water quality protection.

Impact on Local Community and Environment:

The increase in density could affect the community dynamics, including increased noise, decreased privacy, and potential shadowing effects from new buildings, which may negatively impact the quality of life for existing residents. Furthermore, the development could strain local amenities and services, such as schools, parks, and emergency services, potentially leading to overcrowded facilities and decreased service quality.

Infrastructure Capacity and Development Sequencing:

The District Plan mandates that infrastructure must adequately support new development. The proposed rezoning reveals a need for substantial upgrades to the water supply and wastewater systems to handle the additional demand. Proceeding without these upgrades overburdens existing infrastructure and violates the District Plan's requirements for infrastructure capacity and development sequencing.

Insufficient Mitigation Measures:

The rezoning proposal lacks robust mitigation measures for the identified adverse environmental impacts, particularly concerning downstream flooding and overland flow paths. This deficiency contravenes both the Regional Policy Statement and the District Plan, which require effective strategies to mitigate environmental impacts.

Given these considerations and the proposal's failure to comply with both the Regional Policy Statement and the District Plan, we believe that proceeding with the rezoning and subsequent high-rise development without addressing these critical issues would be irresponsible and detrimental to the well-being of our community. We stand united in our opposition to ensure that Beach Haven retains its charm and remains a sustainable environment for current and future generations.

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

Submission date: 14 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Barbara Janis ROTHWELL
Date: Tuesday, 14 May 2024 5:45:37 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Barbara Janis ROTHWELL

Organisation name: N/A

Agent's full name: N/A

Email address: Janisnz2022@outlook.com

Contact phone number:

Postal address:
36/120 Beach Haven Road
Beach Haven
AUCKLAND 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The proposed Private Plan Change to rezone the above approx 7,147m² from Residential -Single house zone to Residential Mixed Housing Urban.

Also the new precedent to incorporate The Medium Density Residential Standards. section 77G(1) and 3A of the Resource Management Act 1991.

Property address: 13 Cresta Avenue and 96 Beach Haven Road Beach Haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I would like to suggest that the developer has a Resource consent application to be completed and made available to be viewed by the public along with Plan details of the developer's intention on what they have planned for this parcel of land. This would be required for over 3 dwellings anyway.

i am not convinced that the land can support the maximum number of dwellings that may be allowed under the current standards. Using the approx 7,147m², figure, supplied on the information, which may allow 25-80 dwellings, is probably not a fair or accurate assessment of the area to be developed as quite a large area comprises the entry ways from both Beach Haven Road and Cresta Avenue. There is also a substantial ditch running on the Cresta Avenue side along the whole length of the land which has probably helped with drainage for many years in this area and of that land.

With the already over development of this area and the stressed infrastructure I can see this being a problem, if that is filled to allow building it will not be stable for many a year and still be possibly undermined by the storm water needing somewhere to go.

i live in the apartments next to this proposed development and know that this change will be very hard on the ecosystem.

this area is not urban it is a suburb not equipped for urban living due to its position and the roads not planned or designed for major parked traffic from intense development.

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

48.1

Submission date: 14 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Geoffrey Wilding
Date: Tuesday, 14 May 2024 6:00:38 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Geoffrey Wilding

Organisation name:

Agent's full name: Geoffrey Wilding

Email address: wildigeoffrey@gmail.com

Contact phone number:

Postal address:
 1/35 Beachhaven Road Beachhaven
 Auckland
 Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
 Plan to Change 99 Private-13 Cresta and 96 Beach Haven Road, Beach Haven.

Property address: 13 Cresta and 96 Beach Haven Road

Map or maps:

Other provisions:
 Parking on public roads.

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

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

The reason for my or our views are:
 There is not enough room on the roads around the proposed 13 Cresta Ave 96 Beach Haven road for extra cars parked on road side for extra residents from this development.
 This development will also overload our storm, waste water network, schools, resources ec.....
 Beach Haven can not handle extra pressure on the Beach Haven community. I am against this devolvement and it will no positive effect on Beach Haven only negative.

Regards Geoffrey Wilding.

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

Submission date: 14 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Anna Lee Smith
Date: Tuesday, 14 May 2024 7:30:36 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anna Lee Smith

Organisation name:

Agent's full name:

Email address: nzannalee@gmail.com

Contact phone number:

Postal address:
1/17 Cresta Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
The rezone of Residential – Single House Zone to Residential – Mixed Housing Urban Zone

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
There is not enough infrastructure on Cresta Ave and Beach Haven Road to support the high number of dwellings proposed. The lack of carpark spaces available within the property will cause overcrowding of vehicles on the roads and those surrounding. The large number of dwellings will over-populate the area as well, it is zoned for residential - single housing and should stay that way.

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

Submission date: 14 May 2024

Attend a hearing

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

| 50.1

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Helen Lesslie
Date: Wednesday, 15 May 2024 2:00:58 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Helen Lesslie

Organisation name:

Agent's full name: Helen Lesslie

Email address: helennorfolk@gmail.com

Contact phone number:

Postal address:
80 Paragon Avenue
Auckland
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

rezone approximately 7,147m² of land, at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven, from Residential – Single House Zone to Residential – Mixed Housing Urban Zone introduce a precinct to both sites which incorporates the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I oppose the rezoning of these properties for several compelling reasons:

1. Dangerous Narrow Road into Development: I lived at 92a Beach Haven Road from 2021 to 2022. The road outside this property, leading to Cresta Avenue, is perilously narrow, allowing only one car to pass at a time due to parked cars lining both sides, especially during mornings, afternoons, and weekends. Crossing this road is extremely hazardous as vehicles speed around the roundabout, and buses struggle to navigate through traffic congestion. Residents of Beach Haven are all too familiar with the frustration this road causes, and adding more traffic will only increase the danger.

2. Inadequate Infrastructure: During my time at 92a Beach Haven, our property experienced

sewage overflow four times within three months. This was due to blockages in the main sewage system, exacerbated by waste from local cafes and restaurants. The infrastructure clearly cannot support additional development without significant upgrades.

3. Car Parking Issues: Cresta Avenue, a dead-end road, serves the Birkenhead Football Club, Beach Haven Bowling Club, and Beach Haven Squash and Tennis Club. On weekends, the road is completely congested with parked cars. The growing membership of the Birkenhead Football Club will only worsen this situation. Additionally, the planned basketball court and proposed community marae will dramatically increase traffic and parking demands.

4. Single House Zone Integrity: Allowing this rezoning application sets a dangerous precedent for future developments, undermining the purpose of zoning regulations. A single house zone is not meant to accommodate 81 houses, 60, or even 40. Approving this application would be a gross deviation from the intended zoning restrictions.

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

Submission date: 15 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Keitha Turner
Date: Wednesday, 15 May 2024 3:00:44 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keitha Turner

Organisation name:

Agent's full name:

Email address: keitha@lamz.kiwi.nz

Contact phone number:

Postal address:
6 Wanganella Street
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach have Road

Map or maps:

Other provisions:

rezone approximately 7,147m² of land, at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven, from Residential – Single House Zone to Residential – Mixed Housing Urban Zone
introduce a precinct to both sites which incorporates the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

That the intensification in that area will be detrimental to the community.

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

Submission date: 15 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Alison Ann McGlashan
Date: Wednesday, 15 May 2024 3:46:10 pm
Attachments: [FD Beachhaven Submission AM.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alison Ann McGlashan

Organisation name:

Agent's full name:

Email address: annmcglashan@gmail.com

Contact phone number:

Postal address:
28 a Cresta Avenue
Beachhaven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
Please read my attached file.

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

53.1

Submission date: 15 May 2024

Supporting documents
FD Beachhaven Submission AM.pdf

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

I write in support of the Beachhaven community maintaining its unique role in providing a place for people to coexist and nurture our young, in a climate of genuine friendship, concern for others.

Beachhaven has found the balance of a place where families with children feel safe and supported by the thought and kindness of the people around them. Part of the nature of this community is its physical placement on the edge of an upper harbour coastline, with no through roads to other townships. It is quiet with a welcoming centre and at its core is the human approach of friendship.

It is very concerning that a company driven purely by fiscal gain can speak against the Council Unitary Plan and keep applying pressure on our community. The community has clearly stated the wishes of its people in a recent submission and hearing process to halt the planning of many high-rise units at 13 Cresta Ave and 96 Beach Haven Rd. Purely for their own monetary gain a further proposed alteration to Plan Change 99 retains the threat to our community of increased pressure on our fragile infrastructure. Our services are stretched as evidenced by the long repair and traffic disruption caused by hurricane Gabrielle. Our service roads are at present stretched with the sheer volume of cars on narrow roads with much road side parking. Our stormwater and waste water disposal systems require review and serious work to lift them from just meeting current needs to an efficient larger township status.

I strongly oppose any further approaches to swell and irreversibly alter this effective, quiet, supportive community that has at its heart first and foremost, a focus on nurturing its people.

I oppose Private Plan Change 99 and ask that Council refuse this application.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Keith Salmon
Date: Wednesday, 15 May 2024 10:45:36 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keith Salmon

Organisation name:

Agent's full name: Keith Salmon

Email address: kwsalmon@gmail.com

Contact phone number: 0212409414

Postal address:

7 Awanui St
Birkenhead
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The entire proposal

Property address: 96 Beach Haven Road and 13 Cresta Avenue:

Map or maps: The entire proposal

Other provisions:

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

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

The reason for my or our views are:

The city went through a long and expensive Unitary Plan process which designated enough high density land near transport zones to meet housing demand for the foreseeable future.

It is totally unacceptable for developers to buy up blocks of low density land and put the neighbourhood through the expense and stress of defending the agreed Unitary Plan.

Auckland Council should oppose any attempts by developers, central government or other agencies to override the democratic and legal processes that underlie the Unitary Plan.

I ask that the proposal should be rejected in its entirety and the properties should conform with the Unitary Plan.

If the Unitary Plan can be regularly undermined by government or developers, it undermines the

confidence that the population should have in legal planning processes.

In addition, additional intensification will see urban vegetation reduced to the disbenefit of the community.

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

54.1

Submission date: 15 May 2024

Attend a hearing

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

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

Yes

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Mel and Max ChapmanGataua
Date: Thursday, 16 May 2024 7:30:35 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Mel and Max ChapmanGataua

Organisation name:

Agent's full name:

Email address: melchapmangataua@gmail.com

Contact phone number:

Postal address:

3 Caram place

Birkenhead

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

PC 99

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Beach Haven is already high density and becoming very unsafe. My kids go to beach haven primary and we are members of the Birkenhead United football club. It is practically impossible to get my boys to football as it (we use Cresta now as all other parking/access points are completely jam packed). We do not need anymore high density housing in our area. It's ridiculous how much is being packed into our tiny little part of Auckland as it is. If this plan goes ahead it set a precedent for other developers trying to build unsuitable buildings in our area and there is already enough. The gangs in beach haven already have a huge presence m. They don't need further high density options down the track to grow a larger population. The school is becoming unsafe and is already at capacity. We don't have room for more. Please stop.

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

Submission date: 16 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Craig Stanton
Date: Thursday, 16 May 2024 7:30:36 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Craig Stanton
Organisation name:
Agent's full name:
Email address: 01.carrack.sniffs@icloud.com
Contact phone number:
Postal address:
81 Rosecamp Road
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)
Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Property address: All of Beach Haven
Map or maps:
Other provisions:

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

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

The reason for my or our views are:

Turning Beach Haven into a suburb of apartment blocks is not the right way to solve the housing crisis. It is a way to line the pockets of the property developers, over stretch our infrastructure and forever change the character of the place.

Before building new houses with inadequate private and public transport options we need to build bike paths, improved bus and ferry options. Only then can you build 70+ homes without enough parking.

All this would be enough if the council were the ones suggesting the plan change, but for a developer to be denied planning permission and then ask to change the rules so they can go ahead and build anyway.. it's beyond words.

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

Submission date: 16 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Elisabeth Morgan-Reeve
Date: Thursday, 16 May 2024 8:00:50 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elisabeth Morgan-Reeve

Organisation name:

Agent's full name:

Email address: beth.morganreeve@gmail.com

Contact phone number: 02102997375

Postal address:

Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Plan Change 99 in its entirety.

Property address: 13 Cresta Ave Beach Haven and 96 Beach Haven Rd Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Auckland Council Unitary Plan was adopted following a long and expensive process which included considerable public consultation. This plan earmarked enough high density land for intensification to meet Auckland's housing needs well into the future. For a developer to be able to influence a plan change for their own financial gain is abhorrent.

I strongly object to a developer knowingly purchasing land zoned Single Housing with the intention of intensive development and then expecting to change the rules by instigating a plan change to one of Mixed Housing Urban. This is profiteering at its worst and at the communities expense.

In 2023 the Auckland Council Hearing Commissioners resolved that this developer's resource application to build 72 apartments on this land was declined in its entirety. Those concerns still remain today; nothing has changed. The environment, the infrastructure, the community makeup etc are the same now as they were in 2023.

The applicant for Plan Change 99 says the redevelopment of the plan change area will enable intensive development and more efficient use of land adjoining a local centre and within walking distance to Beach Haven marina. The local shops are \$2 shops, a bakery, hairdresser, land agents, op shop. There is no supermarket and neither is there a petrol station. The Beach Haven “marina” is a terminal for one ferry at a time. According to the Merrimack-Webster dictionary a marina “is a dock or basin providing secure moorings for pleasure boats and often offering supply, repair, and other facilities”. The use of this word in this context is deceptive.

13 Cresta Avenue and 96 Beach Haven Rd are not on arterial roads. From the local shops down to the jetty it is a narrow road where cars need to give way to others as the road can become congested particularly at the weekends when activities at Shepherds Park are in full swing and parking is in high demand. Such large intensification of this particular piece of land would be to the detriment of the local community.

The infrastructure needed to support intensification of this land area will be very expensive and Council is already facing financial challenges (impacting on the rate payer) and with climate change, environmental degradation and ageing infrastructure these challenges will worsen.

I fear that this proposed plan change could set a precedent for further undermining of the Unitary Plan and impact on the communities trust in the process and in the law.

I strongly oppose Plan Change 99 and it must be declined in its entirety.

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

57.1

Submission date: 16 May 2024

Attend a hearing

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

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

Declaration

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

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

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

No

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

15 May 2024

Objection to Plan Change 99(Private) – 13 Cresta Avenue and 96 Beach Haven Road,
Beach Haven

I write in response to Therese Stickland of Auckland Council's letter of 12 April 2024.

A significant area of Beach Haven has already been designated as a Residential – Mixed Housing Urban Zone (MHU). There have already been a number of sites in the existing MHU zone that have been redeveloped to 3 storey multiple dwellings which appear to be in accordance with density standard of Part 2 Section 3A of the RMA. The effect on these developments has been noticeable, changing the character of Beach Haven for the worse. The increase in street parking has been particularly noticeable. As further sites in the existing MHU zones become redeveloped to the higher density standards, the available on-street parking will become overloaded.

Extensive on-street parking is already becoming a safety issue as drivers do not have a clear view of the footpath and berm in those areas where there are multiple vehicles parked and the drivers are therefore unable to see in advance if a person such as a child was about to cross the road. The pedestrians are conversely often unable to see the traffic before stepping onto the road.

Clear kerbside areas are required during refuse collection days for the 3 bins per household, spaced so that the rubbish truck mechanical grabs can effectively empty each bin. This reduces the available on-street parking. I note that the Commute parking survey was conducted on a Thursday evening which is a normal rubbish collection day and typically have lower number of vehicles parking on the road. In my experience numbers of vehicles parking on the adjacent roads are now higher than Commute claim. In addition, on-street parking is also at high capacity when there are events at Shepherd's Park

The submission recognises that there is a shortfall on the proposed development of 39 car parking spaces and they propose that on-street parking would be required for those 39 cars. As indicated above, on-street parking will become exhausted by the redevelopment of a small proportion of sites in the existing nearby MHU zone. There will be no capacity for the on-street parking of the proposal. Beach Haven is already at capacity for MHU areas now and further proposals for areas to be redesignated as MHU zoning should be rejected

I disagree with 1.6.2 of B&A memorandum. The streetscape will be detrimentally affected by the proposed development of the site. The streetscape would have an extra 39 cars parked to the detriment of the landscape, resulting in loss of amenity, if the proposed development was to be implemented.

The proposed development is for all intensive accommodation over the site and is not 'a wide range of housing typologies, including detached, terrace and low-rise apartments' as highlighted in the B&A memorandum that Mixed Housing should be. The proposal does not therefore meet MHU zone requirements and should be rejected on that basis alone, amongst others.

The existing site is predominantly pastureland. This provides bio-detention, bio-filtration and bio-retention. The proposal is for a largely impervious site. The site will generate stormwater pollution including from toxic run off from vehicles etc., but despite the proposal of filtration being installed, the water quality will be reduced and the volume of stormwater increased discharging to the sensitive harbour environment during 10% AEP event. The water quality will be further reduced, and water volume flow increased further compared to that existing with lower percentage AEP events, which are set to be more frequent due to climate change.

In summary I disagree with the proposed development and proposed rezoning of the site and ask that they be rejected.

58.1

Stephen Hogg

44 Rambler Crescent, Beach Haven,

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Catherine Reina Conrad
Date: Thursday, 16 May 2024 11:00:52 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Catherine Reina Conrad

Organisation name:

Agent's full name: Catherine Reina CONRAD

Email address: cathconrad@icloud.com

Contact phone number: 0274839989

Postal address:
45 Beach Haven Road
Auckland
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Plan Change 99 (Private)

Property address: 13 Cresta Avenue, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

We purchased our home in October 2023 under the notion under the Single House Zone with Auckland Council. BeachHaven Road itself is extremely busy now with the current residents and visitors that come through to use the parks, beach, ferry service and at times you can be waiting for 5 minutes for cars to transition through the road from one end to the other. I have lived in the area for 44 years and there has been a huge increase in builds in the area which are concerning in relation to the infrastructure. Would consent to townhouses to be built but not apartments.

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

Submission date: 16 May 2024

Attend a hearing

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

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Sean Crawford
Date: Thursday, 16 May 2024 11:15:44 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sean Crawford

Organisation name:

Agent's full name:

Email address: c_s.crawford@live.com

Contact phone number:

Postal address:
 22 Rambler Cres Beach Haven
 Northcote
 Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
 Traffic Flow/Access To Beach Haven West

Property address: 13 Cresta Ave

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

We have lived in Rambler Cres for 60+ Yrs (Family Built Home)And have seen Incredible Congestion of our Roads and Shopping Centre. Multiple Town Houses(Per section) are Marching Down Rangatira and Beach Haven Rds Like a Domino Effect as the Adjacent Owners Sell Up and Move Away Allowing Developers (like Tuakira Properties Etc)To Snap up Another (Family Property) for Multiple Housing Sites.The Main Rd To Ferrys/Shepherds Park/Tui Park From the Local Shop centre Round-about has Turned into a Gauntlet-Run Dodging Buses/Parked Cars/Tradies/Couriers /Locals etc when Heading-Out(Peak Times-Weekend Sports Days Are Worse) 13 Cresta Development(Access To Apartments) Will only Increase this Problem (Our Only Way In and Out Of The Area--Bring on Lake Rd Devonport!!!!).Seems To Me a case of Put-up Or Move-On (Boomer) Whilst The Developers Retire to there Life-Style Properties Out of Auckland No Doubt.

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

Submission date: 16 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - meinita crerar baker
Date: Thursday, 16 May 2024 11:15:48 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: meinita crerar baker

Organisation name:

Agent's full name: meinita crerar baker

Email address: meinita_baker@hotmail.com

Contact phone number:

Postal address:
 135 Rangatira road
 Beach havend
 Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: cresta ave

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

Traffic, with all the infill housing and the resulting on-road parking is at maximum as it is. We do not need more traffic, it is just about impossible to get out of your drive way at present on Rangatira road. Buses have to crawl past each other. The infrastructure is not suitable

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

Submission date: 16 May 2024

61.1

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

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

A N D

IN THE MATTER of a submission under
clause 6 of the First
Schedule to the RMA on
Private Plan Change 99:
13 Cresta Avenue and 96
Beach Haven Road

**SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 99
TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

To: Auckland Council

Name of submitter: Auckland Council
(contact: Craig Cairncross)

Address for service: 35 Albert Street
Private Bag 92300
Auckland 1142

INTRODUCTION

1. This is a submission on Private Plan Change 99: 13 Cresta Avenue and 96 Beach Haven Road (the **plan change**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) by Beach Haven Apartments Limited (the **Applicant**).
2. This submission by Auckland Council is in its capacity as submitter (**ACS**).
3. ACS could not gain an advantage in trade competition through this submission.

THE SPECIFIC PROVISIONS OF THE PROPOSAL THE SUBMISSION RELATES TO

4. This submission relates to the plan change in its entirety and all provisions including:
 - a. the Beach Haven Precinct (the **Precinct**); and
 - b. the Auckland Unitary Plan Maps.

SUBMISSION

5. ACS opposes the plan change, unless the matters raised in this submission are addressed. Specifically, ACS opposes the following aspects of the plan change:
 - a. The lack of recognition of qualifying matters relating to wastewater infrastructure constraints that make higher density zoning and the application of the Medium Density Residential Standards inappropriate in the Precinct.
 - b. An inadequate assessment of the flood impacts on downstream properties.
 - c. The lack of plan provisions for MDRS enabled subdivision to enable control to be exercised over management of the effects of stormwater at the time of subdivision.

Medium Density Residential Standards

6. The plan change has incorporated the Medium Density Residential Standards (**MDRS**), as required under Section 77G of the RMA. The requirements set out in the MDRS may only be less enabling of development if a qualifying matter, as set out in section 77I, is present.
7. While the plan change incorporates the MDRS, as is required by section 77G of the RMA, it does not take into account the presence of qualifying matters. ACS consider that amendments are required to the precinct provisions to reflect the presence of qualifying matters. These matters relate to constraints in the bulk wastewater network.

Wastewater constraints

8. The Section 32 Assessment Report acknowledges that the land within the plan change is subject to the Infrastructure Water and/or Wastewater Constraint Control that was notified as part of Proposed Plan Change 78. The plan change provisions for the Precinct do not include this control and instead rely on an existing agreement with Watercare Services Limited (**Watercare**).

9. ACS understands that Watercare intends to file a submission addressing wastewater and water supply issues. For the purposes of its submission, ACS notes that the wastewater transmission network capacity constraints in the Beach Haven catchment are not anticipated to be resolved for up to 15 years, as investigations by Watercare are at an early stage.
10. The National Policy Statement on Urban Development (**NPS-UD**) and Auckland Regional Policy Statement (**RPS**) Chapters B2 and B3 of the AUP contain objectives and policies that place strong emphasis on the importance of ensuring the integration of infrastructure and land use planning. Section 75(3) of the RMA requires the plan change to “give effect to” these higher order provisions. This is a strong directive requiring the relevant objectives and policies to be implemented.¹ Examples of these provisions include:
- a) Objective 6 of the NPS-UD which requires local authority decisions on urban development that affect urban environments to be “*Integrated with infrastructure planning and funding decisions*”.
 - b) RPS provisions in chapters B2 and B3 that address the need for the integration of infrastructure provisions, planning and funding with land use, and the timely, efficient, and adequate provision of infrastructure, including objective B2.2.1(1); policy B2.2.2(7); objective B2.4.1(1A)² and (2)³; policies B2.4.2(4)(e)⁴, (5)(c)⁵ and (6); objective B3.2.1(5).
11. ACS considers that higher density and application of the MDRS, as provided for by the plan change, is inappropriate. This is due to the likely timeframe for upgrades to the wastewater transmission network serving the Beach Haven catchment. ACS considers that the proposed zoning and Precinct provisions are not the most appropriate to achieve the purpose of the RMA.

Stormwater management and flood effects

12. The Section 32 Assessment Report identifies that the plan change area is traversed by an overland flow path and that a desktop Flood Assessment has been provided.
13. ACS is concerned that there is insufficient assessment of the flood effects on downstream properties. Specifically, ACS is unable to ascertain from the information provided whether existing downstream flooding issues may be exacerbated by more intense development occurring within the plan change area. The impact of altered hydrological conditions, including the volume, frequency of

¹ *Environmental Defence Society Inc v New Zealand King Salmon Company Ltd* [2014] NZSC 38 at [77].

² As added by the decision on Plan Change 80

³ Amended by the decision on Plan Change 80

⁴ As amended by the decision on Plan Change 80

⁵ As amended by the decision on Plan Change 80

discharges and the extent of flood flow depths is not able to be determined with the necessary level of confidence. In the absence of this information, ACS does not support the plan change.

- 14. Without derogating from these concerns, ACS notes that as the plan change incorporates the MDRS, some forms of subdivision are classified as a controlled activity.⁶ There are no matters of control relating to the management of stormwater effects, however there is an assessment criterion relating to the management of stormwater effects.⁷ If the plan change is approved with the MDRS incorporated, the matters of control should be amended to enable consideration of the management of the effects of stormwater to align with the associated assessment criterion. This would be consistent with clause E38.12.1(7)(b) of the AUP, which applies to subdivision not associated with MDRS enabled development.

Minor error

- 15. While ACS seeks the plan change is declined, it has identified a minor error that should be corrected if the plan change is approved. This error relates to a reference to E88.8 under clause IXXX.7.2(c)(iii).

DECISION SOUGHT

- 16. ACS seeks the that the plan change is declined in its entirety, unless the matters raised in this submission are addressed. 62.1
- 17. In the alternative to the primary relief, ACS seeks the following decisions if the plan change is approved:
 - a. Amend the planning maps and/or add a plan to the Precinct to identify that the land within the plan change area is subject to a wastewater infrastructure constraint. 62.2
 - b. Amend the Precinct description to identify that there are capacity constraints in the bulk wastewater infrastructure network serving the Beach Haven catchment.
 - c. Amend the Precinct to add new objectives and policies to only enable subdivision and development where there is sufficient wastewater infrastructure capacity.

⁶ As is required under Schedule 3A to the RMA

⁷ IXXX.7.2(1)(c)(ii)

- d. Amend the MDRS provisions and all associated explanatory text in the Precinct, to recognise the presence of a qualifying matter, namely wastewater infrastructure capacity constraints.
- e. Amend IXXX.4.1 Activity Table to add a new rule classifying two or more dwellings per site as a restricted discretionary activity, due to wastewater infrastructure constraints.
- f. Amend IXXX.4.1 Activity Table to add a rule classifying subdivision as a restricted discretionary activity, due to wastewater infrastructure constraints.
- g. Add matters of discretion and assessment criteria for two or more dwellings per site and subdivision within the Precinct relating to wastewater infrastructure and servicing.
- h. Amend IXXX.9 Special information requirements to require all applications for two or more dwellings and subdivision to provide a Wastewater Infrastructure Capacity Assessment.

62.2
cont.

18. In addition to the alternative relief, ACS seeks the following decisions if the plan change is approved with the MDRS incorporated:

- i. Amend IXXX.7.1(1)(c) to read ‘the effects of infrastructure provision and management of effects of stormwater.’
- j. Amend IXXX.7.2(c)(iii) to refer to ‘E38.8’ (not E88.8).
- k. Amend IXXX.7.2(c)(iii) to list policy E38.8(22).

62.3

19. ACS seeks any other alternative or consequential relief to address the matters outlined in this submission.

APPEARANCES AT THE HEARING

- 20. ACS wishes to be heard in support of its submission.
- 21. If others make a similar submission, ACS will consider presenting a joint case with them at the hearing.

DATED 16 May 2024

On behalf of Auckland Council as submitter:



Craig Cairncross, Manager Central South (Acting), Plans and Places

Address for service:

Craig Cairncross
Email: craig.cairncross@aucklandcouncil.govt.nz
Telephone: 09 301 0101

Postal address:
Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Geoffrey John Dawson
Date: Thursday, 16 May 2024 5:45:44 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Geoffrey John Dawson

Organisation name: N/A

Agent's full name: N/A

Email address: geoff@inaqua.co.nz

Contact phone number:

Postal address:
42 Rambler Crescent
Auckland
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

I do not know the specific rules that this relates to but can state the general rule that my submission relates to and that is of traffic management. More later.

Property address: 13 Ave & 96 Beach Haven Road, Beach Haven

Map or maps: The entire Beach Haven point peninsula from the junction of Beach Haven & Rangatira Roads

Other provisions:

Traffic, parking

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

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

The reason for my or our views are:

The peninsula surrounded by sea contains several hundred properties as Council will be aware served by a single access road with no alternative exit. Within this area this single no-exit road (Beach Haven Road from the junction with Rangatira Road) there are 3 other no exit roads - Cresta Avenue, Gazelle Avenue and Rambler Crescent. Since the Beach Haven ferry service has been instituted traffic entering and exiting the already congested section of Beach Haven Road has increased and further intensive development in Cresta Avenue is only going to increase the traffic trying to enter the peninsula from a 3 way roundabout that is already crowded and aggravated by traffic to and from the shops at this junction. There are many times where it is difficult to travel the section of road between the roundabout to Rambler Crescent and further due to cars parked on both sides of the road creating one-way traffic, a situation that can only worsen the congestion at

the roundabout. I stress again that there is a large community in the area which has 3 dead-end streets accessed from a single entry point containing several hundred houses and more residents together with traffic accessing the Tennis complex in Cresta and the Ferry wharf at the end of Beach Haven Road. Increased population is fine, increased traffic on the road is not. We do not need dozens more cars clogging up the access point particularly during rush hours when there is no alternative route.

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

63.1

Submission date: 16 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Harriet Bennett Allan
Date: Thursday, 16 May 2024 7:30:42 pm
Attachments: [Submission on application for Plan Change.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Harriet Bennett Allan

Organisation name:

Agent's full name:

Email address: HAllan@actrix.co.nz

Contact phone number: 0284662754

Postal address:
65A Beach Haven Road
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The requested to permit the rezoning of 13 Cresta Avenue and 96 Beach Haven Road as Residential Mixed Housing Urban. And the request to introduce a precinct to these sections incorporating the Medium Density Residential Standards.

Property address: 13 Cresta Avenue and 96 Beach Haven Road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
See attachment for the reasons.

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

Submission date: 16 May 2024

Supporting documents
[Submission on application for Plan Change.pdf](#)

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Application for Proposed Rezoning at 96 Beach Haven Road and 13 Cresta Avenue, Beach Haven

Currently, it is unclear what the developer plans to build, so I am uneasy about letting this proposal through, especially as, in essence, granting his application would enable the developer to do whatever he wants regardless of the impact it may have on the immediate neighbours or wider community.

I am particularly concerned about several lines in the application (highlighted below), which I interpret as saying that, if the application is approved, the developer will be able to flout the rules without any public consultation:

Any application for resource consent for the construction and use of one, two or three dwellings listed in Activity Table IXXX.4.1(A1) above that does not comply with one or more of the following standards listed in IXXX.5(1)(a)-(h) will be considered without public notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991 . . .

Any application for resource consent for the construction and use of four or more residential units that comply with the density standards (IXXX.6.1.1) will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991 . . .

Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of: (

a) one, two or three dwellings that do not comply with one or more of the Standards listed in IXXX.5(1); or

(b) four or more dwellings that comply with all the Standards listed in IXXX.5(2).

In other words, the developer is indicating an intention either to build under three buildings that don't comply with regulations or else build more buildings than the current zoning allows for. This disregard for the interests and welfare of neighbours seems totally unreasonable. And its disregard for the Council's own regulations makes a mockery of having any standards at all.

Given the evident intent behind this, I am strongly opposed to granting any change in the zoning because I simply cannot trust the developer will build anything that will benefit the neighbourhood.

The uncertainty behind the new government's attitude to the MDRS and Plan 78 means we cannot currently assume anything for certain about future zoning. The urgency to rezone these sections is the developer's, but that doesn't mean it should be rushed through when so many things are still unsettled.

Obviously more accommodation is needed, but decent accommodation that is in keeping with and enhances the neighbourhood, without compromising the lifestyle of those living nearby.

Without knowing the developer's plans, there is no guarantee this would be a priority, and going on his previous application it is very likely not to be. The impact on parking, access, the natural environment and birdlife, infrastructure, including adequate sewerage, light to neighbouring houses, stormwater issues, minimal bus routes and roads in and out, the lack of major facilities (eg no library, main supermarket, major shops, etc), interrupting the skyline, among other things, cannot be properly judged when we don't know what is planned. And if this application goes through the community would have no say over protecting these things.

The property is primarily on Cresta Avenue, where the other properties are currently zoned Residential Mixed Housing Suburban and predominantly single to two-storey houses, stretching down to the wharf end on Beach Haven Road. The current zoning rules are sufficient in themselves to allow the development of medium-density living consistent for the area.

Conclusion

The Council is requested not to permit the rezoning of these sites as Residential Mixed Housing Urban. It is recommended that they be rezoned Residential Mixed Housing Suburban or remain Residential Single House.

64.1

The Council is requested to decline the introduction of a precinct incorporating the Medium Density Residential Standards.

64.2

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Charles Ronald Grinter
Date: Thursday, 16 May 2024 7:30:45 pm
Attachments: [Proposed Rezoning at 96 Beach Haven Road and 13 Cresta Avenue Beach Haven.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Charles Ronald Grinter

Organisation name:

Agent's full name:

Email address: charlesgrinter@gmail.com

Contact phone number: 022 0242 753

Postal address:
65A Beach Haven Road
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach Haven Road

Map or maps:

Other provisions:
Rezoning from Single House Zone to Residential Mixed Housing Urban
Introduction of a precinct to both sites which incorporates the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

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

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

The reason for my or our views are:

I seek to have the two plots of land rezoned Residential Mixed Housing Suburban in keeping with the neighbouring properties on Cresta Avenue and most of the properties to the west of Rangatira Road. This would enable more intensive development than the Single Housing zone that is more in keeping with the surrounding neighbourhood. It will also place less strain on transport and water infrastructure in the area, both of which are close to peak capacity at present.

I am opposed to the introduction of a precinct which incorporates the Medium Density Residential Standards as effectively overriding rezoning. The developer is able to construct sufficient housing for the area and for their benefit without going beyond the constraints of Residential Mixed Housing Suburban zoning rules.

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

Details of amendments: Alteration of the change to Residential Mixed Housing Urban to Residential Mixed Housing Suburban and Decline the Introduction of a precinct incorporating the Medium Density Residential Standards.

Submission date: 16 May 2024

Supporting documents

Proposed Rezoning at 96 Beach Haven Road and 13 Cresta Avenue Beach Haven.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Proposed Rezoning at 96 Beach Haven Road and 13 Cresta Avenue, Beach Haven ^{# 65}

Submission by Charles Grinter, 95A Beach Haven Road

Everyone acknowledges that more accommodation is needed, and that higher density is a necessary solution to the shortage of housing in Auckland. But that doesn't mean that the quality of life of existing residents should be unreasonably compromised and that development should occur without corresponding improvement of necessary infrastructure.

This proposal seeks to rezone the two properties at 96 Beach Haven Road and 13 Cresta Avenue from Residential Single House Zone to Residential Mixed Housing Urban. While this is consistent with the immediately neighbouring properties on Beach Haven Road, it is inconsistent with the neighbouring properties on Cresta Avenue and to the west on Beach Haven Road. Those properties are zoned Residential Mixed Housing Suburban. Rezoning 96 Beach Haven Road, which doesn't really count as Beach Haven Road as it is really a Cresta Avenue property connected to Beach Haven Road by a long narrow track, and 13 Cresta Avenue as Residential Mixed Housing Suburban would be more consistent with the single to two-storey houses on three sides and on the entire area beyond the wharf end roundabout the intersection of Beach Haven Road and Rangatira Street.

The zoning rules for Residential Mixed Housing Suburban are sufficient in themselves to allow the development of medium density living appropriate for the area and so we oppose the introduction of a precinct incorporating the Medium Density Residential Standards for these sites.

The character of the area and its infrastructure

Beach Haven is a pleasant and small community that is a suburban *cul-de-sac*, a destination beach suburb that is lightly served by schools, medical services, daycares, and shopping. The key word here is 'lightly'. There is one small Four Square supermarket at the intersection of Lancaster and Beach Haven Roads. There are no nearby library facilities and one older community hall and a smaller community centre that need much more investment and capacity if they are to provide adequately for what could be a 20% increase in the number of residential dwellings in the area to the west of the Rangatira Road and Beach Haven Road intersection. I am concerned about the difficulties of adequately provisioning life for the residents. The closest supermarkets are in Glenfield and Highbury, which are twenty to thirty minutes journeys by bus in off peak or an hour if one is walking. Beach Haven is not a major shopping or commercial area, and its community facilities are very limited; this is not a centre but a very small outer suburb with a handful of minor shops and two roads coming into it. Unlike Northcote, Birkenhead, or Glenfield, it does not have a supermarket. It does have superettes or dairies and a few takeaways.

The area might not be filled with well-heeled residents, but it is filled with well-feathered ones: among the native species there are ruru, tui, pīwakawka, waxeyes, heron, and shags, as well as many native lizards, insects and plants. The work of the Kaipatiki Project has done a lot to tackle weeds and to plant more native flora, and there are a number of nearby properties designated as Significant Ecological Areas. Intensification, with so much of the land built-up, rings the death knell to this important characteristic of the neighbourhood.

Beach Haven is lightly served by public transport and is not a transport hub. The ferry service operates only for part of the day and is too expensive for most residents at three times the cost of a bus. The bus routes service a large number of residential areas and consequently it takes a long time to get anywhere. Just to bus to Smales Farm can take 56 minutes. In the evenings, buses to and from Smales and the city are hourly and then two-hourly, before they cease altogether. This is not an

easily accessible suburb. You cannot live here easily without a car. Beach Haven Road ^{# 65} is already constricted at peak times and with a lot of parking east of Gazelle Road is effectively a one lane road, with the congestion that comes with that.

The development will add to the strain on the stormwater (a genuine concern in a time of climate change and something not well managed in this area). The two sections are identified in the reports as being prone to flooding and that has been an issue in 2023.

Likewise, there is inadequate Watercare capacity (including a bottle neck approximately 800m away from the subject site). Although Watercare are upgrading the network, Beach Haven has (as in other matters) been at the end of the queue when it comes to spending on such services, so confidence that this will happen in a timely or sufficient manner for this development is limited.

Conclusion

The Council is requested not to permit the rezoning of these sites as Residential Mixed Housing Urban. It is recommended that they be rezoned Residential Mixed Housing Suburban or remain Residential Single House.

The Council is requested to Decline the Introduction of a precinct incorporating the Medium Density Residential Standards.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Sarah Menzies
Date: Thursday, 16 May 2024 7:30:45 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Sarah Menzies

Organisation name:

Agent's full name: Sarah Menzies

Email address: s.menzies@actrix.co.nz

Contact phone number:

Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 96 Beach Haven Road and 13 Cresta Ave, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Auckland Council has no basis on which to allow this private plan change to proceed when Hearing Commissioners only last year declined resource application for 72 apartments on this same piece of land for reasons identified in expert evidence.

Auckland Council did not zone sites in Auckland as Mixed Housing Urban or higher under the Unitary Plan where it was evident that there would be detrimental effects on infrastructure and community. At the same time the Unitary Plan ensured that sufficient new housing would be provided (on appropriate) to meet Auckland's future needs.

The original zoning of the two sites in question as Single House Zone under the Unitary Plan was the result of an informed assessment of the sites. The land in question was zoned Single Housing when purchased by this developer. Despite this and despite knowing the range of reasons for objections to intensification, the developer is now applying to have the zoning changed to Mixed Housing Urban. This is when a hearing into intensification on this same site has already been held and, following it, the site confirmed as inappropriate for intensification for a host of reasons.

It is clear that developer profit is core to this private plan change, not the local or wider community interest. Please do not allow developers to undermine Council processes for their own profit at the wider community's expense in this way.

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

Submission date: 16 May 2024

66.1

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Cameron Mark Thorpe
Date: Thursday, 16 May 2024 8:45:37 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Cameron Mark Thorpe

Organisation name:

Agent's full name:

Email address: cammthorpe@gmail.com

Contact phone number:

Postal address:
56 Rambler Crescent
Beachaven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Plan Change 99 (Private)

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

This is a ridiculously large development for the area. The developers will not provide sufficient car parking for the amount of people proposed to live there. Cars will end up parking all over the surrounding roads creating a traffic nuisance as we have already seen with new developments already completed. Beachaven has already seen a large number of infill housing developments and the surrounding roads are clogged with parked cars day and night. The infrastructure is not there to support this type of large scale development.

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

Submission date: 16 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Letitia Welsh
Date: Thursday, 16 May 2024 9:45:40 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Letitia Welsh

Organisation name: Bilney Lodge Properties Limited

Agent's full name:

Email address: letitiawelsh@gmail.com

Contact phone number: 021483682

Postal address:

85A Beach Haven Road

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I strongly oppose the proposed plan change at 13 Cresta Avenue in Beach Haven. This development would significantly exacerbate existing infrastructure deficiencies, already stretched to their limits. Authorities such as Water Care and Healthy Waters have raised serious concerns about stormwater management and flood risks. These concerns highlight the area's inability to support further development under current conditions.

It's crucial to highlight that the stormwater management modelling in the proposal relies on data up to 2021, which fails to represent the current hydrological and geological conditions. Notably, it overlooks the effects of Cyclone Gabrielle in 2023, which resulted in significant flooding and erosion in Beach Haven. This oversight risks underestimating future flooding and erosion. In response to the cyclone, Mayor Wayne Brown proposed increasing funding by \$20 million annually to boost storm response and strengthen infrastructure resilience, highlighting the need for improved infrastructure resilience.

Furthermore, the plan to rezone the area for higher-density housing will significantly increase the number of residents and vehicles, putting a strain on the already limited parking resources. The plan provides only 63 parking spaces for 80 apartments, creating a shortfall that exacerbates existing parking challenges. This reliance on on-street parking, without considering the cumulative impact of future developments, is unsustainable and will lead to increased congestion and higher accident risks. During weekends, the overlap with peak park usage will intensify these issues, as both residents and visitors will compete for the same scarce parking resources.

The plan change request for 13 Creta Avenue fails to adhere to sound resource management practices as stipulated under Clause 25(4)(c), which emphasizes sustainable and beneficial community resource management. The proposed rezoning overlooks crucial issues such as inadequate stormwater management, potential flooding risks, and insufficient parking, which are fundamental to ensuring a sustainable environment. The push for rezoning without addressing these significant concerns disregards the essence of sound resource management, which seeks to harmonize development with environmental and community needs.

In addition, the plan change request is inconsistent with Part 5 - Standards, Policy Statements, and Plans, as outlined in Clause 25(4)(d). This clause requires that any proposed changes align with existing standards and policies to support the overall strategic vision for development and infrastructure within the area. Rezoning the land prematurely, without addressing the existing infrastructure deficits, contradicts the principles set out in this clause. The proposal fails to consider the capacity of local utilities and the adequacy of stormwater systems, which have been identified as insufficient by authoritative bodies such as Water Care and Healthy Waters.

It is imperative that we preserve the integrity and character of Beach Haven by rejecting this premature and inappropriate rezoning proposal. This action will help ensure that development within our community is both sustainable and aligned with the long-term interests of its residents.

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

68.1

Submission date: 16 May 2024

Attend a hearing

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

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

Declaration

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

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

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

No

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

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Eion Martin Bryant
Date: Friday, 17 May 2024 7:45:14 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Eion Martin Bryant

Organisation name:

Agent's full name:

Email address: eion@eionbryant.com

Contact phone number:

Postal address:
21 Gazelle Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

The change from Residential – Single House Zone to Residential – Mixed Housing Urban Zone and the introduction of Medium Density Residential Standards

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The neighbourhood has important natural resources that need protecting. The estuary, Tūi park and Shepherds Park are vital habitats for birds, fish etc. There is the potential for increased adverse effects to this natural resource from the overtaxing of infrastructure for sewage and stormwater. There is potential for considerable increase in domestic pets (cats) hunting in Shepherds park. The change would set a precedent for further intensive development within this neighbourhood and an increased effect on this important surrounding environment.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Tarn Drake
Date: Friday, 17 May 2024 2:15:13 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tarn Drake

Organisation name:

Agent's full name: Tarn Drake

Email address: tarnmcc@hotmail.com

Contact phone number:

Postal address:

4B Gazelle Ave

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach Haven Road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Oposing the proposal to change the Single House Zone to Residential – Mixed Housing Urban Zone in our coastal community is crucial for preserving the character and charm of our area. Such a shift could set a precedent for increased development, potentially altering the fabric of our community irreversibly. With ongoing urban development nearby, it's essential to maintain the balance and meet the demand for single housing, especially for families seeking stability and a sense of neighborhood cohesion. Protecting our coastal community ensures its continued appeal and sustains the quality of life we cherish.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

**Submission on Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road,
Beach Haven by Daisy Kay**

To: Auckland Council
Private Bag 92300
Victoria Street West
Auckland 1010

I, Daisy Kay at the address for service set out above makes the following submission on Plan Change 99 to the Auckland Unitary Plan Operative in part (“AUP:OP”).

Background

- The purpose of the proposed plan change, as detailed in the document, is to enable a more intensive residential development in the vicinity of the Beach Haven Local Centre and the Beach Haven Ferry. The applicant, Beach Haven Road Apartments Limited, is seeking to change the zoning of two properties from Single House to Mixed Housing Urban (MHU) in the Auckland Unitary Plan: Operative in Part (AUP:OP). This change is intended to facilitate the construction of a higher density of residences, which, in general, aligns with the broader urban development strategy of Auckland. The application suggests the strategic location of the properties, being adjacent to local amenities and transport links, makes it suitable for this kind of development. The plan change also aims to provide for development that will have minimal adverse effects on the environment, urban design, transport, open space, community facilities, and infrastructure servicing.

The properties that are the subject of the proposed plan change are 13 Cresta Avenue and 96 Beach Haven Road. The total site area is approximately 7,147m². The site is adjacent to the local centre. no precinct or overlays apply although the site is subject to airspace restrictions due to Whenuapai Air Base.

Scope of Submission

My submission relates to the transport provisions of PC99.

1. I do not support PC99 in its notified form, and request the plan change be rejected.
2. The reasons for this are, PC99:

- a. Is contrary to the sustainable management of the natural and physical resources and is otherwise inconsistent with Part 2 of the Act;
 - b. Will as proposed, impact significantly and adversely on the community and the ability of people to provide for their social, economic and cultural wellbeing.
3. I consider that there is insufficient infrastructure and services to support the development provided for under the plan change. In particular there is inadequate provision for vehicle parking associated with the development enabled by the plan change, there is currently insufficient street parking on Cresta Ave leading into Beach Haven Road, the road access and public transport services are already constrained and are currently inadequate to accommodate the increased demands the plan change will enable. This will result in an unsafe and further congested transport environment.
4. It will add pressure on local on street parking and public parking provided for the sports centre and recreation areas. It is likely, that the lack of on-site parking provided for by the Plan Change will encourage any residents/tenants in the development enabled by it to park in the nearby Beach Haven Sports Centre parking lot. During sporting events that frequent weekly in the local sports centre, Cresta Avenue and the sports centre parking lot are at full capacity restricting vehicle movement within the road.
5. I further consider an increase in dwellings within the area will increase stress on the already overloaded Onewa Road corridor as the existing bus transit system is only viable for downtown travel to the city centre.
6. Additionally, the frequency of the 966 bus is unreliable.
7. There is insufficient cycling infrastructure near the site to service the 72 bicycle parking spaces that have been proposed. Coupled with narrow roads and on street-parking, the lack of infrastructure to support cyclists raises concerns for safety including conflicts with vehicles and/or pedestrians.
8. I also note the closest supermarket to the site is Woolworths Glenfield which is not situated within reasonable walking distance, being approximately 4.3km from the site. It is acknowledged that there are nearby superettes in the local centre however these stores will be unable to sufficiently service the additional 72 dwellings that can be provided on the site as the applicants have identified (via PC99). Such density is better encouraged in other locations more able to support it (e.g. adjacent to supermarkets and well serviced transport routes).

9. Additionally, I contend PC99 will set a precedent for further high-density projects to be enabled in areas where the general existing infrastructure cannot sufficiently service. This is contrary to the Objectives and Policies of the AUP: OP, in particular but not limited to those identified below:

a. B2.4.1. [Objectives PC 80 (see Modifications)] (1) Residential intensification supports a quality compact urban form.

B2.4.2 Policies.... (6) **Ensure development is adequately serviced by existing infrastructure or is provided with infrastructure prior to or at the same time as residential intensification** [author emphasis].

b. B3.3.1. Objectives (1) Effective, efficient and safe transport that: (a) supports the movement of people, goods and services; (b) integrates with and supports a quality compact urban form; (c) enables growth; (d) **avoids, remedies or mitigates adverse effects on the quality of the environment and amenity values and the health and safety of people and communities** [author emphasis]; and € facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community

B3.3.2. Policies

.....

Integration of subdivision, use and development with transport

(5) Improve the integration of land use and transport by: (a) ensuring transport infrastructure is planned, funded and staged to integrate with urban growth; (b) **encouraging land use development and patterns that reduce the rate of growth in demand for private vehicle trips, especially during peak periods** [author emphasis]; (c) locating high trip-generating activities so that they can be efficiently served by key public transport services and routes and complement surrounding activities by supporting accessibility to a range of transport modes; (d) requiring proposals for high trip-generating activities which are not located in centres or on corridors or at public transport nodes to avoid, remedy or mitigate adverse effects on the transport network; (e) **enabling the supply of parking and associated activities to reflect the demand while taking into account any adverse effects on the transport system** [author emphasis]; and (f) **requiring activities adjacent to transport infrastructure to avoid, remedy or**

mitigate effects which may compromise the efficient and safe operation of such infrastructure [author emphasis];

....

c. E27.2. Objectives

(1) Land use and all modes of transport are integrated in a manner that enables:

(a) the benefits of an integrated transport network to be realised; and (b) the adverse effects of traffic generation on the transport network to be managed.

(4) The provision of safe and efficient parking, loading and access is commensurate with the character, scale and intensity of the zone..... [author emphasis];

E27.3. Policies ... (3) Manage the number, location and type of parking and loading spaces, including bicycle parking and associated end-of-trip facilities to support **all** of the following: **(a) the safe, efficient and effective operation of the transport network;** [author emphasis]; (b) the use of more sustainable transport options including public transport, cycling and walking; (c) the functional and operational requirements of activities; (d) the efficient use of land; (e) the recognition of different activities having different trip characteristics; and (f) the efficient use of on-street parking. [author emphasis]

10. Relief Sought

1. I seek the following decision from Auckland Council on PC99:

- a. That PC 99 be declined; or
- b. if PC99 is not declined, it should be amended to avoid adverse impacts on existing infrastructure and avoid adverse effects that will be generated or exacerbated by the development potentially enabled by the Plan Change, including Future Restricted Discretionary development to be required to address;
 - 1. transport and parking effects on transport corridors and in particular on Cresta Avenue and Beach Haven Road (including safety);
 - 2. impacts on other infrastructure, particularly stormwater, to avoid any adverse impacts on neighbouring properties and the local environment;

71.1

71.2

3. comply with a local area/precinct plan developed with Council and the Community that should provide, at a minimum, for: increasing access and facilities for frequent and more reliable public transport services; improving pedestrian and cycle safety within the road corridor; and for adequate parking on MHU zoned land that avoids adverse impacts on the existing capacity of the local area's public parking (including recreation).

71.2
cont.

2. I wish to be heard in support of this submission.
3. If others make a similar submission, I would be willing to consider presenting a joint case with them at hearing.



Daisy Kay

Dated this 17th day of May 2024



Submission on Proposed Plan Change 99 Auckland Unitary Plan (Operative in Part)

Clause 6 of First Schedule, Resource Management Act 1991

To: Auckland Council
Address: Private Bag 92300
 Auckland 1142
Email: unitaryplan@aucklandcouncil.govt.nz

Submitter: New Zealand Defence Force
Contact Person: Rebecca Davies, Principal Statutory Planner

Address for Service: New Zealand Defence Force
 C/- Tonkin + Taylor
 PO Box 5271
 Victoria Street West
 Auckland 1142
 Attention: Karen Baverstock

Phone: +64 21 445 482
Email: rebecca.davies@nzdf.mil.nz / kbaverstock@tonkintaylor.co.nz

Background

1. This is a submission on Proposed Private Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven ("PPC99").
2. The New Zealand Defence Force ("NZDF") operates the Royal New Zealand Air Force (RNZAF) Base Auckland at Whenuapai, located to the west of the PPC99 area. RNZAF Base Auckland is a significant Defence facility, of strategic importance regionally, nationally and internationally. Ensuring that this facility can continue to operate to meet Defence purposes under section 5 of the Defence Act 1990 is critical. Defence purposes include the defence of New Zealand, the provision of assistance to the civil power either in New Zealand or elsewhere in times of emergency, and the provision of public service when required. RNZAF Base Auckland is essential to achieving these purposes.
3. The location of the area subject to PPC99 (PPC area) is within Minister of Defence Designation 4311 "Whenuapai Airfield Approach and Departure Path Protection" (Designation 4311) which applies to the airspace in the vicinity of RNZAF Base Auckland. The purpose of the designation is "Defence purposes (as defined by section 5 of the Defence Act 1990) – protection of approach and departure paths".

4. Designation 4311 requires that no obstacle shall penetrate the approach and departure path obstacle limitation surfaces (OLS) (as shown on the planning maps and described in the designation) without the prior approval in writing of NZDF. Such obstacles present a significant safety risk for the operation of aircraft at RNZAF Base Auckland.
5. PPC99 proposes to zone the site Residential – Mixed Housing Urban Zone and apply the Medium Density Residential Standards. NZDF understands that PPC99 provides for a maximum total building height of up to 12m.
6. Across the PPC99 area, the separation distance between ground level and the OLS is approximately 51 – 59m. Accordingly, proposed permanent structure heights are unlikely to be an issue (although this is indicative only and should be surveyed). However, there is the potential for cranes, or other construction equipment, to be an issue during construction. NZDF wishes to highlight that any proposed intrusion into the OLS, including temporary intrusions required for construction equipment including cranes, will require prior written approval from NZDF in accordance with the requirements of Designation 4311. The applicant may also need to notify the Civil Aviation Authority (CAA) under Part 77 CAA Rules.
7. The impact to flight operations from unapproved crane use within the OLS is that it forces the closure of the RNZAF Base Auckland runway, which constrains the use of RNZAF Base Auckland. Whilst Designation 4311 should prevent this occurring, there have been many instances where NZDF has not been notified prior to the operation of cranes or erection of other temporary structures within the OLS. Incorporating provisions into the Precinct is therefore necessary to avoid risk to flight safety and operations, and will increase visibility and awareness of the OLS.
8. The objectives and policies in the Auckland Unitary Plan Regional Policy Statement (RPS) provide a strong policy direction for the protection of infrastructure. Policy B3.2.2(4) seeks to “avoid”, where practicable adverse effects on infrastructure in the first instance, or otherwise remedy or mitigate. Policy B3.2.2(5) seeks to “ensure” development “does not constrain” the operation and upgrading of existing infrastructure. PPC99 therefore needs to give effect to these objectives and policies by ensuring appropriate provisions are included in the AUP.
9. NZDF seeks an amendment to PPC99 to specifically reference the OLS and requirements in Designation 4311. The specific relief sought is set out in the attached table.

72.1

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

NZDF **wishes to be heard** in support of this submission.

If others make a similar submission, **NZDF will consider** presenting a joint case with them at the hearing.



17 May 2024

Date _____

Person authorised to sign
on behalf of New Zealand Defence Force

Point	Provision	Support/ Oppose	Reasons	Relief Sought
1	IXXX.1. Precinct Description	Oppose in part	<p>The proposed Precinct is subject to Designation 4311. Designation 4311 requires that no obstacle shall penetrate the approach and departure path obstacle limitation surfaces (OLS). Although the height of permanent structures is expected to be below the OLS, temporary construction structures such as cranes have the potential to penetrate the OLS and cause safety issues and require approval from NZDF and possible notification to the Civil Aviation Authority.</p> <p>PPC99 needs to give effect to the RPS objectives and policies by ensuring appropriate provisions are included in the AUP to protect this existing infrastructure.</p> <p>For clarity, NZDF considers that the existence of the designation and its requirements should be referenced in the Precinct chapter, including in the description.</p>	<p>Amend the Precinct chapter to reference Designation 4311 requirements.</p> <p>Amend IXXX.1 Precinct description to add a sentence referencing Designation 4311 (additions underlined):</p> <p>...</p> <p><u>The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without the prior approval in writing of the New Zealand Defence Force.</u></p>
2	IXXX.4. Activity table	Oppose in part	<p>The proposed Precinct is subject to Designation 4311. Designation 4311 requires that no obstacle shall penetrate the approach and departure path obstacle limitation surfaces (OLS). Although the height of permanent structures is expected to be below the OLS, temporary construction structures such as cranes have the potential to penetrate the OLS and cause safety issues and require approval from NZDF and possible notification to the Civil Aviation Authority.</p> <p>PPC99 needs to give effect to the RPS objectives and policies by ensuring appropriate provisions are included in the AUP to protect this existing infrastructure.</p> <p>For clarity, NZDF considers that the existence of the designation and its requirements should be referenced above the Activity table.</p>	<p>Amend IXXX. Activity table to add a sentence referencing Designation 4311 (additions underlined):</p> <p><u>Note 3</u></p> <p><u>The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without the prior approval in writing of the New Zealand Defence Force.</u></p>

72.2

72.3

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Airedale Property Trust
Date: Friday, 17 May 2024 3:46:03 pm
Attachments: [Airedale PC99 Submission_ctc.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Airedale Property Trust
Organisation name:
Agent's full name: Clare Covington
Email address: c.covington@harrisingrierson.com
Contact phone number: 0212888795
Postal address:
96 St Georges Bay Road
Parnell
Auckland 1052

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)
Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Precinct provisions as per the attached submission.
Property address: 98 Beach Haven Road
Map or maps:
Other provisions:
Refer to the attached submission
Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified
Do you wish to have the provisions you have identified above amended? Yes
The reason for my or our views are:
Refer to the attached submission

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

Details of amendments: Refer to the attached submission

Submission date: 17 May 2024

Supporting documents
Airedale PC99 Submission_ctc.pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

Submission**ON A PUBLICLY NOTIFIED PROPOSED
POLICY STATEMENT OR PLAN**

Under Clause 6 of the First Schedule to the Resource Management Act 1991

TO Auckland Council

SUBMISSION ON PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

NAME OF SUBMITTER Airedale Property Trust

SUBMITTER ADDRESS C/- Harrison Grierson Consultants Limited
PO Box 5760, Victoria Street West
Auckland 1142
Attention: Clare Covington

APPLICANTS NAME Beach Haven Road Apartments Limited

APPLICANTS ADDRESS C/- Barker and Associates Ltd, PO Box 1986, Shortland Street, Auckland 1140.
Attention: Rachel Morgan/ Jess Parulian

Airedale Property Trust (APT) could not gain an advantage in trade competition through this submission.

SUBMISSION IN OPPOSITION IN PART TO THE FOLLOWING

This is a submission to oppose in part an application from Beach Haven Road Apartments Limited for a private plan change to rezone 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven to Residential- Mixed Housing Urban Zone with precinct provisions.

1. **The specific provisions of the proposal that my submission relates to are:**
 - The use of the Medium Density Residential Standards (MDRS) within the precinct plan given there is uncertainty surrounding the progress of PC78.
 - The potential adverse amenity effects for the APT neighbouring site at 98 Beach Haven Road, particularly loss of privacy and reduced security, that result from the change in zoning from Single Housing Zone to Residential- Mixed Housing Urban Zone.
 - The suitability of the existing access way to 96 Beach Haven Road for vehicle access.
2. **APT submission is:**
 - APT own and operate the site at 98 Beach Haven Road which has 7 single storey units purpose built for tenants with physical disabilities. These units were constructed in 2017 and therefore the site is unlikely to be redeveloped in the foreseeable future. Maintaining the tenant's amenity and security is of high importance for APT.

MDRS Standards

- The proposed plan change precinct plan incorporates the Medium Density Residential Standards of the RMA. This is opposed as this site currently is subject to a Qualifying Matter (infrastructure capacity restrictions) which means that MDRS does not apply. In addition, the MDRS provisions in PC78 are yet to become operative, and it is understood that there may be a government change in approach to their mandatory requirement which could mean these provisions are no longer applied under PC78. There is therefore a risk that inclusion of the MDRS provisions at this site would result in inconsistency and a greater development intensity than that applied on neighbouring sites.
- In addition, the inclusion of the MDRS notification provisions which preclude consideration of effects on neighbours from infringements of building height, building coverage and landscape

coverage is considered inappropriate given the potential adverse effects of these infringements on neighbours could be more than minor.

Amenity

- The upzoning of land from Residential Single House Zone to Mixed Housing Urban Zone (and MDRS precinct provisions) provides for buildings with increased bulk and dominance, up to 11m in height and with a greater height to boundary allowance. Given the low-rise nature of the APT site, APT are concerned that this will result in adverse privacy and overlooking effects from the higher intensity of development provided for. One way to address this could be the inclusion of specific height restrictions in proximity to the APT north site boundary such as a reduced maximum building height of 8m for a 10m setback and including a specific height in relation to boundary standard to this boundary which matches the current standard in the Residential-Mixed Housing Urban Zone (3m plus 45 degree recession plane).

Access Way

- The access way adjacent to the APT site which leads to 96 Beach Haven Road is narrow and has no passing bays making it unsuitable for high volumes of vehicular traffic. The previous development proposal for the site (which would be a scale of development anticipated under the proposed new zoning) converted this driveway into a pedestrian access. The proposed plan change does not indicate any restrictions on use of this driveway. Given the potential intensity of development provided for, a large volume of vehicle movements on this driveway could pose safety issues for residents accessing the APT site and potentially other road users due to the proximity to the roundabout and intersection with Rangatira Road. The Integrated Transport Assessment supporting the Plan Change refers to this driveway only be used for pedestrian access and states that "*lighting and low level landscaping will be provided for personal safety and appearance*". It is considered that the Plan Change precinct provisions should specify that this access can only be for pedestrians and that any pedestrian access design should incorporate CPTED principles and ensure lighting and security considerations are part of any application assessment to ensure security for pedestrians and neighbouring site residents.

3. APT seek the following decision from the local authority:

- a) Amend the precinct provisions to address the matters raised above, in particular:
 - Remove reference to the MDRS or ensure that these are only applied if PC78 becomes operative.
 - Reduce the maximum building height to 8m for a 10m setback adjacent to the APT site north boundary and include a specific height in relation to boundary standard for this boundary which matches the current standard in the Residential-Mixed Housing Urban Zone (3m plus 45 degree recession plane).
 - Include precinct provisions to restrict the existing driveway to the site from Beach Haven Road to only be used for pedestrian access and that any pedestrian access design should incorporate CPTED principles and ensure lighting and security considerations are part of any application assessment.
 - That Standard IXXX.6.1.2 Building height, Standard IXXX.6.1.5 Building coverage, Standard and IXXX.6.1.6 Landscaped area are removed from the matters which are precluded from notification and the need to obtain written approval from affected persons.

and

- b) Such other additional or consequential relief as is necessary to achieve consistency with the above and to satisfy the concerns of the submitter.

or

- c) Such other alternative relief to satisfy the concerns of the submitter.

4. Airedale Property Trust wish to be heard in support of this submission.

5. If others make a similar submission APT will consider presenting a joint case with them at a hearing.

73.2



Signature:

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

Date: 17 May 2024

Address for Service of Submitter:

Harrison Grierson Consultants Limited
PO Box 5760, Victoria Street West
Auckland 1142

Telephone: 0212888795

Email: c.covington@harrisingrierson.com

Contact Person: Clare Covington, Planning Consultant on behalf of Airedale Property Trust

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Paul Heiplik
Date: Friday, 17 May 2024 5:01:40 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Paul Heiplik

Organisation name:

Agent's full name:

Email address: pal@heiplik.com

Contact phone number:

Postal address:

9 Cresta Ave
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

1. rezone approximately 7,147m² of land, at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven, from Residential – Single House Zone to Residential – Mixed Housing Urban Zone
2. introduce a precinct to both sites which incorporates the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Barker and Associates and Da-Silva Builders (I assume are now called Beach Haven Road Apartments Limited) have already attempted a higher density development on this land and the Council denied this last year.

I see no reason for a rezoning change to now enable this development. The points against this development successfully raised last year still stand.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Elizabeth Hurley
Date: Friday, 17 May 2024 5:15:20 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elizabeth Hurley

Organisation name:

Agent's full name:

Email address: ehurley@xtra.co.nz

Contact phone number:

Postal address:
19 Rambler Crescent
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach Haven Road

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

I appose the submission for a unitary plan change on the following basis.

A development of this scale will have a significant impact on the local community.

The local schools are already at capacity with pre-fab classrooms needed to accommodate demand.

There have been several projects of infill housing already completed, and there are more in the process of completion that have already had an impact on local and wider infrastructure.

There are issues with traffic congestion that relate to the already housing projects that have been completed.

If this application for a unitary plan was successful it would have a negative effect on existing

residents as there are no guarantees a change of design would happen, e.g. a less intensified development. It would give the current developer the right to change the plans or sell to another developer who could take advantage of the plan change. The current owner purchased the property with the knowledge of the current plan. To have such an extreme change would be an imbalance in the local community.

I believe the change of this unitary plan does not incorporate the balance of needs, infrastructure, local social community, inclusive planning and substantial development.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

75.1

17th May 2024

Objection to Plan Change 99(Private)-Cresta Avenue and 96 Beach Haven Road,
Beach Haven.

I am responding to Therese Strickland's Auckland Council letter dated 12th April 2024 regarding the above.

A development of this nature, size and intensity in Beach Haven with just blocks of flats 3 stories' high with no individual dwellings, little notable green space and inadequate parking for residents and visitors, will have a negative impact on our local area. The proposed development is for intensive accommodation over the site and is not a wide range of housing, which would need to include having detached, terraced and low-rise apartments as highlighted in the B&A memorandum that Mixed Housing should be.

The safety of residents would be comprised if this proposed intense development went ahead. Extensive on-street parking is becoming a safety issue as drivers do not have a clear view of the footpath and berm in those areas where multiple vehicles are parked and drivers are unable to see if a people e.g. families with children, want to cross the road. Pedestrians would have more difficulty seeing oncoming bikes, scooters, motorbikes and cars before stepping out onto the road. I disagree with 1.6.2 of B&A memorandum. affected by the proposed development of the site. There would be an extra 39 cars parked to the detriment of the landscape, resulting in loss of amenity, if the proposed development was to be accepted.

Beach Haven already has recently had an excessive amount of development and intensification that have been designated as a Residential -Mixed Housing Urban Zone (MHU) which have negatively impacted on this small part of the North Shore.

Currently the existing site is grassland and a natural living space to absorb rain water runoff. The proposed new development will generate stormwater pollution including from toxic run off from vehicles etc. Even though there is a proposed filtration being installed, the water quality will be reduced and the volume of stormwater increased discharging to the sensitive harbour environment during 10% AEP event (which happens more regularly in this global warming climate.

To conclude, I disagree with the proposed development and proposed rezoning of this site and ask that it be rejected.

76.1

Thank you for considering my submission.

Regards,

Frances Hogg,
44 Rambler Crescent,
Beach Haven,

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Crispin Robertson
Date: Friday, 17 May 2024 5:30:18 pm
Attachments: [Submission.pdf](#)
[Run Off \(1\).pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Crispin Robertson

Organisation name:

Agent's full name:

Email address: crispinrobo@gmail.com

Contact phone number: 0225063399

Postal address:
29 Cresta Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
The change in zoning to Mixed Hosing Urban

Property address: 13 Cresta Avenue and 96 Beach Haven Rd

Map or maps:

Other provisions:

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

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

The reason for my or our views are:
Depending on proposed plans I would be more comfortable with Mixed Housing Suburban Zone

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

Details of amendments: Potentially change the zoning to Mixed Housing Suburban Zone (due to density and building height)

Submission date: 17 May 2024

Supporting documents
Submission.pdf

Run Off (1).pdf

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this

email may be those of the individual sender and may not necessarily reflect the views of Council.

Opposition to Plan Change 99 - 13 Cresta Avenue and 96 Beach Haven Rd

Potential Height of the buildings

The proposed zoning allows 3-storey dwellings.

This is an unusual site as it is surrounded on all 4 sides by residential properties. Most developments are on a road on at least one side. In terms of precedent the Kainga Ora apartments in beach haven have very little impact on the surrounding properties as it only has non-KO properties on one boundary.

The topography of the land means that the development is set higher than much of the surrounding properties, particularly the northern end of the site.

Properties on the southern boundary will lose all sunlight for most of the day, and properties on the eastern and western boundaries will lose sunlight for half of the day.

When the apartments were built on 120 Beach Haven Road (adjoining the site) there wasn't a significant impact on surrounding properties as the property is adjoining Shepherds park and the site of the proposed development, additionally, they are set lower than this site.

Reduction in permeable area

This site is a significant permeable site for the area, covering a large proportion of this with concrete and buildings will have a big effect on water flows, groundwater, watercourses and properties that are at a lower level surrounding the properties.

Site Runoff/Stormwater

During heavy rainfall, there are overland flows that are not documented in the council GIS on the northeastern corner (see attached photographic evidence). This affects 29 Cresta Avenue and the apartments on 120 Cresta avenue. This also flows into the watercourse which contains native fish. See the attached photos I do have a video of this too.

Environmental Impact

The runoff during and post-development is likely to enter the stream that runs through 29 and 29a Cresta avenue, this stream does contain native fish and also hasn't been tested for Inanga. The stormwater runoff eventually goes into the estuary at the bottom of Cresta ave, additional flows will have an environmental impact on the salt marshes at the bottom of this street.

Schools

Likely any development would attract people with families, Beach Haven primary is at capacity.

Geotechnical

The geotechnical report only seems to be for single dwellings, not for multi-storey development, so we don't know the impact on surrounding properties, also underground water, stability etc.

Traffic/Parking/Access

Anyone living after the roundabout on Beach haven road (heading west), knows that this is a significant bottleneck.

During the weekend and training nights, particularly during the football season (Birkenhad Football club is the biggest on the north shore and 2nd biggest in Auckland), Cresta Avenue and the squash/tennis club is full of cars. I would be surprised if the development doesn't bring at least 80 additional cars to the street.

Cresta avenue generally is the main access for a bowls club, squash club, tennis club, potential Marae and 50% of the football traffic, adding more cars and traffic would be problematic for access.

Personal Impact

Our property at 29 Cresta avenue will be dominated by the height of a permitted building. Also, we are most at risk of stormwater runoff damage to our property, and damage to bush and healthy waterways. We are at risk of slips as we are on a steep section with a watercourse.

Sewage

I'd be surprised if the current pumping station and pipe infrastructure will be able to handle an additional 81 dwellings in Cresta Avenue.

Runoff during rain (happens during most storms)



From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Simon Richard Taylor
Date: Friday, 17 May 2024 5:30:21 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon Richard Taylor

Organisation name:

Agent's full name:

Email address: simontaylor@outlook.co.nz

Contact phone number: 0273543209

Postal address:
2/23 Cresta Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Unitary Plan / Zoning

Property address:

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The proposed rezoning from Residential – Single House Zone to Residential – Mixed Housing Urban Zone goes against the already agreed Auckland Unitary Plan.

The site and location is not all suitable for a Mixed Housing Urban Zone or a precinct to both sites which incorporates the Medium Density Residential Standards.

It goes against the sensible planning for locating dense housing near transport hubs, urban centres, commerce, work and entertainment precincts, and normal amenities.

Beach Haven has no real work, commerce or entertainment zones, not even a supermarket or gym, it's almost completely residential. Most people who live here, work and shop elsewhere, and to do that, the only real option for the majority is personal car.

Biking requires cycling on roads that have no bike lanes or bike friendly infrastructure, and then a 130 metre hill climb up the North Shore ridge - I actually commute and enjoy it, but there's only about ten of us in the entire area that seem to do this, out of some 11,000 people living in the area.

Using the bus is about the longest slowest way of moving about due to the poor management of always clogged up Onewa Road. I can bike to Takapuna in 25 minutes, whereas the bus is closer to 40 minutes on a good day.

And then driving is choked on the very few roads in and out of Beach Haven / Birkdale.

The development is out of place, places too much burden and stress on the area, will clog Cresta Ave and Beach Haven Road with a massive increase in on-street parking, and just push more people into cars as almost everybody here has to leave the area for work, shopping and recreation. The proposed plan should be declined.

Would be happy and accepting with a lower density development of maybe two story townhouses with adequate off-street parking for residents, but not the type of dense housing the proposed changes would allow.

Beach Haven is not an urban centre like Takapuna, Albany, New Lynn etc where such density and development suits the Unitary Plan. Its an end-of-the-road almost entirely residential suburb.

I wish the developers all the best, and hope they eventually get to develop it in a sensible fitting manner.

Thanks,
Simon

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

78.1

Submission date: 17 May 2024

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

Auckland Council
Unitary Plan Private Bag 92300
Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Plan Change 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: planchanges@water.co.nz

DATE: 17th May 2024

Watercare could not gain an advantage in trade competition through this submission.

1. WATERCARE'S PURPOSE AND MISSION

- 1.1. Watercare Services Limited ("Watercare") is New Zealand's largest provider of water and wastewater services. Watercare is a council-controlled organisation under the Local Government Act 2002 and is wholly owned by the Auckland Council ("Council").
- 1.2. As Auckland's water and wastewater services provider, Watercare has a significant role in helping Auckland Council achieve its vision for the Auckland region. Watercare's mission is to provide reliable, safe, and efficient water and wastewater services to Auckland's communities.
- 1.3. Watercare is required to manage its operations efficiently with a view to keeping overall costs of water supply and wastewater services to its customers (collectively) at minimum levels, consistent with the effective conduct of its undertakings and the maintenance of the long-term integrity of its assets. Watercare must also give effect to relevant aspects of the Council's Long Term Plan, and act consistently with other plans and strategies of the Council, including the Auckland Unitary Plan (Operative in Part) and the Auckland Future Development Strategy 2023-2053¹.

¹ Local Government (Auckland Council) Act 2009, s58.

2. SUBMISSION

General

- 2.1. This is a submission on a private plan change requested by Beach Haven Road Apartments Limited ("Applicants") to the Auckland Unitary Plan (Operative in Part) (AUP OP) that was publicly notified on 18 April 2024 ("Plan Change 99").
- 2.2. Plan Change 99 applies to approximately 7,147m² of land comprised of two properties located at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven ("Plan Change Area"). Plan Change 99 seeks to rezone the Plan Change Area from Residential - Single House Zone to Residential Mixed Housing Urban Zone and also proposes a new precinct that applies to the land to be included in the AUP OP and known as the Beach Haven Precinct.
- 2.3. The purpose of Plan Change 99 is to enable greater density of land close to the Beach Haven Local Centre and public transport.²
- 2.4. The Residential - Single House zone permits one dwelling per site and, apart from permitting conversion of an existing dwelling into two dwellings and the addition of a minor dwelling, more than one dwelling on a site is a non-complying activity. Subdivision of the 7,147m² of land under the current zoning could generate up to eleven sites and therefore up to eleven dwellings (one per site) (under the rules in Chapter E38 of the AUP OP).
- 2.5. The proposed Beach Haven Precinct provisions included with Plan Change 99 provide for up to three dwellings per site as a permitted activity, and subdivision accompanied by a land use consent application for up to three dwellings as a controlled activity. This would enable subdivision of the Plan Change Area into 23 lots as a controlled activity. With each site being able to accommodate 3 dwellings as a permitted activity this would enable the development of 71 dwellings.
- 2.6. Applications for controlled activities cannot be declined consent by Council, and any application for consent will be processed without the need for public or limited notification as outlined in Rule C1.13 of the AUP OP unless there are special circumstances.
- 2.7. In 2021, the proposal by the Applicant to develop 75-100, 3-4 bedroom units on the Plan Change Area was reviewed by Watercare and it was found that the local downstream wastewater network had sufficient capacity for the proposal, but that the local water supply network in the Beach Haven area required an upgrade to enable the proposed development. It was noted in a letter dated 17 June 2021 that the timing of development is critical and that Watercare would need to assess any future upgrade requirements in more detail when the resource consent was applied for. Watercare's letter of 26 January 2024 noted that the bulk wastewater network within the Beach Haven catchment is significantly constrained due to capacity issues within the existing Transmission (bulk) network where there are already a number of wastewater overflow events occurring without the level of intensification anticipated by the upzoning enabled under proposed Plan Change 78 within the Beach Haven catchment that the land subject to Plan Change 99 is part of. Watercare recommended the Applicant apply for an assessment of the bulk network capacity under a Development Consultation prior to

² Section 4.2 of the Section 32 Assessment Report

notification of the Plan Change and advised that should Council decide to accept the Plan Change, Watercare reserved its right to make a submission.

- 2.8. The purpose of Watercare's submission is to ensure that the effects of the development enabled by Plan Change 99 on Watercare's existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991(RMA).
- 2.9. In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Te Tahua Pūtea Tau 2021-2031 / The 10-year Budget 2021-2031, the Auckland Future Development Strategy 2023-2053 (FDS), the Water Supply and Wastewater Network Bylaw 2015, the Water and Wastewater Code of Practice for Land Development and Subdivision and the Watercare Asset Management Plan 2021 – 2041. It has also considered the relevant RMA documents including the AUP OP and the National Policy Statement on Urban Development 2020 (updated in May 2022) (NPS UD) which (among other matters) requires Auckland Council as a Tier 1 local authority to ensure that at any one time there is sufficient development capacity to meet expected demand for housing and business land over the short term, medium term, and long term³.
- 2.10. For the reasons set out below, Watercare **opposes** Plan Change 99.
- 2.11. Any infrastructure delivery dates provided in this submission below are forecast dates only and therefore subject to change.

Specific parts of the Plan Change

- 2.12. Watercare's submission in opposition to Plan Change 99 relates to the Plan Change in its entirety.
- 2.13. Without limiting the generality of [2.12] above, the specific parts of Plan Change 99 that Watercare has a particular interest in are:
- a) the level of development enabled under Plan Change 99 and actual and potential effects on Watercare's existing and planned water and wastewater network; and
 - b) the absence of proposed Precinct provisions addressing the need to consider bulk water supply and wastewater infrastructure capacity.

Proposed Plan Change 78

- 1.1. Proposed Plan Change 78 (PC 78) responds to the NPS UD and the requirements of the RMA. Auckland Council is required to, amongst other things, incorporate the Medium Density Residential Standards (MDRS) in relevant residential zones and identify qualifying matters to reduce the level of development enabled by the MDRS in areas where full intensification is not appropriate. PC 78 was

³ National Policy Statement on Urban Development 202 (May 2022) Policy 2.

notified on 18 August 2022 and hearings are expected to be ongoing, with the timeframe for a decision having been extended by the Government in March 2024.

- 1.2. As part of PC 78, Watercare assisted Council in identifying sites subject to water and/or wastewater servicing constraints in the medium to long term (as defined in the NPS UD) and these sites were identified as being subject to a qualifying matter under section 77I(j) of the RMA. This is discussed in detail in Auckland Council's section 32 evaluation report for PC 78. The Water and Wastewater Servicing Constraints qualifying matter is included in PC 78 as an additional layer/new control on the AUP OP planning maps.
- 1.3. PC 78 identifies the Plan Change Area as being rezoned to the Residential - Mixed Housing Urban Zone, but also identifies the Plan Change Area as being subject to the Infrastructure Water and/or Wastewater Constraint Control. The section 32 report for PC 78 (Water and Wastewater Servicing Constraints) identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.⁴
- 1.4. Under PC 78, development of two or more dwellings per site, and any subdivision, in the Plan Change Area is a restricted discretionary activity, given the whole of the Plan Change Area is subject to the Infrastructure – Water and/or Wastewater Constraints Control.
- 1.5. The proposed Beach Haven Precinct provisions incorporate the MDRS, with supporting documentation from the applicant setting out that Plan Change 99 must incorporate the MDRS. The resource consent requirements provided by the Infrastructure – Water and Wastewater Constraints Control have not been carried through into the proposed precinct provisions. The section 32 report notes that this is because the applicant has an agreement with Watercare to address this matter.⁵ However, as outlined in the letter from Watercare dated 26 January 2024, there is no evidence that there is sufficient bulk wastewater capacity to accommodate the proposed development.
- 1.6. It is the absence of the reference to the resource consent requirements from PC 78 relating to the Infrastructure – Water and Wastewater Constraints Control that Watercare is particularly concerned about as granting Plan Change 99 will enable a level of development that could result in an increased risk of untreated wastewater overflows into the environment.
- 1.7. In addition, the government has signalled changes are likely to the MDRS⁶ and the outcome of PC 78 is also uncertain.

Earlier Proposals

- 1.8. In 2021 Watercare reviewed a proposal to develop 75-100, 3-4 bedroom units on the Plan Change Area and found that the local downstream wastewater network had sufficient capacity for the proposal at that time however the local water supply network required an upgrade to enable the proposed

⁴ Proposed Plan Change 78: Section 32 Report Water and Wastewater Servicing Constraints at Attachment 2.

⁵ Section 5.1.4 of the Section 32 Assessment Report

⁶ [Election 2023: National proposes significant change to historic bipartisan housing policy | Newshub National's Going for Housing Growth Plan](#)

development. Subsequent to this an infrastructure Funding Agreement was signed on 29 November 2021 to contribute to the local water supply network upgrade required to enable the development.

- 1.9. Subsequently, a letter addressing the application for Plan Change 99 dated 26th January 2024 was prepared by Watercare. It stated there are a number of projects identified in Watercare's Asset Management Plan, all of which need to be constructed and operational before the existing capacity constraints will be fully addressed in the Beach Haven catchment. At the time PC 78 was notified, these projects were expected to be completed and all constraints remediated by 2030. The letter further recommends the Applicant apply to Watercare for an assessment of the bulk network capacity prior to the notification of the Plan Change. To Watercare's knowledge this did not happen.

Precinct Provisions

- 1.10. Under the AUP OP, the activity status provided in a precinct rule takes precedence over the activity status set in the zone (Rule C1.6). Therefore, if the rezoning to the Residential Mixed Housing Urban Zone requested is to be granted Watercare requests changes to the precinct provisions in order to ensure that subdivision and development of the land is coordinated with the provision of local and bulk water and wastewater infrastructure.
- 1.11. For consistency with PC 78 as notified, Watercare seeks the following amendments (as set out in Attachment 1) to the Precinct provisions:
- a) Amendment to the precinct description with inclusion of new text that outlines that the provision of more capacity in relation to the water supply and wastewater infrastructure that serves the wider area is an essential component for enabling the development of the precinct to the density sought under the Plan Change. It needs to be recognised that the upgrades required to deliver the improvements to the capacity of the infrastructure are dependent on work being undertaken outside the precinct and therefore out of the control of the applicant.
 - b) Amendments to the precinct objectives with the addition of a new objective 3 which enables development when there is adequate capacity in the water supply and wastewater network to service the development or subdivision.
 - c) Amendment to include new policy 6 to support the new objective and requiring subdivision and development to be coordinated with the provision and capacity of bulk infrastructure.
 - d) Amendments to Table 1XXX.4.1 Activity
 - a. Delete Note 2 as it is not required as it is not proposed that up to three dwellings is retained as a permitted activity.
 - b. Amend the activity status of (A1) and (A2) to restricted discretionary activity or include a new rule (A2A) that requires new dwellings that do not comply with the new rule IXXX.6.1.10 to obtain resource consent as a restricted discretionary activity.
 - c. Include a new activity (A6A) that requires development that does not comply with the new rule IXXX.6.1.10 to obtain resource consent as a restricted discretionary activity.

- d. Delete activity (A8) for subdivision accompanied by a land use consent application for up to three dwellings as a controlled activity, as a consequence of deleting Note 2 and it has a similar function and activity status as rule IXXX.4.1 (A7). Rule IXXX.4.1 (A8) also allows the applicant to submit an application for land use consent but not have a decision on it and then proceed to subdivision, i.e., they don't need to be in accordance with one another. There are also no vacant lot subdivision rules included in the proposed precinct provisions, presumably Chapter E38 would apply in this instance, therefore it would be useful for the applicant to clarify this in the precinct provisions.
- e) Amendments to IXXX.6 Standards include new standard IXXX.6.1.10 Water and Wastewater which requires all subdivision or development within the precinct being able to be serviced by a publicly available functioning bulk wastewater network and water supply network with sufficient capacity to service the precinct.
- f) Amendments to IXXX.6.2.1 and IXXX.6.2.2 standards for controlled activities to include a new standard requiring controlled activities to comply with the new standard IXXX.6.1.10.
- g) Amendments to remove IXXX.6.2.3 Standards for controlled activity as rule IXXX.4.1(A8) is deleted.
- h) Amendments to IXXX.7.1 Matters of control and IXXX.7.2 Assessment criteria to include new matters of control and assessment criteria for controlled activities addressing adequate provision and capacity of infrastructure.
- i) Amendments to IXXX.8.1 Matters of discretion and IXXX.8.2 Assessment criteria to include new matters of discretion and assessment criteria for restricted discretionary activities addressing provision and capacity of infrastructure, and where not what mitigation is proposed.
- j) Consequential changes to numbering and cross referencing in the precinct provisions.

2. DECISION SOUGHT

- 2.1. Watercare opposes Plan Change 99 as currently proposed by the Applicant and seeks that Plan Change 99 is declined unless it is amended as outlined in this submission (refer Attachment 1) or similar amendments to ensure there is a process established that requires subdivision and development enabled under Plan Change 99 to show that there is adequate capacity in the water and wastewater bulk supply network to service development that is proposed, or adequate mitigation proposed that would offset the effects of the development on the bulk water and wastewater network.

79.1

3. HEARING

- 3.1. Watercare wishes to be heard in support of its submission.

17th May 2024

Mark Iszard

Mark Iszard
Head of Major Developments
Watercare Services Limited

Address for Service:
Amber Taylor
Development Planning Lead
Watercare Services Limited
Private Bag 92521
Victoria Street West
Auckland 1142
Phone: 022 158 4426
Email: Planchanges@water.co.nz

ATTACHMENT 1

IXXX. Beach Haven Precinct

IXXX.1 Precinct Description

The purpose of the Beach Haven precinct is to incorporate the Medium Density Residential Standards contained in Schedule 3A of the Resource Management Act 1991.

The Beach Haven precinct applies to a 0.7147ha site located immediately to the north of the Beach Haven Local Centre. The zoning of the land within this precinct is Residential – Mixed Housing Urban. The outcomes anticipated in the precinct correspond to the Residential Mixed Housing Urban zone with the Medium Density Residential Standards incorporated, and the provisions apply except to the extent the density standards are incorporated.

The provision of adequate capacity in terms of the water supply and wastewater infrastructure servicing the precinct is essential to achieving the planned level of development. Upgrades to water supply and wastewater infrastructure located outside of the precinct boundaries are required to avoid, remedy or mitigate adverse impacts on the environment and on the level of service provided to those connected to the infrastructure both inside and outside the precinct.

IXXX.2 Objectives

- (1) A well-functioning urban environment that enables all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.
- (2) A relevant residential zone provides for a variety of housing types and sizes that respond to –
 - (a) housing needs and demands; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings.

(3) Development and subdivision is enabled where it can be serviced by the water supply and wastewater networks to manage adverse effects.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

IXXX.3 Policies

- (1) Enable a variety of housing types with a mix of densities within the zone, including three storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as

historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga).

(3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

(4) Enable housing to be designed to meet the day-to-day needs of residents.

(5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

Water Supply and Wastewater Infrastructure

(6) Require subdivision and development to be coordinated with the provision of bulk water supply or bulk wastewater networks with adequate capacity to service the proposed development.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

IXXX.4 Activity table

All relevant overlay, Auckland-wide and zone activities apply in this precinct unless specified below at IXXX.4(1) or Table IXXX.4.1.

(1) H5.4.1(A5) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.

Table IXXX.4.1 specifies the activity status of activities in the IXXX Beach Haven Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991.

Note 1

All applications for subdivision consent are subject to section 106 of the RMA.

Note 2

~~Where a subdivision application is accompanied by a land use consent application for up to three dwellings, that land use consent application must be an application for a certificate of compliance.~~

Table IXXX.4.1 Activity Table

Activity		Activity Status
Use		
(A1)	Up to three dwellings on a site	P
(A2)	The conversion of a principal dwelling into a maximum	P

	of three dwellings	
(A2A)	<u>Any new or converted dwelling that does not comply with standard IXXX.6.1.10</u>	<u>RD</u>
Development		
(A3)	The construction of one or more dwellings on a site that do not comply with one or more Standards IXXX.6.1.1 to IXXX.6.1.910 inclusive	RD
(A4)	Accessory buildings	P
(A5)	Internal and external alterations to buildings	P
(A6)	Additions to an existing dwelling	P
(A6A)	<u>Any development that does not comply with standard IXXX.6.1.10</u>	<u>RD</u>
Subdivision		
(A7)	Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct	C
(A8)	Subdivision accompanied by a land use consent application for up to three dwellings	C
(A9)	Subdivision around existing buildings and development that complies with the relevant overlay, Auckland-wide and zone rules	C
(A10)	Any subdivision listed above not meeting IXXX.6.2 Subdivision Standards	RD
(A11)	Any subdivision listed above not meeting General	D

	Standards E38.6.2 to E38.6.6 inclusive	
(A12)	Any subdivision listed above not meeting Standards for subdivision in residential zones E38.8.1.1(1) and E38.8.1.2	D

IXXX.5 Notification

(1) Any application for resource consent for the construction and use of one, two or three dwellings listed in Activity Table IXXX.4.1(A1) above that does not comply with one or more of the following standards listed in IXXX.5(1)(a)-(h) will be considered without public notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.,

- (a) Standard IXXX.6.1.2 Building height;
- (b) Standard IXXX.6.1.3 Height in relation to boundary;
- (c) Standard IXXX.6.1.4 Yards;
- (d) Standard IXXX.6.1.5 Building coverage;
- (e) Standard IXXX.6.1.6 Landscaped area;
- (f) Standard IXXX.6.1.7 Outlook space (per unit);
- (g) Standard IXXX.6.1.8 Outdoor living space (per unit); and
- (h) Standard IXXX.6.1.9 Windows to street.

(2) Any application for resource consent for the construction and use of four or more residential units that comply with the density standards (IXXX.6.1.1) will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

- (a) Standard IXXX.6.1.2 Building height;
- (b) Standard IXXX.6.1.3 Height in relation to boundary;
- (c) Standard IXXX.6.1.4 Yards;
- (d) Standard IXXX.6.1.5 Building coverage;
- (e) Standard IXXX.6.1.6 Landscaped area;
- (f) Standard IXXX.6.1.7 Outlook space (per unit);

(g) Standard IXXX.6.1.8 Outdoor living space (per unit);

(h) Standard IXXX.6.1.9 Windows to street.

(3) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of:

(a) one, two or three dwellings that do not comply with one or more of the Standards listed in IXXX.5(1); or

(b) four or more dwellings that comply with all the Standards listed in IXXX.5(2).

(4) Any application for a resource consent which is listed in IXXX.5(1), IXXX.5(2), or IXXX.5(3) above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.

IXXX.6 Standards

(1) Unless specified in Standard IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities in the IXXX Beach Haven precinct.

(2) The following zone standards do not apply to activities IXXX.4.1(A1), (A2), (A4), (A5) and (A6) listed in Activity Table IXXX.4.1 above:

(a) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;

(b) H5.6.6 Alternative height in relation to boundary;

(c) H5.6.4 Building height;

(d) H5.6.5 Height in relation to boundary (except standards in H.5.6.5(2), (3) and (4) and (7) apply in the IXXX Beach Haven precinct);

(e) H5.6.8 Yards;

(f) H5.6.10 Building coverage;

(g) H5.6.11 Landscaped area;

(h) H5.6.12 Outlook space;

(i) H5.6.14 Outdoor living space;

(3) The activities listed as a permitted activity in Activity Table IXXX.4.1 must comply with permitted activity standards IXXX.6.1.1 to IXXX.6.1.9~~10~~.

(4) Any activities listed as a controlled activity in Activity Table IXXX.4.1 must comply with controlled activity standards IXXX.6.2.

IXXX.6.1.1 Number of dwellings per site

(1) There must be no more than three dwellings per site....

IXXX.6.1.10 Water and Wastewater

Purpose:

To ensure the bulk wastewater and potable water infrastructure has capacity to service the development of the Beach Haven Precinct

(1) All subdivision and / or development within the Precinct must be able to be serviced by a publicly available functioning bulk wastewater network and water supply network with sufficient capacity to service the precinct.

IXXX.6.2 Standards for controlled activities

Purpose:

- To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities

IXXX.6.2.1 Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct

(1) Any subdivision relating to an approved land use consent must comply with that land use consent.

(2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.

(3) No vacant sites are created.

(4) Any subdivision must comply with standard IXXX.6.1.10.

IXXX.6.2.2 Subdivision around existing buildings and development

(1) Prior to subdivision occurring, all development must meet the following:

(a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or

(b) Be in accordance with an approved land use consent.

(2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.

(3) No vacant sites are created.

(4) Any subdivision must comply with standard IXXX.6.1.10.

~~IXXX.6.2.3 Subdivision accompanied by a land use consent application for up to three dwellings~~

~~(1) The subdivision and land use consent applications relate to a vacant site;~~

~~(2) The subdivision and land use consent applications must be determined concurrently;~~

~~(3) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.1 to IXXX.6.1.9; and~~

~~(4) No vacant sites are created.~~

IXXX.7 Assessment – controlled activities

IXXX.7.1 Matters of control

The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application:

(1) All controlled subdivision activities in Table IXXX.4.1:

(a) compliance with an approved resource consent or consistency with a concurrent land use consent application:

(b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;

(c) ~~the effects of~~ capacity of infrastructure ~~provision~~.

IXXX.7.2 Assessment criteria

(1) The Council will consider the relevant assessment criteria for controlled subdivision from the list below:

(a) compliance with an approved resource consent or consistency with a concurrent land use consent application:

(i) any proposed consent notice;

(ii) refer to Policy E38.3(6);

(b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;

(i) refer to Policy E38.3(1) and (6);

(c) whether there is appropriate provision made for infrastructure including:

(i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision; ~~and~~

(ii) whether appropriate management of effects of stormwater has been provided;

(iii) refer to Policies E838.8(1), (6), (19) to (23)-; **and**

(iv) whether there is adequate provision and capacity of infrastructure to service the subdivision;

(v) refer to Policy IXXX.3 (6)

IXXX.8 Assessment – restricted discretionary activities

IXXX.8.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

(1) The construction of one or more dwellings on a site that do not comply with any of Standards IXXX.6.1.1 to IXXX.6.1.910:

(a) any precinct and zone policies relevant to the standard;

(b) the purpose of the standard;

(c) the effects of the infringement of the standard;

(d) the effects on the urban built character of the precinct;

(e) the effects on the amenity of neighbouring sites;

(f) the effects of any special or unusual characteristics of the site which is relevant to the standard;

(g) the characteristics of the development;

(h) any other matters specifically listed for the standard; **and**

(i) where more than one standard will be infringed, the effects of all infringements-; **and**

(j) the effects on infrastructure capacity including:

i. Whether there is confirmation from the utility provider of sufficient capacity in the bulk water supply and wastewater networks to service the development or subdivision; and

ii. Where adequate network capacity is not available, whether adequate mitigation is proposed.

(2) Restricted discretionary subdivision activities in Table IXXX.4.1:

(a) Refer to E38.12.1.(6) and (7) Matters of discretion

(b) Refer to Policy E38.3(13)

(c) Refer to IXXX.8.1(1)(j) Matters of discretion

(d) Refer to Policy IXXX.3 (6)

IXXX.8.2 Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

(1) The construction of one or more dwellings on a site that do not comply with one or more of Standards IXXX.6.1.1 to IXXX.6.1.9~~10~~ 1:

(a) for building height:...

(j) for infrastructure provision and capacity

i. Refer to Policy IXXX.3 (6).

(2) Restricted discretionary subdivision activities in Table IXXX.4.1

(a) the effect of the design and layout of the sites to achieve the purpose of the precinct and to provide safe and legible and convenient access to a legal road;

(b) the effect of infrastructure provision and management of effects on stormwater;

(c) the effects arising from any significant increase in traffic volumes on the existing road network; and

(d) the effect on the functions of floodplains and provision for any required overland flow paths;

(e) the effect of the layout and design of blocks and sites on the solar gain achieved for the sites created

(f) for the effect of the development on infrastructure capacity in the wider water network and wastewater network.

i. Refer to Policy IXXX.3 (6)

IXXX.9 Special information requirements

There are no special information requirements in this precinct.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Anne Mutu
Date: Friday, 17 May 2024 6:30:12 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Anne Mutu

Organisation name:

Agent's full name:

Email address: wharenuui93@hotmail.com

Contact phone number:

Postal address:
93 Beach haven Road
Beach haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Rezoning to mixed urban

Property address: 13 cresta avenue and 96 beach haven road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
The area was given unitary zoning due to the ground being unsafe to build 2 storey or higher which was verified by geotech reports.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

80.1

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Maria Mutu
Date: Friday, 17 May 2024 6:30:15 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Maria Mutu

Organisation name:

Agent's full name:

Email address: ma.mo.mu56@hotmail.com

Contact phone number:

Postal address:
93 Beach haven Road
Beach haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 cresta avenue and 96 beach haven road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Main opposition is the seemingly oblivious impact on our local infrastructure, rubbish removal and parking not only for residence but visitors, delivery drivers etc

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

81.1

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Inger Bennett
Date: Friday, 17 May 2024 6:45:13 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Inger Bennett

Organisation name:

Agent's full name:

Email address: ibennett1304@hotmail.com

Contact phone number:

Postal address:
93 Beach haven road
Beach haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 cresta avenue and 96 beach haven road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

Main reason I'm against this is that the current congestion will be worsened with the introduction of high density living that doesn't make allowances for private, guest or delivery drivers, road side space for rubbish bins especially considering we now have 3 bins per house/apartment.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Tania McBeth-Stanton
Date: Friday, 17 May 2024 7:00:20 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Tania McBeth-Stanton

Organisation name:

Agent's full name:

Email address: tania.mcbeth@gmail.com

Contact phone number:

Postal address:

Beach Haven
AUCKLAND 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Rezoning the land at the below addresses to change it from single house zone to residential - mixed housing urban zone.

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven, Auckland 0626

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

I oppose this application to change the zoning at 13 Cresta ave and 96 Beach Haven Road, Beach Haven. The Kaipatiki Local Board and Beach Haven residents clearly objected to this development when consent was previously applied for under the existing zoning rules and it is ridiculous to consider changing the zone to allow this development to proceed given all the evidence why this should absolutely NOT proceed has already been given and been decided that this development is not appropriate for this area. The number of dwellings that are proposed, the increase in traffic and strain on existing roading (especially close to local schools) alongside the inadequate water and waste services for such a development. This development is NOT in keeping with the area. This is NOT something we want in our area and should NOT be allowed to proceed simply because a developer is trying to find another way around the rules. Zoning is there for a reason, surely there should be significant evidence for such an amendment and this evidence is simply is not there. I am not against development however what this development proposes is so wildly beyond what is in

keeping with the area it absolutely will have a detrimental effect on Beach Haven, Beach Haven residents have already said no to this development please listen to our community and do not let this proceed.

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

83.1

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

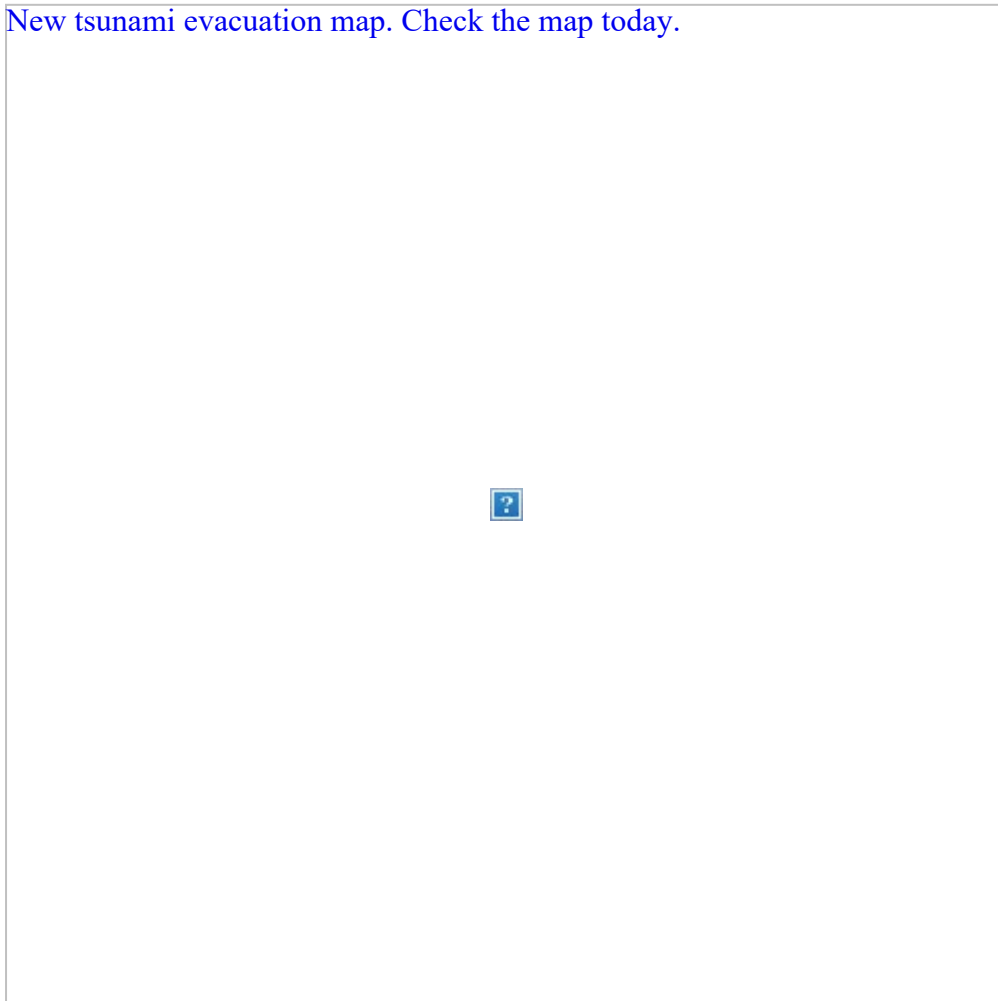
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Judith Rochelle Lardner Rivlin
Date: Friday, 17 May 2024 7:45:26 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Judith Rochelle Lardner Rivlin

Organisation name:

Agent's full name:

Email address: jude.rivlin@gmail.com

Contact phone number: 0292005761

Postal address:
82 Beach Haven Rd
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

The scale of the proposed development plan is too intensive and there are already sufficient sites zoned residential mixed urban in various stages of development. We have lived in the area for over fifty years and feel it is important that development is carefully managed and monitored in order to ensure negative impacts on the existing residents are minimised and retain the community focused character of the neighbourhood. There have been significant intensive Kainga Ora developments nearby in Beach Haven Rd, some completed and some currently in progress. We have yet to see how these developments impact the community. There are other properties zoned residential mixed urban that have yet to be developed, such as our own. We need to first allow the current approved sites to be developed and monitor their impact on amenities before approving changes in the plan to the scale proposed. Change needs to evolve in a careful and measured fashion.

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

Details of amendments: Decrease the number of proposed dwellings to 40-50

Submission date: 17 May 2024

Attend a hearing

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

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Kirk David Vette
Date: Friday, 17 May 2024 9:30:16 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kirk David Vette

Organisation name:

Agent's full name:

Email address: kirkdv@gmail.com

Contact phone number:

Postal address:
68 Beach Haven road,
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
PC99 (private)

Property address: 13 Cresta avenue and 96 Beach haven road, Beach Haven

Map or maps:

Other provisions:

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

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

The reason for my or our views are:

The reason for my views are: There is insufficient infrastructure to support increased high-density housing.

Parking is very difficult now on Beach haven road now. With a further 35 - 40 proposed homes were are all the vehicles going to park.

The drainage and water infrastructure is not able to cope currently with heavy rains and flooding. An increase in houses in the area will only add to the problem.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Rian Drake
Date: Friday, 17 May 2024 9:30:18 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Rian Drake

Organisation name:

Agent's full name:

Email address: rian.drake.nz@gmail.com

Contact phone number:

Postal address:
4B Gazelle Avenue
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Property address: 13 Cresta Avenue, 96 Beach Haven Road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:

As a resident of Beach Haven for 25 years - the community in this area has been a safe place for people to retire, or for young people to start new families for as long as I can remember.

We have a small local park, with soccer fields for children and a bowls club for retirees. We have a swimming school, a sea scouts club, a small beach, and a playground for toddlers.

There is already Mixed Housing Urban Zones nearby, but we want to protect this quiet area near the coast for the benefits of those who are seeking a quieter lifestyle.

The introduction of intensified development on the coast of Beach Haven with no consideration to how it will affect the community will only be harmful. I also don't believe this area is well suited for an influx of traffic and parked cars that will also increase the danger for children that frequently walk themselves to the park or beach every day.

Having lived in Mixed Housing Zones with my wife before we had children, we moved here deliberately to live more quietly with our toddler and infant child - so we would be very disappointed if this were accepted.

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

Submission date: 17 May 2024

86.1

Attend a hearing

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

Declaration

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

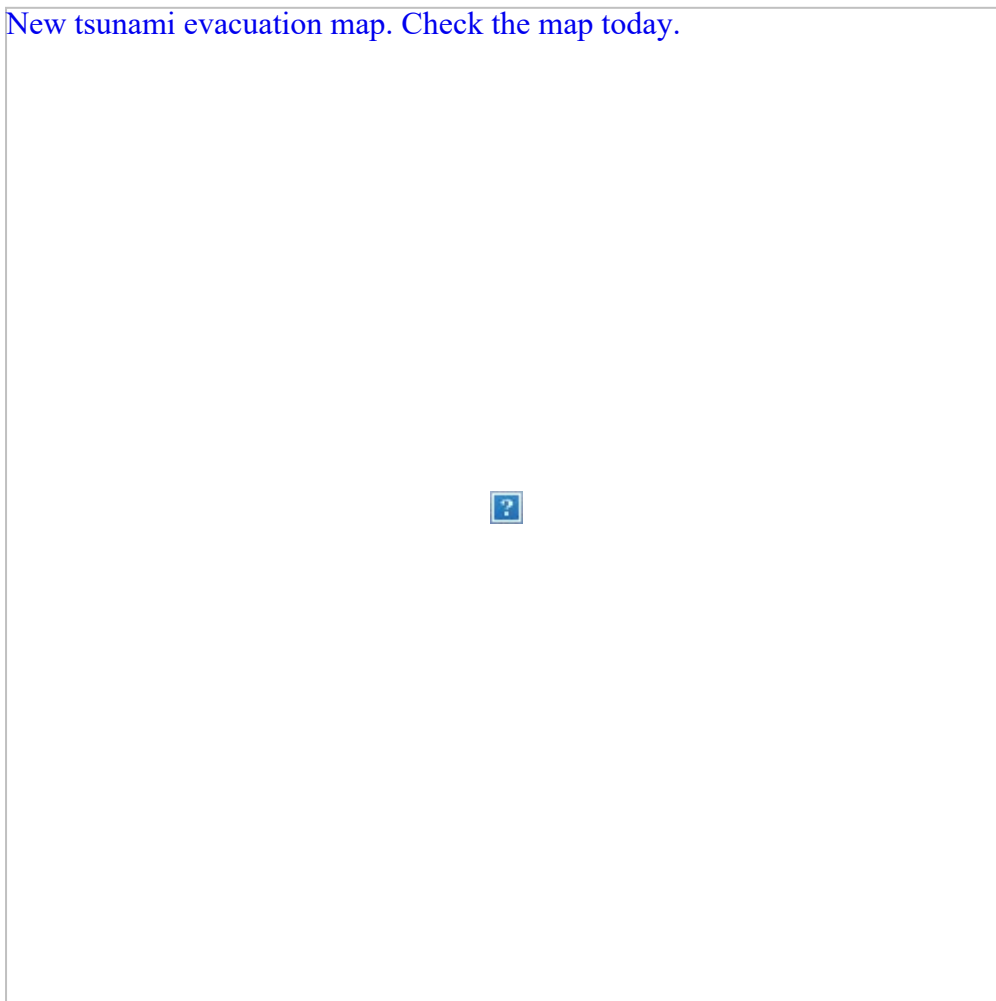
Are you directly affected by an effect of the subject matter of this submission that:

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

No

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Alex Hurley
Date: Friday, 17 May 2024 10:00:14 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Alex Hurley

Organisation name:

Agent's full name:

Email address: alexhurley92@gmail.com

Contact phone number: 022 106 0272

Postal address:
19 Rambler Crescent
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
plan change 99

Property address: 13 Cresta Ave. Beach Haven

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
I'm not sure if the choice above (to have the provisions amended) is for or against the development of the 81 dwellings.

To be clear I am against this development. If we say yes to this, what is to stop more. :(

If we cannot abide by the unitary plans there is no point in them being there. Thanks

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

Submission date: 17 May 2024

Attend a hearing

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

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

Declaration

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

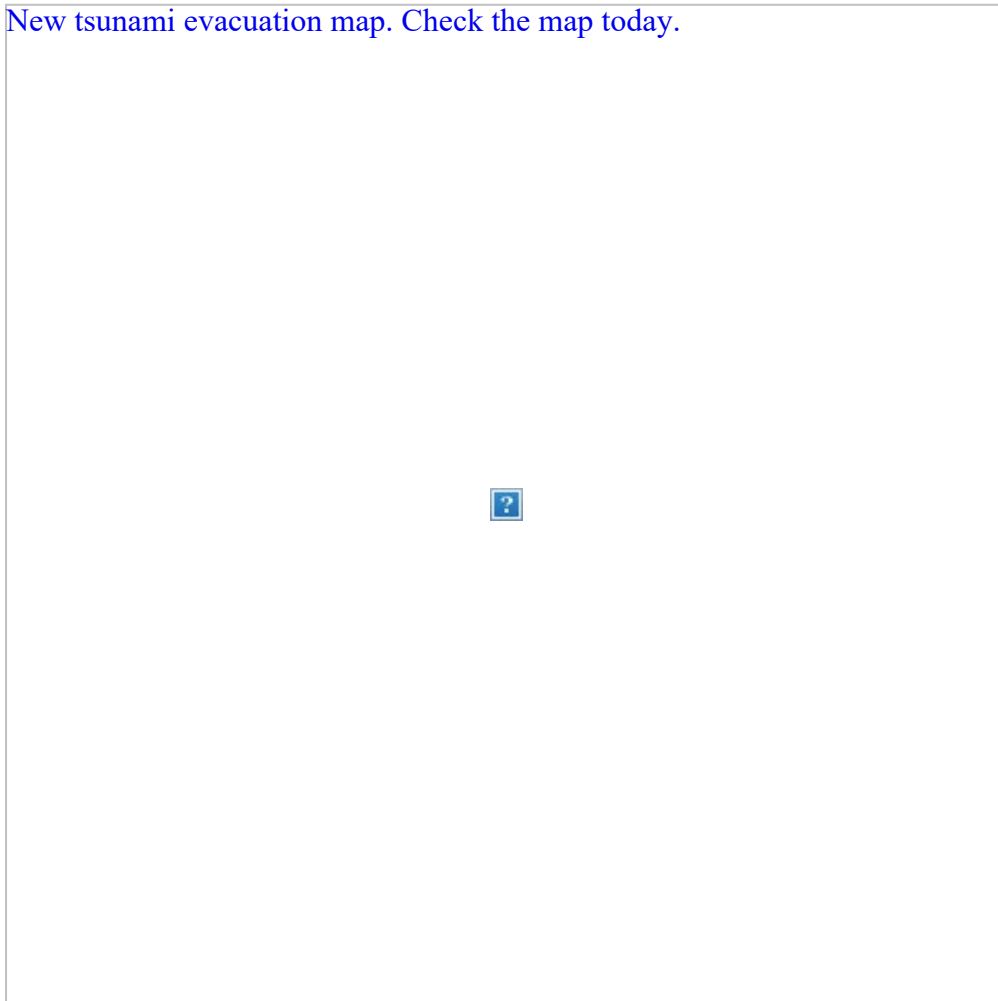
Are you directly affected by an effect of the subject matter of this submission that:

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Andrew Mcmanus
Date: Friday, 17 May 2024 10:15:13 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Andrew Mcmanus

Organisation name:

Agent's full name:

Email address: andymac.189@gmail.com

Contact phone number:

Postal address:
482 Huia Road. Langholm
Langholm
Auckland 0604

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Plan change 99

Property address: 13 Cresta and 96 Beach Haven Road

Map or maps:

Other provisions:

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

Do you wish to have the provisions you have identified above amended? No

The reason for my or our views are:
This will degrade the city of Auckland, is it can happen once it can happen again. and to anywhere, the unitary plan is there for a reason.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

88.1

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Robyn Plummer
Date: Friday, 17 May 2024 10:15:15 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Robyn Plummer
Organisation name:
Agent's full name:
Email address: robyn.a.plummer@gmail.com
Contact phone number:
Postal address:
28A Brigantine Drive
Beach Haven
Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)
Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:
Zoning intensification
Property address: 13 Cresta Ave and 96 Beach Haven Rd
Map or maps:
Other provisions:
Do not change the zone to create more intensification.
Do you support or oppose the provisions you have specified? I or we oppose the specific provisions identified
Do you wish to have the provisions you have identified above amended? No
The reason for my or our views are:
This is change is not in keeping with the surroundings and the intensification is not suitable to the area.

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

89.1

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

From: [Unitary Plan](#)
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 99 (Private) - Gallo Boyle and James Boyle
Date: Friday, 17 May 2024 11:15:13 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Gallo Boyle and James Boyle

Organisation name:

Agent's full name:

Email address: gallo@nhae.co.nz

Contact phone number:

Postal address:

1/90 Beach Haven Road

Beach Haven

Auckland 0626

Submission details

This is a submission to:

Plan change number: Plan Change 99 (Private)

Plan change name: PC 99 (Private): 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

My submission relates to

Rule or rules:

Appendix 3 - Urban Growth

Comments from the developer regarding the change in the zone from SH to MHU will enable 70-100 dwellings on site.

Property address: 13 Cresta Avenue & 96 Beach Haven Road

Map or maps:

Other provisions:

Plan change will not impact the surrounding urban amenity.

The decision from the Council Hearings Committee in 2023 resulted in no further action (or so we thought) as the development of intensive housing was not suitable in this location.

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

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

The reason for my or our views are:

This is an increase from the Developer's previous application for 85 apartments.

This would impact our local infrastructure and place pressure on urban amenities.

Within the last 12 months housing developments in our local Beach Haven area have increased considerably. Completed housing projects with new residents & families, were welcomed; no.s 268 Rangatira Road, 157 & 169 Beach Haven Road, and pre-sold Beach Haven developments in infancy stages.

These new developments have been built alongside an already Kainga Ora intensified area.

This has already added to our traffic challenges in & out of Beach Haven. Local schools & daycares are at capacity given the number of new & existing residents in the area. This new development will only exacerbate an already bursting community.

What is the purpose of a Hearings Committee decision if it does not stand?

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

Submission date: 17 May 2024

Attend a hearing

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

Declaration

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

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

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

Yes

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

[New tsunami evacuation map. Check the map today.](#)



ATTACHMENT FIVE
KAIPĀTIKI LOCAL BOARD VIEWS

Feedback from Kaipātiki Local Board: PC 99 (Private): 96 Beach Haven Road and 13 Cresta Avenue

19 June 2024

The Kaipātiki Local Board welcomes the opportunity to input into PC 99: 96 Beach Haven Road and 13 Cresta Avenue, Beach Haven.

The below feedback has been prepared by Chairperson John Gillon on behalf of the Kaipātiki Local Board.

The Kaipātiki Local Board holds serious concerns about the proposed plan change to the Auckland Unitary Plan to rezone approximately 7,147m² of land at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven, from 'Residential – Single House Zone' to 'Residential – Mixed Housing Urban Zone' and the proposal to introduce a precinct to both sites incorporating the Medium Density Residential Standards in accordance with section 77G(1) and Schedule 3A of the Resource Management Act 1991.

We **oppose** Plan Change 99 (PC 99) in its entirety and ask that it be **declined**.

The Kaipātiki Local Board requests the opportunity to present to any hearing on PC 99.

Single House Zone is the correct zoning for this site at 96 Beach Haven Road and 13 Cresta Avenue. It was likely to have originally been applied to the site due to the lack of appropriate infrastructure in the vicinity, and we believe that this holds true today.

We are therefore very concerned that a large development of the size that could be enabled by PC 99 may not be supported by public infrastructure in the Beach Haven area, especially when it hasn't been expected in the Unitary Plan nor planned for:

- We are aware that Beach Haven Primary School is at capacity, and although it recently received new classrooms, they are to support existing students and those coming from other recent developments in the area. The school is still at or near capacity.
- We are aware that traffic is already increasing in the area; there has been an increase in parked cars on residential roads, including Beach Haven Road near the site.
- We are aware that there is inadequate wastewater infrastructure in the vicinity, and likely to be for up to 15 years (Watercare have recently completed a project to increase capacity to the east of the Kahika Pumpstation, but not yet to the west where the site is located);
- We are aware that there is inadequate stormwater infrastructure in the vicinity, as demonstrated by localised flooding in the 2023 storms, and overflows at local wastewater pump stations caused by excessive stormwater.
- We are aware that Auckland Council does not have plans for additional open space or parkland in the vicinity to support an increase in population, nor is there planned budget to purchase land for this purpose.

Submitter Views

We note that a large majority of submitters opposed the proposal and raise significant concerns about the proposal. In particular, we note that Auckland Council and Watercare oppose the proposal.

We concur with the majority of the points made in the submissions from Auckland Council (#62) and Watercare (#79), and support their stance that PC 99 should be declined. We note the following points raised in their submissions:

- The applicant has not taken into account the presence of a qualifying matter on the site, which means that the MDRS rules enabling higher density do not apply to this site.
- There is no evidence that there is sufficient bulk wastewater capacity in the local network to accommodate a development that could be achieved under PC 99.
- Wastewater capacity constraints in Beach Haven are not expected to be resolved for up to 15 years.
- There has been insufficient assessment of the flood effects on downstream properties from the scale of development that could be achieved under PC 99.

It is not coincidence that the site is currently zoned for minimum housing.

Local Community

Following an extensive public consultation period, the Unitary Plan was adopted by Auckland Council, and the site was designated as Residential Single House Zone. The residents of Beach Haven, including neighbours of the site, accepted the outcome of the Unitary Plan process and have long known that development would occur at the site. But they assumed that any future development would comply with the Single House Zone that had been consulted on and adopted.

As in any part of Auckland, members of this community have chosen to live in the area based in part on the knowledge of how the community is planned to develop and evolve. So the proposal from the applicant for 81 dwellings (later 72 dwellings) came as such an outrageous shock to the community, that in a short space of time, opposition to the proposed development escalated, culminating in a public meeting on 19 January 2023 attended by 180 concerned local residents. These residents were not opposed to development at the site, but very concerned at the unexpected scale of the proposal, the inadequate local infrastructure and the numerous breaches of the zone rules. There was much relief when the application was rightly refused by the hearing panel.

This new attempt from the applicant to bypass the hearing panel's ruling and maximise intensification on the site by applying for a zone change, has also been met with a great deal of stress and concern from the local community. It is not a surprise to the Local Board that a majority of the submissions received from the public on PC 99 are opposed to it.

NPS-UD, MDRS and PC 78

The National Policy Statement on Urban Development 2020 (NPS-UD) from the previous NZ Government increases density in line with the Medium Density Residential Standards (MDRS).

According to the MDRS, the site at 96 Beach Haven Road and 13 Cresta Avenue could be increased to three dwellings per site, or six in total, as of right.

Auckland Council’s response to the NPS-UD and MDRS is via Plan Change 78 (PC 78) to the Unitary Plan. Under PC 78, the site at 96 Beach Haven Road and 13 Cresta Avenue is subject to the ‘Infrastructure – Water and/or Wastewater Constraints Control’ qualifying matter, as per policy 3 of the NPS-UD. While permitted activity Density Standards within the MDRS had immediate legal effect from 18 August 2022, they do not have any legal effect on a site that is subject to a qualifying matter.

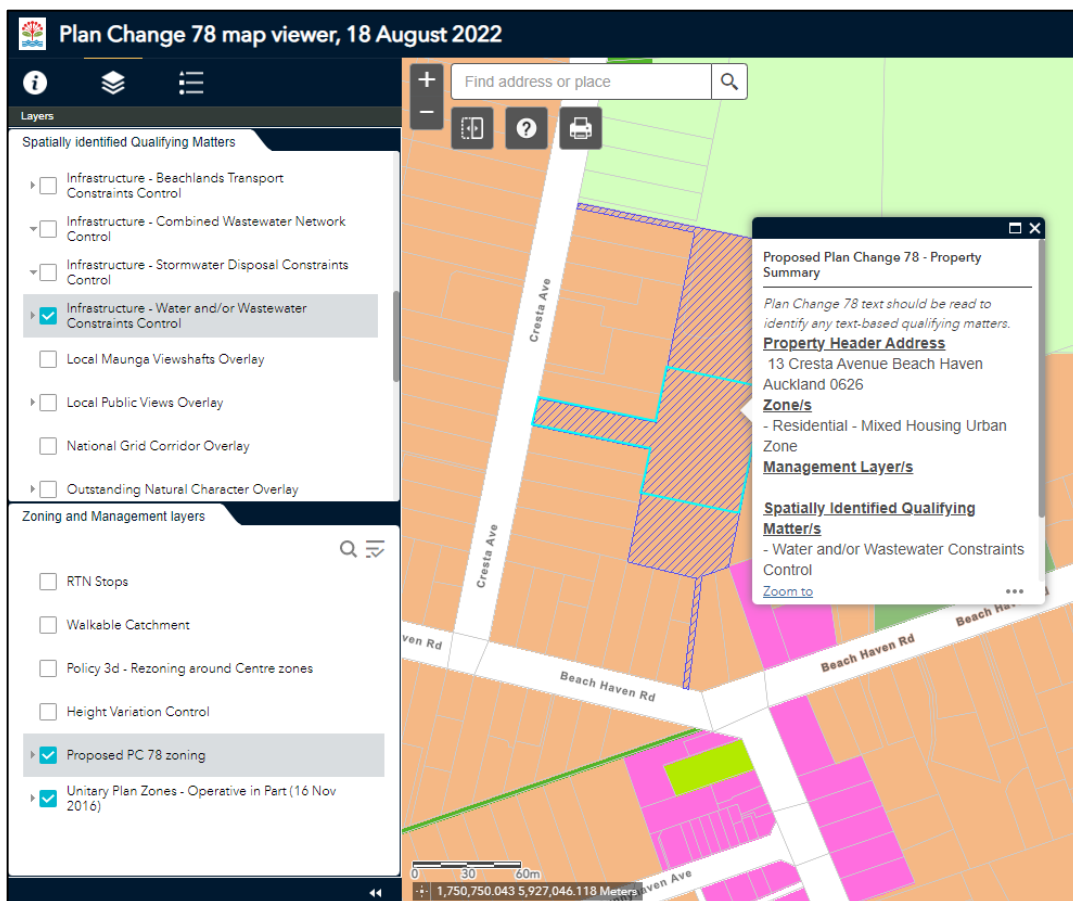


Figure 1- PC 78 Qualifying Matter overlay at 13 Cresta Avenue (also applies to 96 Beach Haven Road)

We believe that the applicant is mistaken in the interpretation of how the MDRS rules apply to the site.

We are also aware that the current Government is proposing changes to the MDRS rules and that the future of PC 78 is also uncertain. It would be inappropriate to grant the applicant the plan change on the basis that the intensification allowed under MDRS will one day apply to the site, as this is not a given.

12 Local board views on private plan change 99 for 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven

Member J Tupou joined the meeting at 10.15am.

Jo Hart, Senior Policy Planner, was in attendance via MS Teams to address the board on this item.

A document titled 'Feedback from Kaipātiki Local Board: PC 99 (Private): 96 Beach Haven and 13 Cresta Avenue' was tabled. A copy of the tabled document has been placed on the official minutes and is available on the Auckland Council website as a minutes attachment.

Resolution number KT/2024/131

MOVED by Chairperson J Gillon, seconded by Member M Kenrick:

That the Kaipātiki Local Board:

- a) **tuhi ā-taipitopito / note 90 submissions were received from the public with the majority opposed to the proposed plan change and thank the submitters.**
- b) **whakarite / provide local board views on private plan change 99 by Beach Haven Road Apartments Limited for 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven as per the tabled document.**
- c) **kopou / appoint the Chairperson John Gillon to speak to the local board views at a hearing on private plan change 99.**
- d) **tautapa / delegate authority to the chairperson of the Kaipātiki Local Board to make a replacement appointment in the event the local board member appointed in resolution c) is unable to attend the private plan change hearing.**

CARRIED

Attachments

- A 19 June 2024 - Kaipātiki Local Board business meeting - Feedback from Kaipātiki Local Board: PC 99 (Private): 96 Beach Haven Raod and 13 Cresta Avenue

ATTACHMENT SIX
AUCKLAND COUNCIL SPECIALIST REVIEWS

Memo (technical specialist report to contribute towards Council's section 42A hearing report)

07 August 2024

To: Jo Hart, Senior Policy Planner, Plans & Places – Regional, North, West & Islands

From: Andrew Temperley, Senior Transport Planner, Traffic Planning Consultants

Subject: Proposed Plan Change 99, 13 Cresta Avenue and 96 Beach Haven Road – Transportation Assessment

1.0 Introduction

1.1 I have undertaken a review of supporting evidence lodged by Beach Haven Road Apartments Limited in respect of the Proposed Private Plan Change 99 (PC99) located at 13 Cresta Avenue and 96 Beach Haven Road on behalf of Auckland Council in relation to transportation effects.

My name is Andrew Temperley, and I am a Senior Transportation Engineer and Planner at Traffic Planning Consultants Ltd (TPC) and have over 22 years of experience in transportation planning and engineering. I hold the qualifications of a Bachelor of Mechanical Engineering with German from the University of Nottingham, UK (1998) and I am a Chartered Transportation Engineer and member of the Chartered Institution of Highways and Transportation (CIHT) in the UK.

1.2 My work experience has included assessing and reporting on new transport proposals and on transportation effects of new urban development proposals. Over recent years, I have been engaged to undertake such work on behalf of Auckland Council.

1.3 In writing this memo, I have reviewed the following documents lodged in support of the application for PC99:

- 13 Cresta Avenue and 96 Beach Haven Road Proposed Plan Change Transportation Assessment Report
- Beach Haven Road Apartments Limited Section 32 Assessment Report.
- Engineering and Infrastructure Report to support Re-zoning application for Beach Haven Road Apartments Ltd
- The applicant's response to a Clause 23 Request for further information (December 2023)

1.4 In writing this memo, I have reviewed 55 of the 90 submissions, which include comments relating to transportation matters. My review of these submissions is covered in Section 5 of this review.

- 1.5 Auckland Transport (AT) reviewed the lodged PC99 documents and provided input to the Council prior to notification. AT has decided not to participate as a submitter but instead has engaged collaboratively with Council and myself, throughout the private plan change process. Emeline Fonua from AT has fully supported my technical review to date along with the assessment in this report.
- 1.6 By way of summary of the detail contained within this memo, I consider that PC99 can be made to be acceptable from a transportation engineering perspective, subject to the provision of adequate pedestrian crossing facilities across Beach Haven Road, opposite the site. As I elaborate upon in section 2 of this report, I consider the provision of safe and efficient crossing facilities for active mode users between the PC99 site and Beach Haven Local Centre to be necessary, in order to achieve consistency with policy objective of the Unitary Plan Mixed Housing Urban (MHU) zone, to promote walkable neighbourhoods.
- 1.7 However, in the current absence of adequate pedestrian crossing facilities being provided across Beach Haven Road, to cater for the desire line between the PC99 site and Beach Haven Local Centre, I would recommend that the plan change be declined.
- 1.8 While I acknowledge concerns raised by submitters in relation to the current PC99 proposal, concerning traffic congestion and parking pressures in particular, I consider that the transportation effects of development enabled by PC99 can be managed and accommodated on the adjoining transport network without compromise to its function, capacity or safety.

2.0 Key Transportation Issues

Policy Context

- 2.1 PC99 proposes the rezoning of approximately 7,147 sqm of land at 13 Cresta Avenue and 96 Beach Haven Road in Beach Haven, from Residential – Single House Zone (RSH) to Residential – Mixed Housing Urban Zone (MHU). While the MHU zone broadly allows for the same mix of land use activities permitted under the RSH zone, the rezoning would enable higher density residential development, of at least three storeys in height. From a transportation perspective, this would be expected to contribute towards higher traffic generation potential on the adjoining road network.
- 2.2 While the combined site for PC99 previously accommodated three standalone residential dwellings, the current proposal assessed for PC99 envisages a potential development of 80 residential apartment units in three-storey apartment buildings. For comparison, neighbouring land to the east and south of the PC99 site is similarly zoned as MHU and comprises a mix of standalone dwellings, similar to those provided within the neighbouring RSH zone, and some more recent residential apartment development of up to 3 storeys in height.
- 2.3 Key outcomes sought by the Unitary Plan MHU zone from a transportation perspective include:

- Promoting walkable neighbourhoods, to contribute towards fostering a sense of community and increase the vitality of local centres
- Achieving attractive and safe streets and public open spaces

To fulfil the objective for creating walkable neighbourhoods, the subject site needs to capitalise on its proximity to Beach Haven local centre. The PC99 proposal benefits from the proposed provision of a direct pedestrian linkage located between #94 and #98 Beach Haven Road, albeit the pedestrian route between the subject site and Beach Haven Centre lacks the provision of a formalised crossing point over Beach Haven Road.

- 2.4 The MHU Zone additionally includes an objective for MHU zoned land to be located *near to the Business – Metropolitan Centre Zone and the Business – Town Centre Zone, [comprising] high-density residential areas [...] close to the public transport network [...] efficiently used for higher density residential living and to provide urban living that increases housing capacity and choice and access to public transport.*

While the PC99 site benefits from its proximity to Beach Haven local centre, its zoning as Business – Local Centre Zone reflects a lesser level of services and amenities and a lesser intensity of development compared to that which may be expected in a *Business – Metropolitan Centre Zone* or a *Business – Town Centre Zone*. The nearest such zones to the PC99 site are within the town centres of Glenfield and Highbury, both of which are zoned as *Business – Town Centre*.

Nonetheless, I consider that the philosophy of zoning higher density residential development adjacent to Beach Haven Local Centre and within convenient access to public transport services remains a valid reason for the plan change. I additionally note that the rezoning of the subject site to MHU would improve consistency with neighbouring MHU zoned land to the immediate south and east of the subject site, as well as to the south of Beach Haven Local Centre.

Functional Transportation Requirements for MHU Zone

- 2.5 In addition to the identified deficiency in pedestrian crossing facilities across Beach Haven Road to support the desired outcome of a walkable neighbourhood, I have identified the following factors that I consider detract from the ability of the PC99 site to align with the functional transportation requirements of the MHU zone:

- The lack of key services and amenities in convenient proximity to the site is the main factor which could serve to influence the desired outcome of a walkable neighbourhood, as well as general access opportunities by active modes of travel. The relative lack of key services and amenities within the centre of Beach Haven has been the subject of submissions, as discussed in Section 5 of this report.
- The undulating environment within the wider adjoining area to Beach Haven Local Centre, which I would consider to be less conducive towards

encouraging travel by active modes to the next closest urban centres, such as Glenfield, Birkenhead and Highbury.

- 2.6 Noting that the latter two factors from the above cannot be remedied within the scope and context of PC99, I consider that the provision of adequate pedestrian crossing facilities across Beach Haven Road remains an important factor underpinning the acceptability of the plan change.

Local Car Parking Supply and Demand associated with current PC99 Proposal

- 2.7 While the current PC99 proposal does not provide sufficient parking on site to cater for the anticipated residential and visitor demand, I agree with the applicant's assessment that there is reasonable nearby on-street parking capacity to cater for the anticipated shortfall in parking. However, the National Policy Statement for Urban Development does not allow Council to advocate for minimum parking provisions at the Plan Change stage.
- 2.8 I discuss this in more detail in Section 3 of this review and acknowledge that the parking shortfall is a prominent issue raised in submitter comments, as discussed in Section 5 of this report.

3.0 Applicant's Assessment

- 3.1 The scope of transportation assessment to support the PPC is provided by the applicant's Integrated Transport Assessment Report (ITA), which follows previous draft ITAs prepared for previous versions of the proposal, submitted as part of a resource consent application rather than a PPC.
- 3.2 The scope of the ITA covers existing transport environment and context, road safety, assessment of traffic effects, including traffic generation, traffic modelling of key intersections, car parking, cycle parking, assessment of access arrangements and construction traffic.
- 3.3 The ITA confirms the following key conclusions which underpin the acceptability of PC99:
- The crash history does not indicate any pre-existing safety concerns near the site.
 - The site has good accessibility to various modes of travel, including active modes of travel, bus travel, ferry travel and private vehicle
 - Key intersections on the adjoining road network are able to accommodate additional traffic from the new residential development associated with PC99.

The ITA additionally confirms the following conclusions which relate more specifically to the proposed 80 apartment unit development:

- Expected future parking demand can be accommodated through a combination of on-site parking and parking on nearby roads.
 - Proposed new two-way access to the site for pedestrians and cyclists is deemed to be acceptable.
 - Construction effects can be managed by means of a Construction Traffic Management Plan (CTMP).
- 3.4 I agree with the general scope of the applicant's ITA and its key findings, on the basis of my review and additional areas of information that I requested from the applicant as part of a Clause 23 Request for Further Information. I have elaborated on my review of key transportation issues below, which in turn have been raised in submissions, which I have reviewed in Section 5 of this report.

Crash Review

- 3.5 The ITA's crash history review notes a total of 9 reported crashes over a 5-year period, from which the only recurring crash type related to vehicles manoeuvring out of parking spaces in Beach Haven local centre. I have reviewed and validated the findings from the applicant's assessment against records available from the NZ Transport Agency's crash analysis system, including additional crashes which have occurred more recently. I would similarly conclude that the crash record does not suggest any significant pre-existing safety issues which would be exacerbated by the proposal.

Capacity and Operational Review of adjoining road network

- 3.6 The ITA undertakes a capacity assessment of the following key intersections on the adjoining road network during AM and PM peak hours:
- Roundabout intersection of Beach Haven Road / Rangatira Road; and
 - Priority intersection of Beach Haven Road / Cresta Avenue
- The results indicate both intersections to be operating within capacity and with good levels of service (LOS A to B), both with and without the addition of traffic generated by PC99.
- 3.7 This assessment has been supplemented by a sensitivity test provided as part of the applicant's further information response, under which all traffic volumes have been increased by 25% to reflect a higher dwelling yield on the PC99 site than currently envisaged. The sensitivity testing shows that the intersections would continue to operate with good LOS A to B during both peak periods in the event of a higher dwelling yield eventuating on the site.
- 3.8 I have reviewed and validated the applicant's assessment against more recent AT traffic counts available for Beach Haven Road. These show that traffic on Beach Haven Road in the vicinity of the site has in fact decreased between 2017 (the count date referenced in the ITA) and 2021, by some 15%. I therefore consider the applicant's assessment to be sufficiently robust and agree with the conclusion that the adjoining road network functions with a good LOS.

Parking Supply and Demand for 80 apartment unit Proposal

- 3.9 The ITA estimates that the parking demand by residents and visitors for the 80 residential units equates to 102 spaces, which compares with the proposed provision of 63 parking spaces on site. The ITA has undertaken parking occupancy surveys along Cresta Avenue and Beach Haven Road to confirm that additional anticipated parking demand can be accommodated on street. I deem this assessment and its conclusion to be acceptable.

Access by Public Transport and Active Modes

- 3.10 The ITA evaluates key local services and amenities within reasonable walking and cycling distances of the PC99 site, based on isochrone approach adopting best practice guidelines for walking and cycling from Austroads and NZ Transport Agency sources. I support this approach and the corresponding parameters adopted through it, namely a convenient walking distance threshold of 1.5 kilometres and a convenient cycling distance threshold of 3 kilometres. On this basis, the ITA identifies a number of amenities and key destinations within convenient walking and cycling distances of the site, including Beach Haven local centre, a number of education facilities and the Beach Haven Ferry terminal.
- 3.11 I note however that the adopted walking and cycling distance thresholds from the subject site do not encompass significant retail and employment opportunities, such as the local centres of Glenfield and Birkenhead, which are located around 4km from the subject site.
- 3.12 The ITA notes convenient proximity of bus stops to the subject site, on nearby sections of both Beach Haven Avenue and Rangatira Road, in addition to Beach Haven Wharf being located some 800 metres from the site. Public transport provides some connectivity to destinations that are beyond reasonable walking or cycling distance from the site.
- 3.13 Pedestrian access from the subject site to Beach Haven Local Centre and to bus stops on Beach Haven Road and Rangatira Road requires pedestrians to cross Beach Haven Road adjacent to its roundabout with Rangatira Road. While the ITA acknowledges that there is no pedestrian cut-through on the splitter island on the western approach to the roundabout, it does not propose the provision of a new pedestrian crossing facility in this vicinity.
- 3.14 I consider that further work should be undertaken in relation the provision of a formalised pedestrian crossing facility to cater for this pedestrian desire line between the subject site and Beach Haven Local Centre. I consider the provision of a safe and efficient pedestrian crossing point at this location to be necessary to support the desired outcome for the Unitary Plan MHU zone, to *promote walkable neighbourhoods and achieve attractive and safe streets.*

4.0 Assessment of Transportation effects and management methods

Overall Transport Context

- 4.1 The PC99 site offers convenient access to the existing public road network, including access to the arterial road network in the centre of Beach Haven, where the roundabout of Beach Haven Road / Ranagatira Road provides onward intra-regional access to larger local centres such as Birkenhead and Glenfield, as well as the wider area of Auckland's North Shore.
- 4.2 As discussed below, the adjoining transport network to the PC99 site includes convenient access to public transport connections, generally good pedestrian footpath provisions although little in the way of dedicated cycling facilities.
- 4.3 Nearby residential streets away from the arterial roads are generally lightly trafficked and are considered to have capacity to accommodate additional on-street parking without adverse operational or safety effects.

Capacity and Operational Review of adjoining road network

- 4.4 As noted in section 3 of this report, I agree with the applicant's assessment that the existing road network adjoining the PC99 site currently performs with a good level of service and no pre-existing safety issues, in addition to being able to cater for additional traffic generated by PC99 without compromise to its function, capacity or safety.
- 4.5 AT has also not raised any concerns about the level of traffic generated or the performance of the modelled intersections. AT notes that the likely traffic related effects enabled by the proposal are negligible and can be accommodated within the existing transport network.

Parking Supply and Management

- 4.6 As a result of the National Policy Statement for Urban Development, minimum parking requirements for activities have been removed from the Auckland Unitary Plan Transport Chapter and can therefore not be requested by Council at the Plan Change stage.
- 4.7 The residential apartment proposal adopted in the applicant's ITA does not provide sufficient car parking on site to meet expected new demand and is thus expected to result in additional residential parking demand occurring on Cresta Avenue and Beach Haven Road. The ITA does not propose any form of new parking control on these roads, however I do not consider that controls such as resident or permit parking are warranted, based on the findings of applicant's parking occupancy surveys and the availability of off-road parking for existing residential properties in the area.

- 4.8 While the implementation of some short sections of 'No Stopping At All Times' control lines may be beneficial in the vicinity of key intersections, to maintain vehicle intervisibility and safety, I do not consider that any significant area-wide parking controls are warranted.
- 4.9 AT also accepts the findings from the applicant's parking occupancy surveys which are included in the ITA. AT is satisfied that the proposal provides sufficient parking to accommodate the anticipated parking demand within the site or on the surrounding roads with minor adverse effects on the functionality and safety of the surrounding network. AT would not support resident or permit parking in this location.
- 4.10 In addition to supporting some on-site parking provisions for residents, the PC99 proposal proposes a waste collection regime using a private operator gaining access to the site. I support this approach over on-street public collection, as it allows for the use of a smaller size of vehicle which can manoeuvre more easily within the site, in addition to which it negates the need to place a large number of rubbish bins along the roadside frontages of Cresta Avenue or Beach Haven Road. I consider that this matter more appropriate to be addressed at resource consent phase.

Provisions for active travel modes

- 4.11 Footpaths and pedestrian crossing points are generally well provided for along all roads in the immediate vicinity of the site, although as noted earlier, the western approach to the roundabout of Beach Haven Road / Rangatira Road lacks a pedestrian crossing point. I have already highlighted this as a deficiency that PC99 should address, to cater for the pedestrian desire line between the subject site and Beach Haven Local Centre and in turn, ensure acceptability of the plan change in transportation terms.
- 4.12 No dedicated cycle lanes are provided in the immediate vicinity of the site, however Beach Haven Local Centre does have some cycle racks. The area within immediate cycling distance of the site comprises an undulating environment, which may serve to reduce the attractiveness of cycling and other active modes of travel, particularly for longer distance trips to destinations of key services and amenities, such as Birkenhead and Glenfield.

Public Transport Provisions

- 4.13 The PC99 site is located in close and convenient proximity to bus stops, with pairs of bus stops provided in the following locations:
- **On Beach Haven Road adjacent to the subject site (within 100 metres walking distance)** – served by a typical daytime frequency of 4 buses per hour, providing access to Britomart.
 - **On Rangatira Road adjacent to Beach Haven Local Centre (within 240 metres walking distance)** – served by a typical daytime frequency of 8 buses per hour and up to 13 buses per hour during peak hours, providing access to Takapuna and downtown locations.

- 4.14 The PC99 site is also located within 750 metres of Beach Haven Wharf, which is served by ferry services connecting Hobsonville Ferry Terminal and Auckland City Ferry Terminal operating hourly during weekday peak periods and every 2 hours at weekends.
- 4.15 For comparison with good practice guidelines of the UK Chartered Institution of Highways and Transportation, a ‘desirable’ walking distance is considered to be a maximum of 500 metres, while an ‘acceptable’ walking distance would be considered to be up to 1000 metres. The 750-metre distance to the Beach Haven Wharf would thus be considered to be within the threshold of an ‘acceptable’ walking distance, with a walking travel time of approximately 10 minutes.
- 4.16 Based on the above, I consider that the site thus has reasonable access to local public transport services, albeit I note some submitter concerns in relation to the ability of public transport to make a significant contribution to travel demands generated by PC99. I address these in the next section of this report.
- 4.17 The ability of the site to offer convenient access to key services and amenities via public transport is to a degree, limited by its geographical context, characterised by the limited scope of retail and other services within the local centre of Beach Haven. Nearby locations for larger retail facilities, such as supermarkets, and other local services, include Glenfield, Birkenhead and Highbury, located around 4 to 5.5 kilometres from the subject site, which makes for less attractive access by active modes of travel.

5.0 Submissions

- 5.1 Following notification of the PPC on 18 April 2024, the extended period for submissions closed on 01 July 2024. A total of 90 submissions were received, of which 55, or 61% of all submissions, included comments and feedback in relation to transportation issues. The subset of 55 submissions raising transportation issues forms the basis of my analyses and comments in this section of my report.
- 5.2 The table below provides a breakdown of the most common transportation related issues raised in the subset of 55 submissions including transportation issues, on which I have provided comments in the following paragraphs in this section of my memo.

Transportation Issue Raised	No. Submitters
Concern over traffic effects / congestion	43 (78.2%)
Concern over parking	37 (67.3%)
Concerns over public transport	10 (18.2%)
Concerns over safety	9 (16.4%)
Concerns over active travel modes	3 (5.5%)

It should be noted that some submissions cover more than one transportation issue, hence above totals for numbers of respondents and percentages do not add up to 55 and 100% respectively

5.3 *Transport Issue: Concern over traffic effects / congestion [43 Submitters]*

More specific issues raised by certain submitters included:

- *High levels of on-street car parking are contributing to congestion (I have dealt with this item under paragraph 5.5 in relation to parking) [10 submitters]*
- *Congestion en route to the ferry terminal [4 submitters]*
- *Congestion at roundabout of Beach Haven Road / Rangatira Road [3 submitters]*
- *Onewa Road cited as a congestion hot spot within the wider road network [2 submitters]*

Most comments raised in relation to congestion on the adjoining road network were general in nature, some relating congestion to ongoing residential development in the area, but without elaborating on specific types or locations of problems.

However, as noted above, some submitters raised more specific prevalent traffic related concerns, including local congestion along Beach Haven Road to the ferry terminal and at the roundabout of Beach Haven Road / Rangatira Road. As per my review of the applicant's capacity and operational assessment of the adjoining road network, as noted in Section 3 of this report, I do not consider there to be any significant existing or future problems with local congestion in the immediate vicinity of the site.

In addition, two submitters made note of congestion on Onewa Road, which is some distance from the PC99 site. While I would acknowledge Onewa Road to be a known congestion hot spot on the North Shore, I would consider any direct additional traffic impact on this location resulting from development of PC99 to be negligible.

5.4 *Transport Issue: Concern over parking [37 Submitters]*

More specific issues raised by certain submitters included:

- *Concern over increased on-street parking demand [23 submitters]*
- *Inadequate parking provision to serve the new residential development [11 submitters]*
- *High levels of on-street parking are contributing to congestion [10 submitters]*
- *Excessive parking is becoming a safety issue, with pedestrians, including children, crossing the road in between parked cars [7 submitters]*
- *Concern over parking during large sports events at Shepherds Park [3 submitters]*

As noted in section 4 of this report, the applicant is no longer formally required to provide any on-site parking spaces and I agree with the applicant's assessment that the resulting shortfall in parking can be adequately accommodated on-street in the vicinity.

I note that existing residential properties on Cresta Avenue and Beach Haven Road already include off-street parking, typically with capacity for more than one vehicle per dwelling, thus providing opportunity to manage on-street parking pressures.

A review of crash history, as discussed in section 3 of this review, does not indicate any pre-existing safety issues resulting from parked vehicles in residential areas, nor specifically, crashes associated with parked vehicles impeding traffic flow or pedestrians crossing the road near parked vehicles.

To the west of Rangatira Road, Beach Haven Road is a comparatively lightly trafficked road, with respective AM and PM peak hour flows of 215 and 288 vehicles per hour (two-way flow), which equates to an average of around 4 to 5 vehicles per minute. This flow is expected to reduce heading westwards towards the wharf.

In the vicinity of the subject site, Beach Haven Road measures some 7.5 to 8 metres in width, which allows for parking on both sides whilst still accommodating one lane of traffic, with space for two-way traffic over lengths where there are gaps in parking on at least one side.

Even making allowances for vehicles travelling along Beach Haven Road stopping for passing opportunities in between parked vehicles, current and future traffic volumes are not likely to result in significant operational or safety effects between the subject site and the wharf.

I note that Cresta Avenue measures around 13.5 metres in the vicinity of the subject site, which is sufficient to cater for parallel on-street parking on both sides whilst still facilitating free-flow two-way traffic movements.

In response to concerns raised over parking pressures during large sport events at Shepherds Park, I note that Shepherds Park benefits from proximity to residential streets to the east, in addition to Cresta Avenue to the west. Both of these areas offer other convenient nearby locations capable of accommodating additional parking demand.

AT also notes that when the on-street parking demand from the plan change site does coincide with the peak demands for Shepherd's Park, these pressures will only be short-term, and the adjacent streets have capacity to accommodate additional on-street parking during these times.

5.5 ***Transport Issue: Concerns relating to public transport [10 submitters]***

More specific issues raised by certain submitters included:

- *Limited bus times / services [4 submitters]*
- *Congestion en route to the ferry terminal [4 submitters] (I have dealt with this item in paragraphs above, in relation to general traffic concerns and parking)*

- *Long length of bus route to get to city [2 submitters]*
- *Poor frequency of Ferry Services [2 submitters]*

As noted in paragraph 4.13 of this report, existing bus services available in the vicinity of the site offer a combined typical weekday daytime frequency of some 12 buses per hour while the ferry operates hourly. Public transport hence offers an alternative to car travel for trips to local centres that are beyond reasonable walking or cycling distance, albeit its attractiveness as an alternative mode may still be limited by travel time to some locations for services and amenities that are not available in the immediate vicinity of the site.

The higher density of residential development proposed by the PC99 proposal combined with its proximity to the arterial road network served by key bus services would contribute towards enhancing the commercial viability of local public transport services and the potential for increased service frequencies.

AT agrees that increased demand from the proposal would support a potential increase in frequency of public transport, subject to funding.

5.6 ***Transport Issue: Concern over safety [9 submitters]***

More specific issues raised by certain submitters included:

- *Concern over pedestrians crossing the road in between parked cars [7 submitters] (I have dealt with this item under paragraph 5.5 in relation to parking related issues).*
- *Increased safety risk as a result of increased congestion [3 submitters]*
- *Crossing Beach Haven Road is unsafe [1 submitter]*
- *Roads are too narrow to support number of houses [1 submitter]*

As noted in Section 3 of this report, I concur with the applicant's assessment that there is no evidence of pre-existing safety issues on the adjoining road that would be expected to be exacerbated by the proposal. While additional traffic movements and parking demands resulting from the proposal have potential to increase safety risk, I would consider this level of risk to be low, in the context of the immediate area of impact, to the west of the roundabout with Rangatira Road, being a low traffic environment. While the environment to the east, along Beach Haven Road and Rangatira Road is more heavily trafficked, I would still consider the lack of pre-existing safety issues, in the form of recorded recurring crash trends along these roads, to constitute a low safety risk.

5.7 ***Transport Issue: Concerns relating to travel by active modes [3 submitters]***

More specific issues raised by certain submitters included:

- *No bike friendly infrastructure on nearby roads [2 submitters]*
- *Lack of shops and amenities within walking distance of the development [1 submitter]*

While there are no dedicated cycle lanes or other cycling infrastructure in the immediate vicinity of the site, the adjoining road network does not experience serious congestion or operational issues and the crash history does not indicate any pre-existing safety issues involving cyclists. While the undulating environment and distances to neighbouring local centres may serve to counter the attractiveness of access to the PC99 site by cycle travel, I consider overall that the adjoining road environment can safely and adequately cater for cyclists, for those who choose to travel by this mode

6.0 Conclusions and recommendations

- 6.1 Further to reviewing the proposed rezoning of approximately 7,147 sqm of land at 13 Cresta Avenue and 96 Beach Haven Road in Beach Haven, under PC99, from Residential – Single House Zone (RSH) to Residential – Mixed Housing Urban Zone (MHU), I consider that the proposal can be made to be acceptable in transportation engineering terms, subject to the following:
- The provision of a formalised pedestrian crossing point across Beach Haven Road, between the PC99 site and Beach Haven Local Centre.
- 6.2 However in the current absence of the above, I consider that the current PC99 proposal does not align sufficiently closely with the strategic requirement of the Auckland Unitary Plan MHU zone, to promote walkable neighbourhoods and should otherwise be declined.
- 6.3 However, subject to the inclusion of the above provision, I consider the transport effects enabled by PC99 can be accommodated on the adjoining transport network without adversely compromising its function, capacity or safety.

Memo (technical specialist report to contribute towards Council’s section 42A hearing report)

8 August 2024

To: Jo Hart – Senior Policy Planner, Auckland Council
And to: Susan Andrews – Principal Planner, Auckland Council Healthy Waters
From: Amber Tsang – Consultant Planner (on behalf of Auckland Council Healthy Waters)
Carmel O’Sullivan – Senior Healthy Waters Specialist, Auckland Council Healthy Waters

Subject: Private Plan Change (PPC) 99 – 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven – Stormwater Assessment

1.0 Introduction

This memo has been written between Amber Tsang, Senior Associate Planner at Jacobs and Carmel O’Sullivan, Senior Healthy Waters Specialist at Auckland Council Healthy Waters.

Amber Tsang has worked as a consultant planner for Healthy Waters since 2016. Ms Tsang holds a Bachelor of Planning (Hons) degree from the University of Auckland and has been a full member of the New Zealand Planning Institute since 2012.

Carmel O’Sullivan has worked as a Senior Stormwater Specialist and Catchment Planner at Healthy Waters since 2020. Prior to this she worked mostly in private consulting in the water resources field for over 20 years in Ireland and New Zealand. As a consultant Carmel was seconded to Healthy Waters since 2017. Carmel graduated from Cork Institute of Technology in 1998 with a Bachelor of Engineering degree. Carmel is a Chartered Professional Engineer (CPEng) and a Chartered Member of Engineering New Zealand (CMEngNZ).

We (Ms Tsang and Ms O’Sullivan) have assessed the Stormwater Management Plan (SMP) submitted as part of PPC 99, on behalf of Auckland Council Healthy Waters, in relation to stormwater effects against the plan change requirements.

In writing this memo, we have reviewed the following documents:

- Proposed Stormwater Management Plan for Beach Haven Road Apartments Ltd at 96 Beach Have Road/13 Cresta Ave, Beach Haven, by Airey Consultants Ltd dated 3 November 2023.
- The Applicant’s Request for Information (RFI) response dated 20 February 2024.
- Proposed Beach Haven Precinct provisions.
- Submissions received raising stormwater and flooding related issues.

The following sub-sections are provided to assist the reporting planner’s consideration of the plan change proposal in terms of stormwater effects.

2.0 Assessment of Stormwater Effects

PPC 99 seeks to rezone the properties at 13 Cresta Avenue and 96 Beach Haven Road (Site) from Residential – Single House Zone under the Auckland Unitary Plan – Operative in Part 2016 (AUP(OP)) to Residential – Mixed Housing Urban Zone. The new Beach Haven Precinct is being proposed as part of PPC 99.

The 7,147m² site, is located within the Tramway catchment and is currently vacant of built development. The ultimate receiving environment of the site’s stormwater discharges is Hellyers

Creek and the Waitemata Harbour. A large area of Hellyers Creek is identified as a Significant Ecological Area (ref: SEA-M2-58b) under the AUP(OP).

Section 5 of the SMP sets out the stormwater management proposed by the Applicant. The proposed management in relation to stormwater treatment and water quality, conveyance of 10% annual exceedance probability (AEP) storm event flows, overland flow path and downstream flooding risk are summarised below.

2.1 Stormwater treatment and water quality

The stormwater quality treatment proposed in Section 3.2 of SMP for all impervious areas (including roofs) to receive GD01¹ level of treatment and the use of inert roof materials are considered appropriate.

2.2 Conveyance of 10% AEP storm event flows (primary stormwater drainage system)

As shown on Drawing RC400 (submitted with the Applicant's RFI response²), stormwater from the site is to drain to the detention tanks before discharging to the existing 750/400mm diameter stormwater pipe downstream. As stated in Section 3.1 of the SMP, the proposed detention tanks will have a throttle discharge system to provide attenuation for the 10% AEP storm event with 2.1 degrees climate change.

Ms O'Sullivan advises that both the primary and secondary stormwater drainage systems shall be designed as per the Auckland Council Stormwater Code of Practice (SWCoP) to avoid any potential adverse effects on upstream, downstream, and adjoining properties. It should be noted that the receiving drainage system capacity constraints have not been demonstrated in the SMP submitted. The detailed design of the systems is to be confirmed at resource consent stage.

2.3 Overland flow path (secondary stormwater drainage system) and downstream flooding risk

In terms of downstream flooding risks, Objectives B10.2.1 (2) and (3) of the Regional Policy Statement (RPS) (quoted below) provide the policy direction on how natural hazards (including flooding) risk should be managed.

B10.2.1 Natural Hazards and Climate Change Objectives

(2) The risks to people, property, infrastructure and the environment from natural hazards are not increased in existing developed areas.

(3) New subdivision, use and development avoid the creation of new risks to people, property and infrastructure.

This forms the basis of our assessment, which is to determine:

- Whether stormwater runoff from subdivision and development enabled by PPC 99 has the potential to increase flooding risks to downstream properties; and
- Whether the stormwater management proposed with PPC 99 include appropriate mitigation to make sure that downstream flooding risks are not increased.

Based on Auckland Council's GeoMaps, there is an overland flow path entering the site from the southern boundary. The overland flow path traverses the site along its western boundary and continues north through the downstream properties at 15, 17, 21, 23, 25 and 27A Cresta Ave. Then it joins the flood plain at the carpark area in Shepherds Park. Figure 1 below shows the alignment of the overland flow path and the downstream flood plain area.

¹ Guidance Document 2017/001 Stormwater Management Devices in the Auckland Region

² Refer to **Attachment C**.



Figure 1: Overland flow paths and flood plain

In response to the Healthy Waters' clause 23 further information request, Drawing MS900 was provided to show the proposed secondary stormwater drainage system³. It is proposed that stormwater flows from approximately 1,410m² of the site area which originally drain to a stream to the east will be diverted to the existing overland flow path to the west. It should be noted that further assessment (i.e. refer to discussion below) has indicated a greater potential diversion of catchment (i.e. an area of approximately 1,869m² instead of 1,410m²).

With the proposed diversion of flows, there is a potential for more runoff to enter the existing overland flow path and go through the downstream properties, especially during heavy rainfall events.

The Applicant's RFI response discussed the feasibility of providing flood attenuation for the 1% AEP storm event and suggested that it can be achieved by the proposed detention design. However, no 1% AEP attenuation is being proposed, because downstream flooding effects were considered to be minor.

Ms O'Sullivan has raised a few concerns about the Applicant's flood effects assessment. In particular, the Applicant's assessment lacks the following:

- An investigation and identification of existing flooding issues downstream of PPC 99.
- An acceptable comparison of flood effects between the pre and post development scenarios.

To better understand the potential flood effects, Larry Shui (consultant engineer for Healthy Waters) has undertaken a flood risk assessment by using a HEC-RAS 2D hydraulic model. Site investigation has also been undertaken to understand floor clearances at sensitive areas. A copy of Mr Shui's flood risk assessment is included in **Attachment B**.

³ Refer to **Attachment C**.

Three scenarios have been modelled:

- Base scenario: existing terrain (LiDAR 2016) with 1% AEP design storm plus 2.1 degree climate change.
- Post development scenario without diversion: potential development (60% imperviousness⁴) on existing terrain with 1% AEP design storm plus 2.1 degree climate change.
- Post development scenario **with diversion**: potential development (60% imperviousness) on modified terrain (i.e. diversion of catchment with an area of 1,869m²) with 1% AEP design storm plus 2.1 degree climate change.

In summary, the hydraulic model has indicated that:

- Habitable floor flooding at 1/17, 2/17, and 3/17 Cresta Avenue has the potential to increase by 16mm in the post development scenario with diversion.
- Property flooding (i.e. non-habitable floor flooding) at other downstream properties has the potential to increase by up to 45mm in the post development scenario with diversion.

A full summary table of the model results is included in the flood risk assessment in **Attachment B**.

Stormwater discharge effects of individual subdivision and development may be minor, but the cumulative effects could be significant and have the potential to worsen flooding risks to the receiving environment. Therefore, it is important that a catchment-based approach is being adopted when considering stormwater discharge effects, and appropriate mitigation should be required to ensure flooding risks, particularly habitable floor flooding, are not increased.

Both Mr Shui and Ms O'Sullivan agree with the need to attenuate the peak discharge from the development of PPC 99 to pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfalls.

Based on the above, the following is recommended to be included as a special information requirement as part of the precinct provisions:

An application for any subdivision or development must be accompanied by a stormwater design report prepared by a suitably qualified person to confirm that the proposed stormwater design will achieve peak discharge attenuation to pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfalls.

3.0 Submissions

The submissions received on PPC 90 which raised stormwater related issues are summarised in Table 1 in **Attachment A**.

A number of submissions (Submissions 2.1, 8.1, 11.1, 13.1, 17.1, 18.1, 31.1, 40.1, 45.1, 47.1, 48.1, 49.1, 53.1, 58.1, 65.1, 68.1, 69.1, 71.2, 76.1, 85.1) raised general stormwater, water quality and flooding concerns. They are addressed in Section 2 above.

Submission 62.3 from Auckland Council requested that the management of effects of stormwater is added to the proposed Matter of Control IXXX.7.1(1)(c). This is supported.

Submission 77.1 from the property owner of 29 Cresta Avenue raised concerns about overland flows across their property. It is considered that stormwater effects on 29 Cresta Avenue can be managed subject to more detailed engineering design at resource consent stage.

⁴ A maximum impervious area of 60% is permitted under the AUP(OP) for the Mixed Housing Urban Zone.

4.0 Conclusions and Recommendations

The hydraulic model prepared by Mr's Shui has indicated that, without appropriate mitigation, stormwater runoff from subdivision and development enabled by PPC 99 has the potential to increase flooding risks to downstream properties.

To mitigate stormwater discharge effects so that downstream flooding risks are not increased, we recommend that the following special information requirement is included as part of the Beach Haven Precinct provisions:


An application for any subdivision or development must be accompanied by a stormwater design report prepared by a suitably qualified person to confirm that the proposed stormwater design will achieve peak discharge attenuation to pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfalls.

Attachment A: Table 1 – Submissions raising stormwater related issues

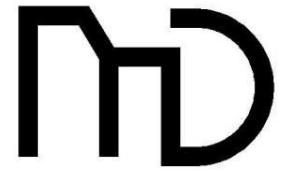
Sub. No.	Name of Submitter	Relevant stormwater issues raised by the Submitter
2.1	Blair Baldock 80 Beach Haven Road	Concerned about flooding and stormwater issues in general.
3.1	Pero Garlick	Approve the plan change without any amendments. The technical reports provided demonstrate that the site is suitable for intensive development. Flood modelling and stormwater mitigation will adequately mitigate adverse effects from onsite flooding from the OLFP. This is especially important in context of climate change and the extreme weather events of early 2023. I expect that the resource consent process will appropriately manage upstream and downstream flooding effects from the development.
8.1	Jose Dooley 26 Beach Haven Road	During Feb 2022, Beach Haven suffered shocking storm water flooding, the local infrastructure does not cope with the existing population let alone to allow for intense mixed housing.
11.1	Shane Dooley	Recent flooding in 2023 points out that our storm water system is inadequate. Increased density housing will exacerbate this continuous degradation of services.
13.1	Martin Coleman 14C Cresta Avenue	There exists the potential for flooding effects on downstream properties and structures through the overland flow path.
17.1	Jessica Maree Dodd	The services such as storm water and sewerage will be put under further stress with the change to the plan. The reduction of permeable surfaces will add to the risk of flooding and surface water in the area.
18.1	Johannes Marais 38 Inlet Views	It is a quality improvement in the area with the proviso that stormwater discharge to surrounding properties are managed.
31.1	Victoria Mowbray 21 Rangatira Road	Little thought has been given to stormwater, the covering or permeable ground to prevent flooding.
40.1	Alison Lewis 10 Taynith place	Overcrowding, public systems stormwater and parking not supportive.
45.1	Abbagail Head and Benjamin Collings 94 Lauderdale Road	<p>Non-compliance with Regional Policy Statement Objectives:</p> <p>Avoidance of Natural Hazards: Further, the policy aims to minimise the risks associated with natural hazards like flooding. The inadequate flood effects assessment provided raises concerns that the development could increase flood risks for downstream properties, which is against these regional directives.</p> <p>Inadequate Stormwater Management:</p> <p>Stormwater Runoff and Flooding: The stormwater management strategy for the proposed development is lacking in comprehensive modelling and fails to consider the full impact of increased flood risks in both pre- and post-development scenarios. This oversight could lead to increased environmental degradation and is inconsistent with the District Plan's rigorous standards for stormwater management, which are designed to protect water quality and manage stormwater sustainably.</p> <p>Exclusion of Cyclone Gabrielle Data: The flood modelling supporting the plan change does not incorporate data from Cyclone Gabrielle, which occurred in 2023. This significant weather event brought unprecedented rainfall and severe flooding to the region, providing critical insights into the area's flood risks. By relying on outdated modelling that predates Cyclone Gabrielle, the assessment fails to accurately reflect the current flood hazards. This omission undermines the reliability of the proposed stormwater management and flood mitigation measures, as it does not account for the increased risk and impact demonstrated by this recent event. Including such data is essential to ensure a realistic evaluation of flood risks and the effectiveness of mitigation</p>

Sub. No.	Name of Submitter	Relevant stormwater issues raised by the Submitter
		<p>strategies.</p> <p>Environmental Effects and Mitigation:</p> <p>Insufficient Mitigation Measures: The proposed plan does not adequately address the adverse environmental impacts identified, particularly in relation to downstream flooding and the management of overland flow paths. The lack of robust mitigation measures contradicts both the Regional Policy Statement and the District Plan, which demand effective strategies to mitigate environmental impacts.</p>
47.1	Carol and Bob Hamilton 32 Mayall Avenue	<p>Potential for Overland Flow Path Obstruction:</p> <p>Concerns about the overland flow path, particularly with alterations that might come with the development, could lead to issues with stormwater management. If not managed properly, modifications to the land could alter the natural drainage patterns, potentially increasing the risk of flooding, both on-site and in the surrounding areas, especially during severe weather events.</p> <p>Stormwater Runoff and Flooding:</p> <p>The stormwater management strategy for the proposed development relies on outdated models that do not include data from Cyclone Gabrielle, a significant weather event in 2023 that caused extraordinary rainfall and flooding. This oversight in the modelling process omits vital information necessary for understanding the area's flood risk. Consequently, the stormwater assessment does not accurately reflect the potential impacts of flooding. This deficiency could lead to further environmental degradation and fails to meet the District Plan's requirements for sustainable stormwater management and water quality protection.</p> <p>Insufficient Mitigation Measures:</p> <p>The rezoning proposal lacks robust mitigation measures for the identified adverse environmental impacts, particularly concerning downstream flooding and overland flow paths. This deficiency contravenes both the Regional Policy Statement and the District Plan, which require effective strategies to mitigate environmental impacts.</p>
48.1	Barbara Janis ROTHWELL 36/120 Beach Haven Road	<p>I am not convinced that the land can support the maximum number of dwellings that may be allowed under the current standards. Using the approx. 7,147m², figure, supplied on the information, which may allow 25-80 dwellings, is probably not a fair or accurate assessment of the area to be developed as quite a large area comprises the entry ways from both Beach Haven Road and Cresta Avenue. There is also a substantial ditch running on the Cresta Avenue side along the whole length of the land which has probably helped with drainage for many years in this area and of that land. With the already over development of this area and the stressed infrastructure I can see this being a problem, if that is filled to allow building it will not be stable for many a year and still be possibly undermined by the storm water needing somewhere to go.</p>
49.1	Geoffrey Wilding 1/35 Beach Haven Road	<p>This development will also overload our stormwater, wastewater network, schools, resources etc.</p>
53.1	Alison Ann McGlashan 28 a Cresta Avenue	<p>Our stormwater and wastewater disposal systems require review and serious work to lift them from just meeting current needs to an efficient larger township status.</p>
58.1	Stephen Hogg 44 Rambler Crescent	<p>The existing site is predominantly pastureland. This provides bio-detention, biofiltration and bio-retention. The proposal is for a largely impervious site. The site will generate stormwater pollution</p>

Sub. No.	Name of Submitter	Relevant stormwater issues raised by the Submitter
		including from toxic run off from vehicles etc., but despite the proposal of filtration being installed, the water quality will be reduced and the volume of stormwater increased discharging to the sensitive harbour environment during 10% AEP event. The water quality will be further reduced, and water volume flow increased further compared to that existing with lower percentage AEP events, which are set to be more frequent due to climate change.
62.3	Auckland Council	<p>ACS opposes the plan change, unless the matters raised in this submission are addressed, including an inadequate assessment of the flood impacts on downstream properties.</p> <p>ACS is concerned that there is insufficient assessment of the flood effects on downstream properties. Specifically, ACS is unable to ascertain from the information provided whether existing downstream flooding issues may be exacerbated by more intense development occurring within the plan change area.</p> <p>The impact of altered hydrological conditions, including the volume, frequency of discharges and the extent of flood flow depths is not able to be determined with the necessary level of confidence. In the absence of this information, ACS does not support the plan change.</p> <p>If the plan change is approved with the MDRS incorporated: Amend IXXX.7.1(1)(c) to read 'the effects of infrastructure provision <u>and management of effects of stormwater.</u>'</p>
65.1	Charles Grinter 95A Beach Haven Road	The development will add to the strain on the stormwater (a genuine concern in a time of climate change and something not well managed in this area). The two sections are identified in the reports as being prone to flooding and that has been an issue in 2023.
68.1	Letitia Welsh 85A Beach Haven Road	<p>It's crucial to highlight that the stormwater management modelling in the proposal relies on data up to 2021, which fails to represent the current hydrological and geological conditions. Notably, it overlooks the effects of Cyclone Gabrielle in 2023, which resulted in significant flooding and erosion in Beach Haven. This oversight risks underestimating future flooding and erosion. In response to the cyclone, Mayor Wayne Brown proposed increasing funding by \$20 million annually to boost storm response and strengthen infrastructure resilience, highlighting the need for improved infrastructure resilience.</p> <p>The plan change request for 13 Creta Avenue fails to adhere to sound resource management practices as stipulated under Clause 25(4)(c), which emphasizes sustainable and beneficial community resource management. The proposed rezoning overlooks crucial issues such as inadequate stormwater management, potential flooding risks, and insufficient parking, which are fundamental to ensuring a sustainable environment. The push for rezoning without addressing these significant concerns disregards the essence of sound resource management, which seeks to harmonize development with environmental and community needs.</p>
69.1	Eion Martin Bryant 21 Gazelle Avenue	The neighbourhood has important natural resources that need protecting. The estuary, Tūi park and Shepherds Park are vital habitats for birds, fish etc. There is the potential for increased adverse effects to this natural resource from the overtaking of infrastructure for sewage and stormwater.
71.2	Daisy Kay	if PC99 is not declined, it should be amended to avoid adverse impacts on existing infrastructure and avoid adverse effects that will

Sub. No.	Name of Submitter	Relevant stormwater issues raised by the Submitter
		be generated or exacerbated by the development potentially enabled by the Plan Change, including Future Restricted Discretionary development to be required to address impacts on other infrastructure, particularly stormwater, to avoid any adverse impacts on neighbouring properties and the local environment.
76.1	Frances Hogg 44 Rambler Crescent	Currently the existing site is grassland and a natural living space to absorb rainwater runoff. The proposed new development will generate stormwater pollution including from toxic run off from vehicles etc. Even though there is a proposed filtration being installed, the water quality will be reduced and the volume of stormwater increased discharging to the sensitive harbour environment during 10% AEP event (which happens more regularly in this global warming climate).
77.1	Crispin Robertson 29 Cresta Avenue	<p>Site Runoff/Stormwater</p> <p>During heavy rainfall, there are overland flows that are not documented in the council GIS on the northeastern corner (see attached photographic evidence). This affects 29 Cresta Avenue and the apartments on 120 Cresta avenue. This also flows into the watercourse which contains native fish. See the attached photos I do have a video of this too.</p> <p>Environmental Impact</p> <p>The runoff during and post-development is likely to enter the stream that runs through 29 and 29a Cresta avenue, this stream does contain native fish and also hasn't been tested for Inanga.</p> <p>The stormwater runoff eventually goes into the estuary at the bottom of Cresta Ave, additional flows will have an environmental impact on the salt marshes at the bottom of this street.</p> <p>Personal Impact</p> <p>Our property at 29 Cresta avenue will be dominated by the height of a permitted building. Also, we are most at risk of stormwater runoff damage to our property, and damage to bush and healthy waterways. We are at risk of slips as we are on a steep section with a watercourse.</p> 
85.1	Kirk David Vette 68 Beach Haven Road	The drainage and water infrastructure are not able to cope currently with heavy rains and flooding. An increase in houses in the area will only add to the problem.

31 July 2024



Carmel O'Sullivan /Link Zhao
Senior Healthy Waters Specialist
Auckland Council

Dear Carmel and Link,

RE: Flood Risk Modelling in Relation to Proposed PPC at No. 96 Beach Haven Road

Introduction

A Private Plan Change application has been received by Auckland Council and Healthy Waters Catchment Planning Team was requested to assess and provide input to this application, especially on potential adverse effects in terms of flood risk in the local receiving catchment.

The proposal involves residential development of the two existing properties at No. 96 Beach Haven Road and 13 Cresta Avenue in Beach Haven, with a total area of 7147 m². The residential development will have an imperviousness of 60% and diversion of surface runoff from 1869m² of site area from the Tram Way stream to the local overland flow path (Line ID 622733, contributing catchment area 14407 m²) which traverses the site and downstream properties lying between Cresta Avenue and the Site

As there is a lack of clear identification/understanding of existing flooding issues in the local catchment area both upstream and downstream the proposed development site. As there are few catchment flood risk data and hydraulic model for the Tram Way Catchment, a new flood risk model is considered necessary.



Figure 1 - Site Surroundings and Catchment Divide

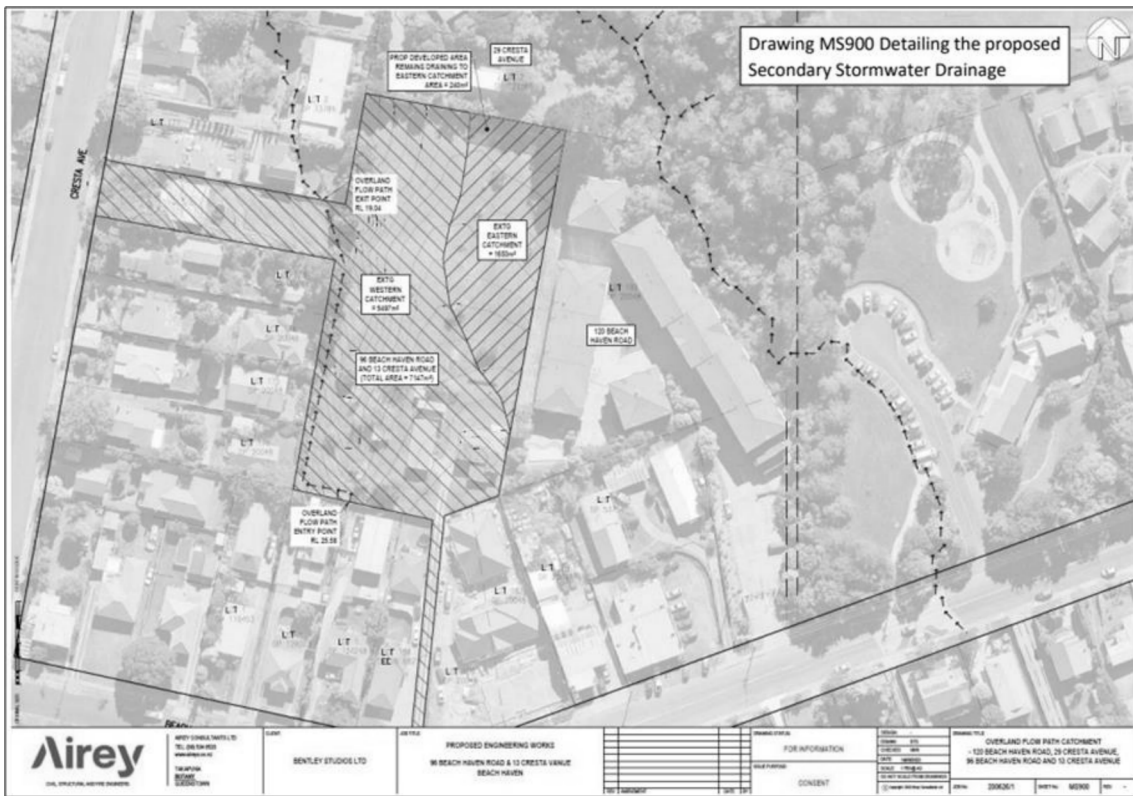


Figure 2 - PPC Proposed Catchment Diversion and Overland Flow Path Modification

Model Set Up

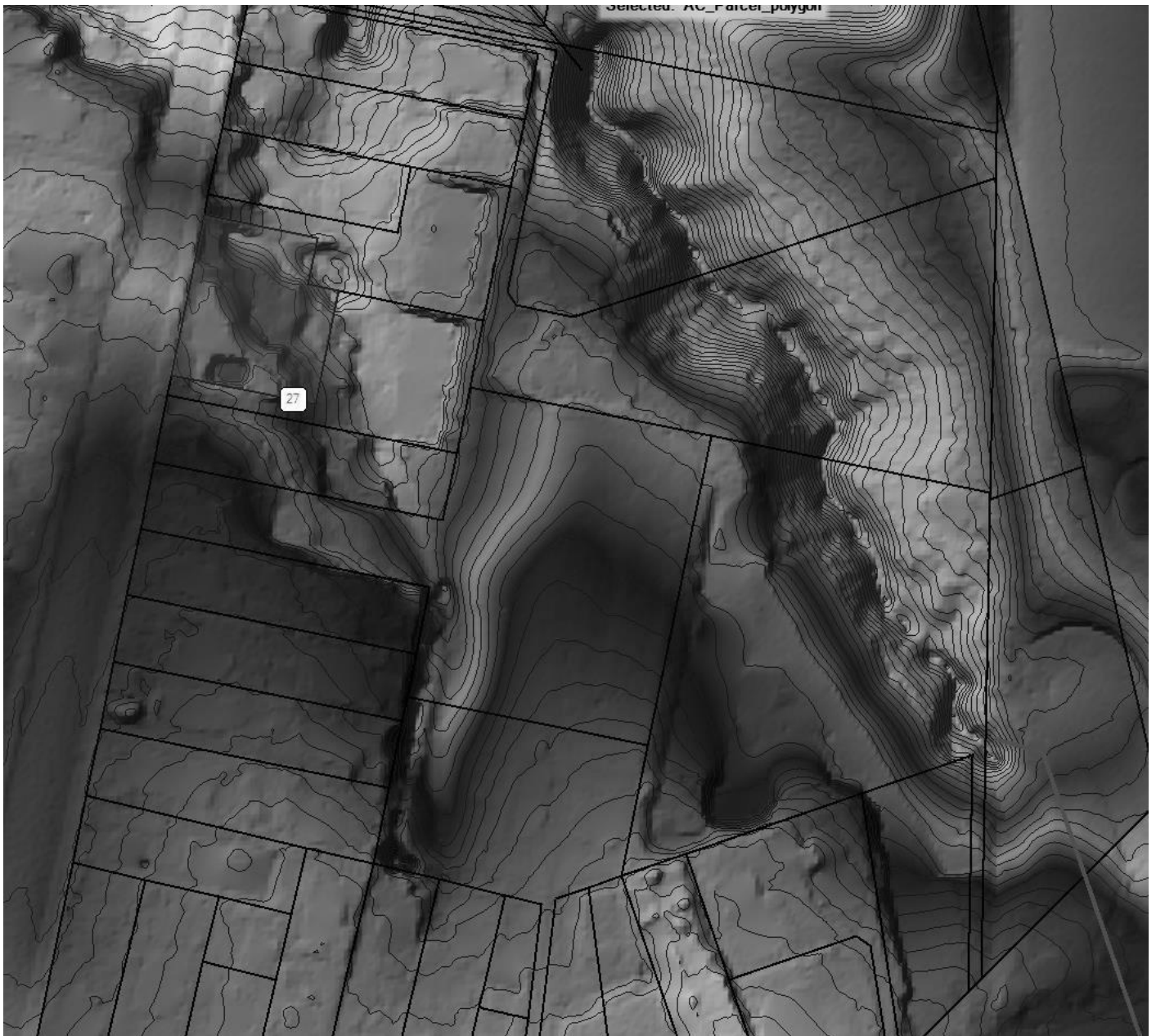
A HEC-RAS 2D hydraulic model has been set up to model the surface overland flow and stream channels in the local area. Major culverts at road crossings have been included in the model with data obtained from GeoMaps.

The terrain data has been taken from the 2016 LiDAR DEM from Auckland Council. Breaklines have been added at Road centre lines, overland flow paths and channels to ensure the model meshes align well with these linear features. The mesh sizes for the surrounding area have been set as 4m x 4m and a mesh refinement region covering the PPC and immediate upstream/downstream properties has been established with a mesh resolution of 2m x 2m. Along the break lines, the mesh spacing was set to 1m.

Building footprints are modelled as roughness patches with a manning's n value of 1. Paved surfaces and roads have been modelled with a Manning's n roughness of 0.022, while the remaining property with roughness value of 0.12, which represents the grass lawn by heavily impeded by fence lines, gardens and retaining walls etc. A land cover layer has been provided to identify the paved surfaces and building footprints in the model.

The existing terrain at the PPC site was amended to reflect the proposed catchment diversion. Ground levels at the site were modified to achieve falls towards the local overland flow path.

Figure 3 - Existing Site Topography LiDAR 2016



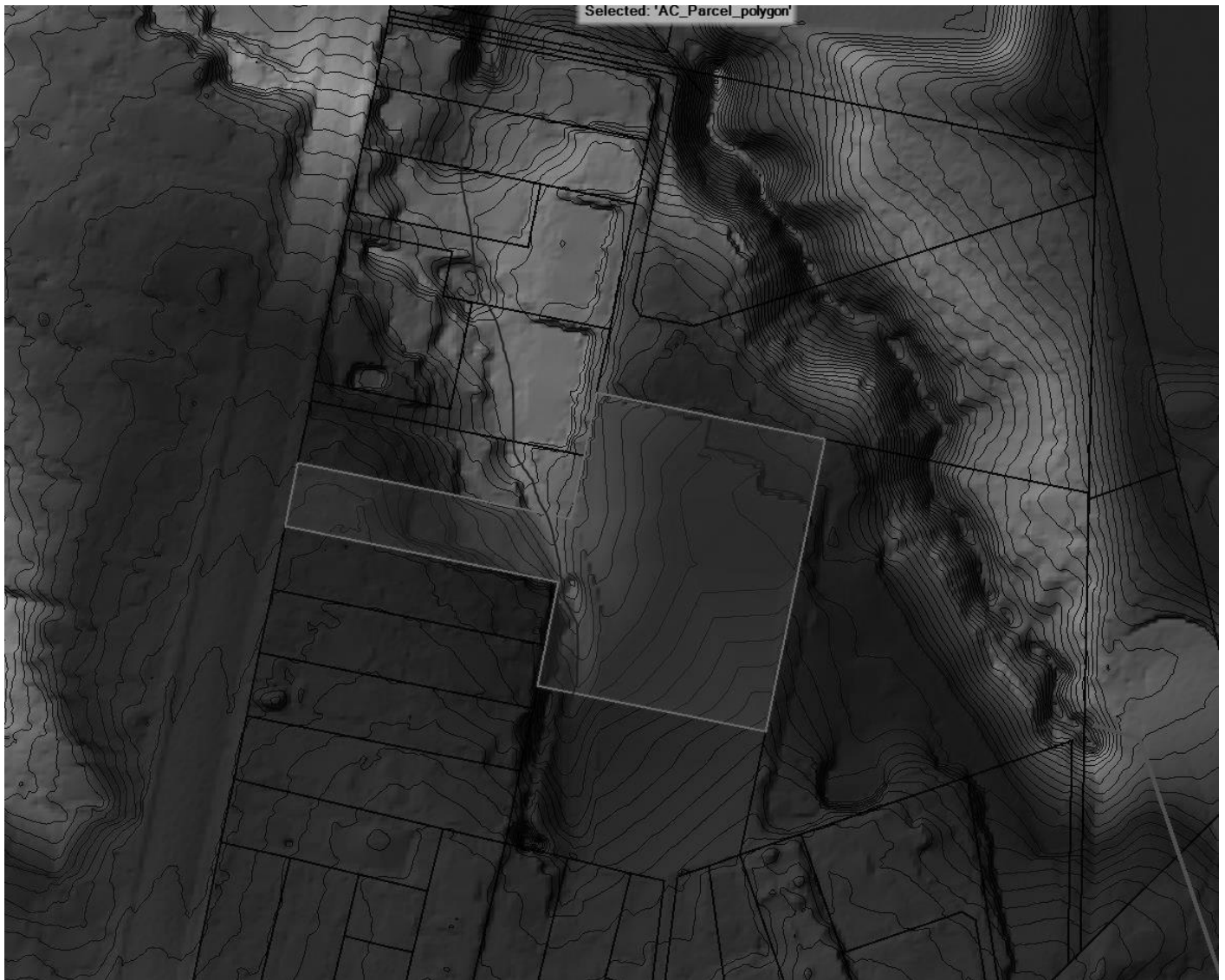


Figure 4 - Site Topography Proposed - with Catchment Diversion

Rainfall

The 1% AEP TP108 design storm profile and depth adjusted for 2.1°C future climate change with a total depth of 256.96mm is used as the input rainfall event as a part of this modelling project. Other design storm events have not been simulated yet.

Runoff Modelling

The rain on mesh or direct precipitation approach has been adopted for this project. An infiltration layer has been derived from soils layer and land cover layer to give each unique combination of Soil/Land Cover type a runoff curve number and an initial abstraction depth. A minimum infiltration rate has also been adopted for each Soil/Land Cover type as per HEC-RAS reference manual.

Table 1 - Soil/LandCover Types and Runoff Parameters

ID	Name	Curve Number	Abstraction Ratio	Minimum Infiltration Rate (mm/hr)
0	NoData	74	0.06	1.2
1	NoData : Waitemata Residual Soils	74	0.06	1.2
2	NoData : Sandy Soils	61	0.06	1.2
3	NoData : Alluvial Soils	61	0.06	1.2
4	NoData : Greywacke and Limestone Soils	74	0.06	1.2
5	BDG : NoData	98	0	0
6	BDG : Waitemata Residual Soils	98	0	0
7	BDG : Sandy Soils	98	0	0
8	BDG : Alluvial Soils	98	0	0
9	BDG : Greywacke and Limestone Soils	98	0	0
10	IMP : NoData	98	0	0
11	IMP : Waitemata Residual Soils	98	0	0
12	IMP : Sandy Soils	98	0	0
13	IMP : Alluvial Soils	98	0	0
14	IMP : Greywacke and Limestone Soils	98	0	0

Model Boundary Condition

The tide level at the downstream open boundary at the upper Waitemata Harbour has been set at 3.1 mRL (AUK1946 Datum) which allowed for 1m sea level rise under the future climate scenario.

Model Scenarios and Results

The following three model scenarios have been simulated and results analysed:

1. Scenario 1 - Existing Development 1%AEP Design storm with 2.1°C future climate with existing terrain (LiDAR 2016)
2. Scenario 2 - Existing Development 1%AEP Design storm with 2.1°C future climate with proposed development (60% imperviousness) and modified terrain (diversion of catchment with an area of 1869 m²)
3. Scenario 3 - Existing Development 1%AEP Design storm with 2.1°C future climate with proposed development (60% imperviousness) and existing terrain (no diversion)

The above model scenarios were chosen with an objective to understand the existing flood issues downstream the proposed development and the potential adverse effects resulted from the proposed development including increased imperviousness and catchment diversion.

Table 2 - Model Scenarios and Associated Input Files

Type	RAS Geometry Layers	Terrain	Manning's n	Infiltration	% Impervious
Geometry	BeachHaven	EXDEM	LandCover	Infiltration	(None)
Geometry	BeachHavenPostDev	PPCDEM1	LandCoverPostDev	InfiltrationPostDev	(None)
Geometry	BeachHavenPostDev	PPCDEM1	LandCoverPostDev	InfiltrationPostDev	(None)
Results	ED100YRC21R1	EXDEM	LandCover	Infiltration	(None)
Results	100yrCC2-1EDDev	PPCDEM1	LandCoverPostDev	InfiltrationPostDev	(None)
Results	100yrCC2-1EDDevNoDiversion	EXDEM	LandCoverPostDev	InfiltrationPostDev	(None)

A site visit to downstream properties was undertaken to check the buildings in the modelled flood extent and check the floor clearances above the ground level. Photos of the dwellings and overland flow paths at these properties are included in Appendix A. A few properties and buildings have been identified to be at flood risk, refer to Table below for a summary.

Table 3 - Summary of flood depths and comparison between pre and post development scenarios under 1% AEP 2.1°C Storm Event

Address	Type	Floor Clearance Measurement (Above ground level) (m)	ED (Existing Development)			ED + Development at No.96 Beach Haven		Increase in Flood Depth from Development(m)	Remark
			Flood Depth (m)	Flood Depth Above Lowest Habitable Floor (m)	Flood Depth Above Lowest Habitable Floor (m)	Flood Depth (m)	Flood Depth Above Lowest Habitable Floor (m)		
2/15 Cresta Avenue	Habitable floor	1.7	0.28	N/A		0.3	N/A	0.016	Property Flooding - Yard
1/17 Cresta Avenue	Habitable floor	0.08	0.25	0.17		0.26	0.186	0.016	Habitable floor Flooding Predicted
2/17 Cresta Avenue	Habitable floor	0.08	0.13	0.05		0.14	0.066	0.016	Habitable floor Flooding Predicted
3/17 Cresta Avenue	Habitable floor	0.08	0.12	0.04		0.128	0.056	0.016	Habitable floor Flooding Predicted
19 Cresta Avenue	Habitable floor	0.51	0.78	0.27		0.79	0.28	0.01	Habitable floor Flooding Predicted
23 Cresta Avenue	Non-habitable floor	-	0.22	N/A		0.23	N/A	0.01	Property Flooding
3/23 Cresta Avenue	Habitable floor	0.83	0.01	-0.82		0.01	-0.82	0	Property Flooding
25 Cresta Avenue	Non-habitable floor - Game Room	0.01	0.54	N/A		0.554	N/A	0.014	Non-Habitable floor flooding - Owner reported flood depth to car tyre height on 27 Jan 23
2/27 Cresta Avenue	Non-habitable floor	-	1.19	N/A		1.24	N/A	0.045	Property Flooding
Shepherds Park Carpark	Car Park	N/A	0.92	N/A		0.93	N/A	0.01	High Hazard for Vehicles
13 Cresta Avenue	Development Site	N/A	0.33	N/A					

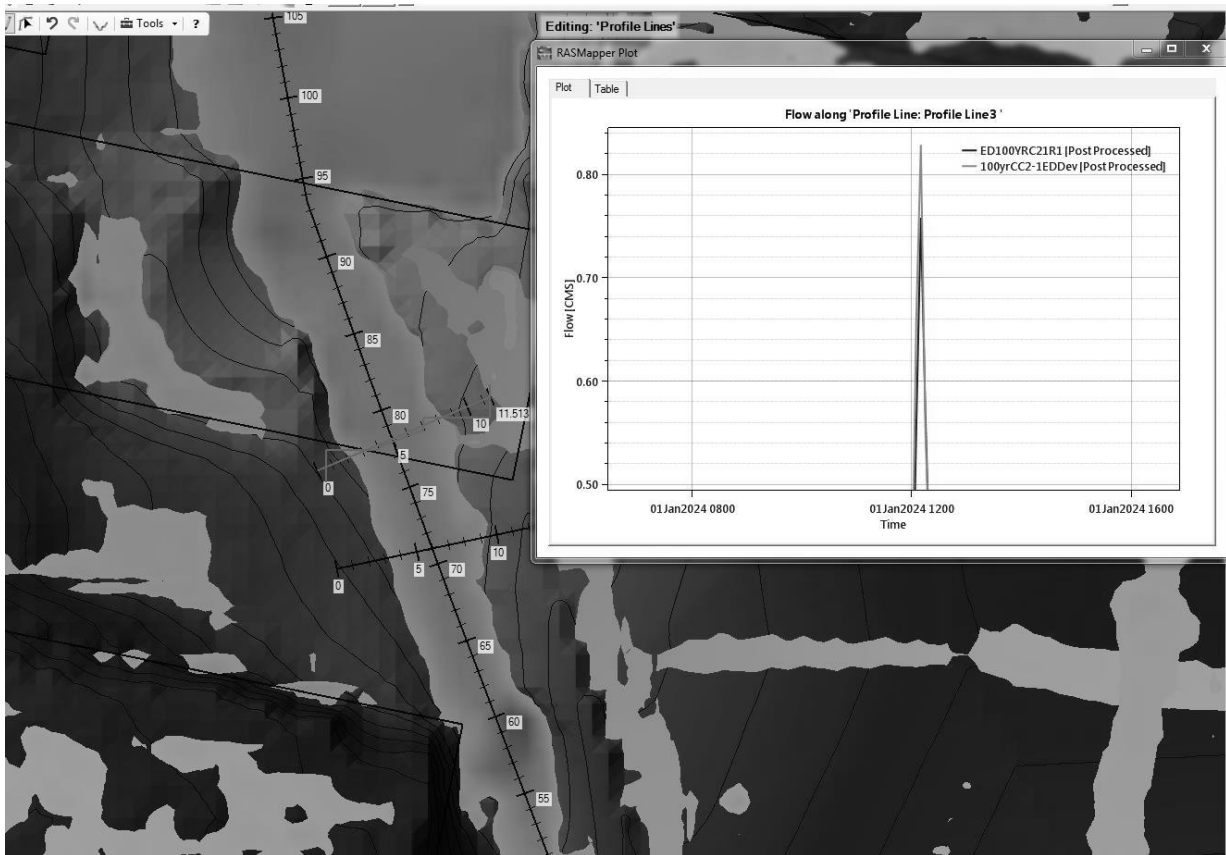


Figure 5 - Comparison of Peak Discharges between Post and Pre-Development Scenarios

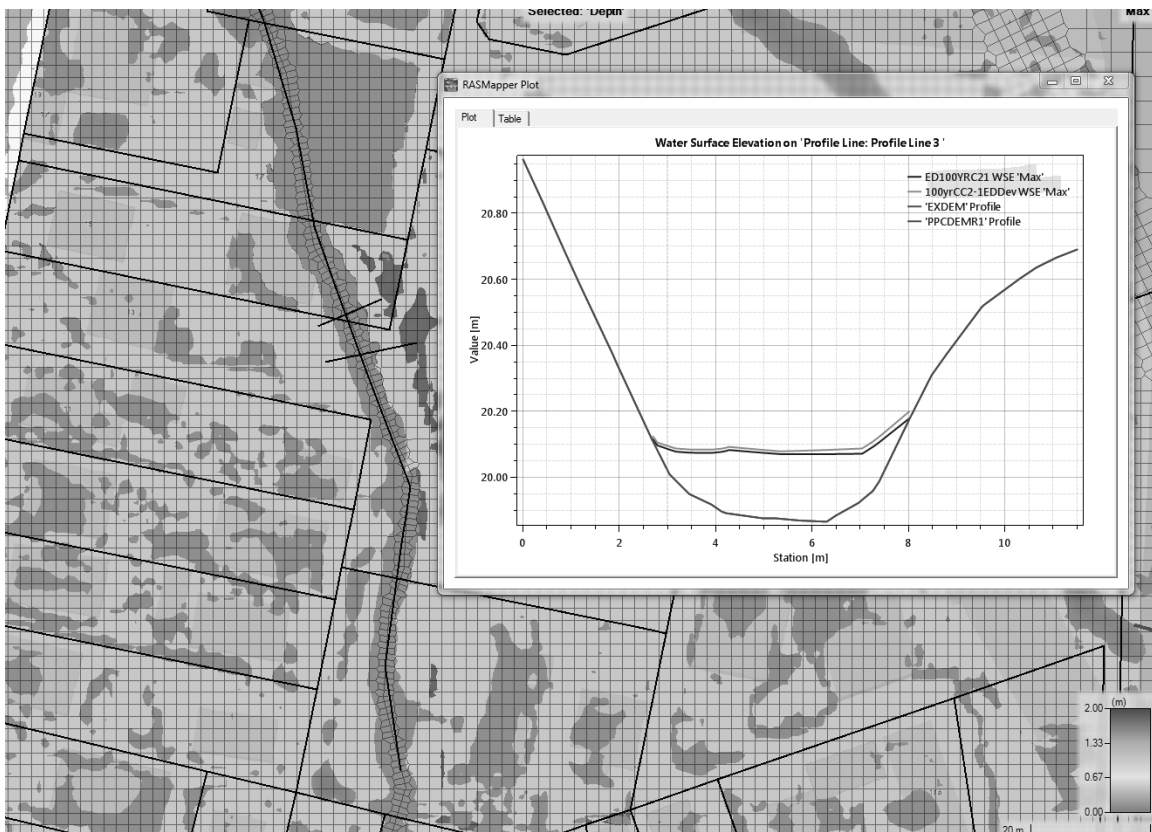


Figure 6 - Comparison of WSE at 2/15 Cresta Ave between Pre and Post Development Scenario



Figure 7 - 1%AEP 2.1°C Existing Development Existing Terrain Flood Extent



Figure 8 - 1%AEP 2.1°C PPC Development with Modified Terrain & Catchment Diversion Flood Extent

Comparisons of Pre and Post Development Flood Levels

The maximum water level surfaces from the three scenarios modelled have been compared to understand the potential impact of the proposed development.

Figure 7 below compares peak water surface elevations between Scenario 1 - Existing development and Scenario 2 - Proposed development with terrain change and catchment diversion. The water level difference beyond the site was found at No. 2-15 Cresta Avenue with rise of water level by $\sim 0.02\text{m}$ at the upstream boundary. The water level rise at No. 1/17 Cresta Avenue will be 0.01m and it diminishes to 0.01m at 3/17 Cresta Avenue. The water level increases range from 0.01m to 0.02m on properties further downstream.

Figure 8 below compares the peak water surface elevations between Scenario 2 - Proposed Development with terrain change and catchment diversion and Scenario 3 - Proposed Development with no terrain change/catchment diversion. The water level rise due to the proposed catchment diversion ranges from $\sim 0.02\text{m}$ at No. 2/15 Cresta Avenue and $\sim 0.01\text{m}$ at Nos. 1-2/15 Cresta Avenue. The rises diminish to $\sim 0.01\text{m}$ or less further downstream.

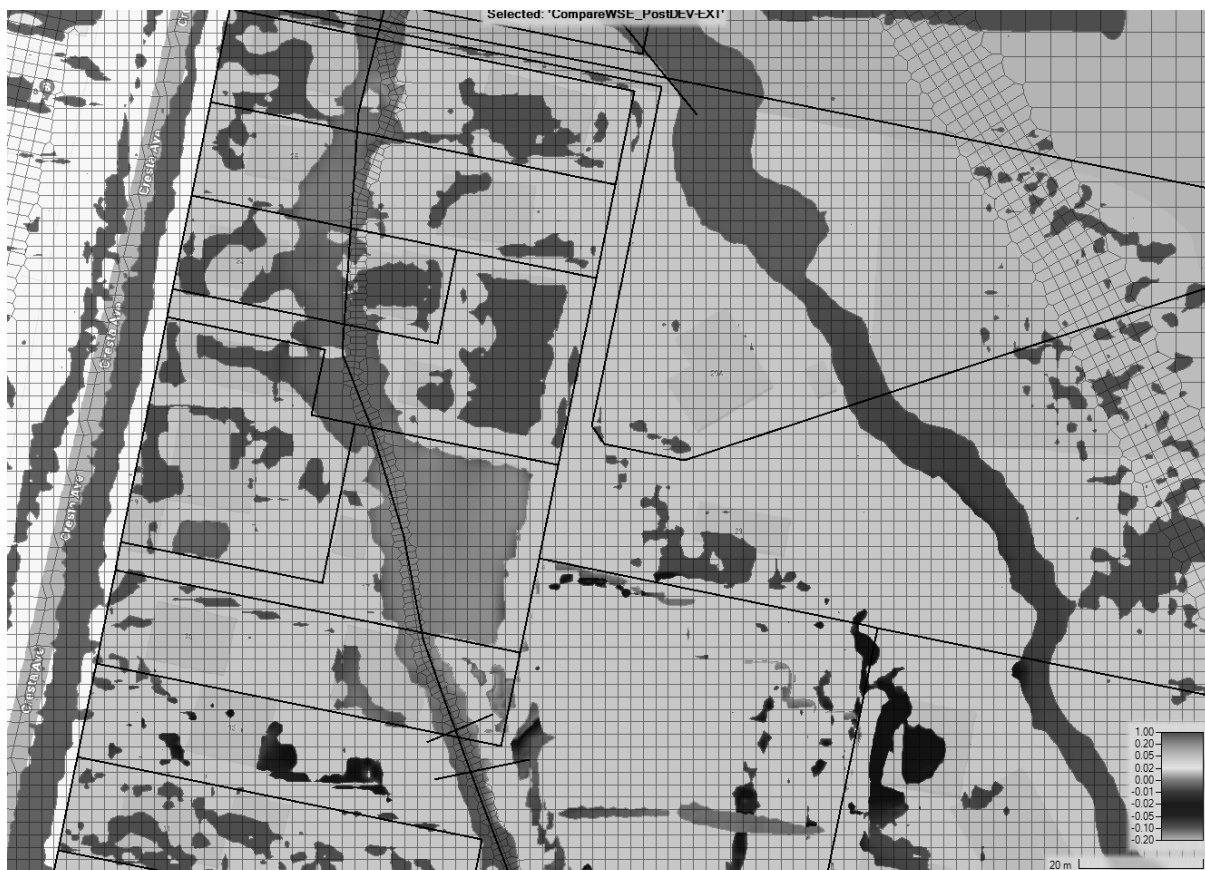


Figure 9 - WSE Comparison Post minus Pre (Scenario 2 minus Scenario 1)

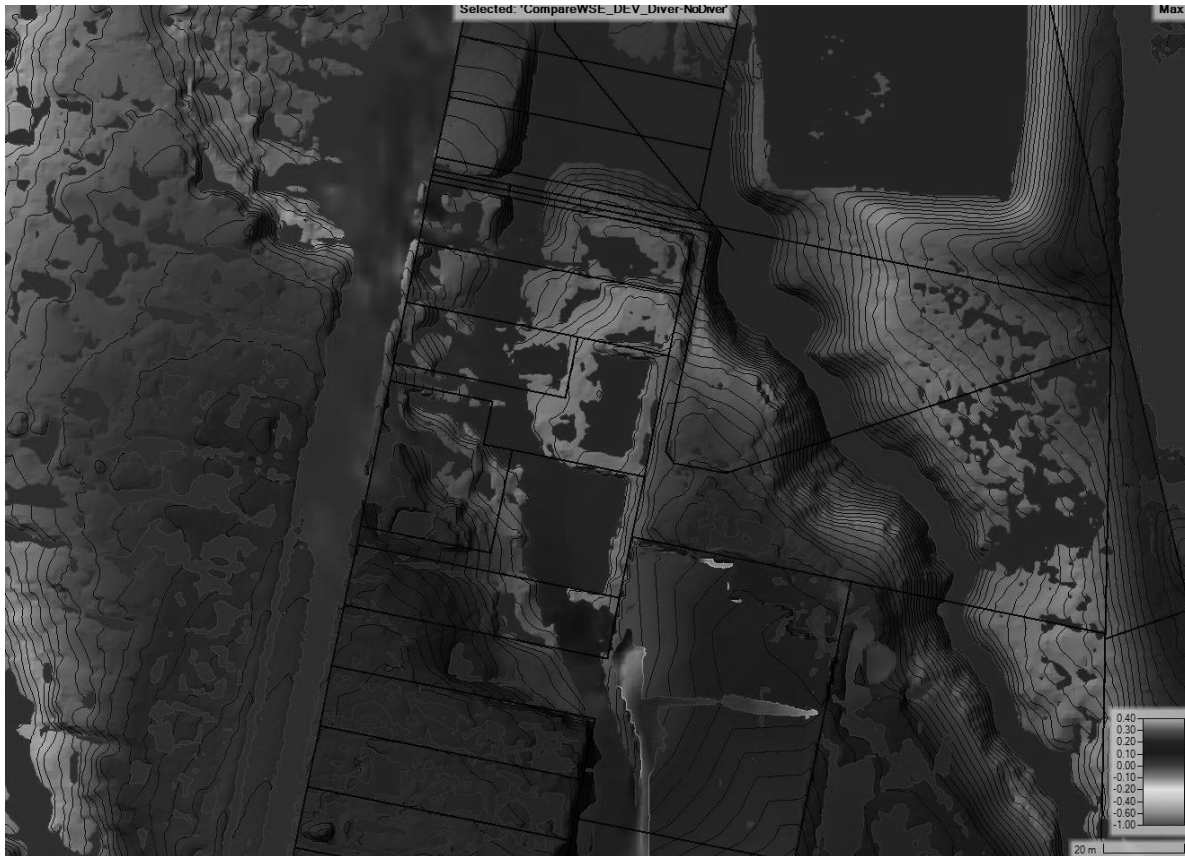


Figure 10 - WSE Comparison - Development with Terrain Change Diversion minus Development with No Diversion (Scenario 2 minus Scenario 3)

Conclusions

There are predicted property and habitable floor flooding issues downstream the proposed development. The proposed development with terrain change and catchment diversion without effective mitigation can potentially aggravate the existing flooding issues at some properties.

Possible mitigation measures will likely involve attenuating the peak discharge from the development to pre-development level based on the existing terrain and catchment area for a range of storm events up to 100yr with allowance for climate change adjustments to rainfalls as per the ACSWCOP.

Directing discharges from the proposed development to the Tramway Stream main channel which lies to the east of the site can potentially reduce the flood depth at the downstream properties. This may be worth for further investigations.

The proposed realignment of overland flow path through the development site will require careful hydraulic design to ensure the adverse effects on upstream, downstream and adjoining properties are avoided.

Kind Regards

Larry Shui

for MDL

Appendix 1 - Site Photos and Existing Flooding Investigation

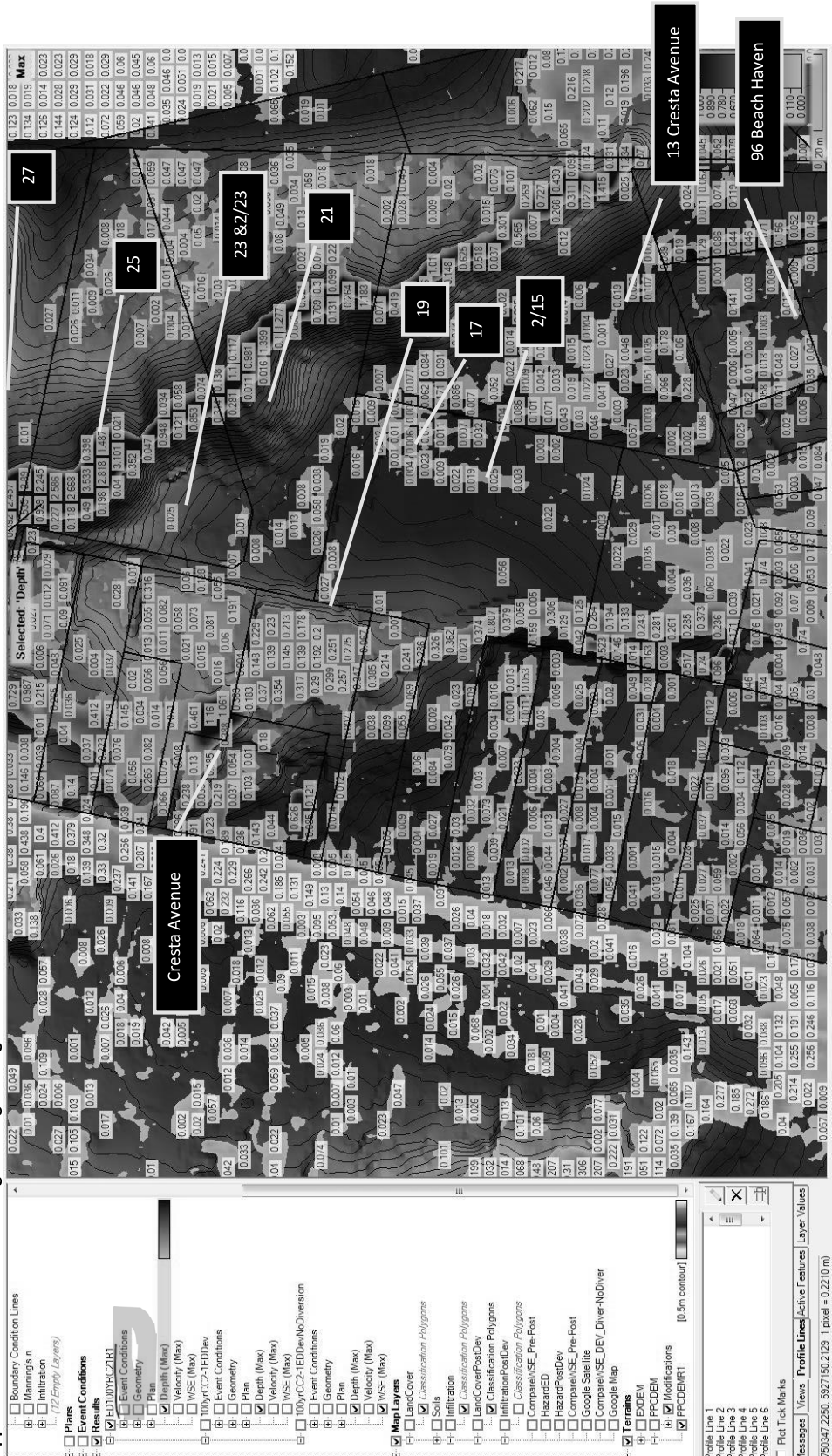


Figure 11 – Flooding Model: 1% AEP 2.1^oCC ED -

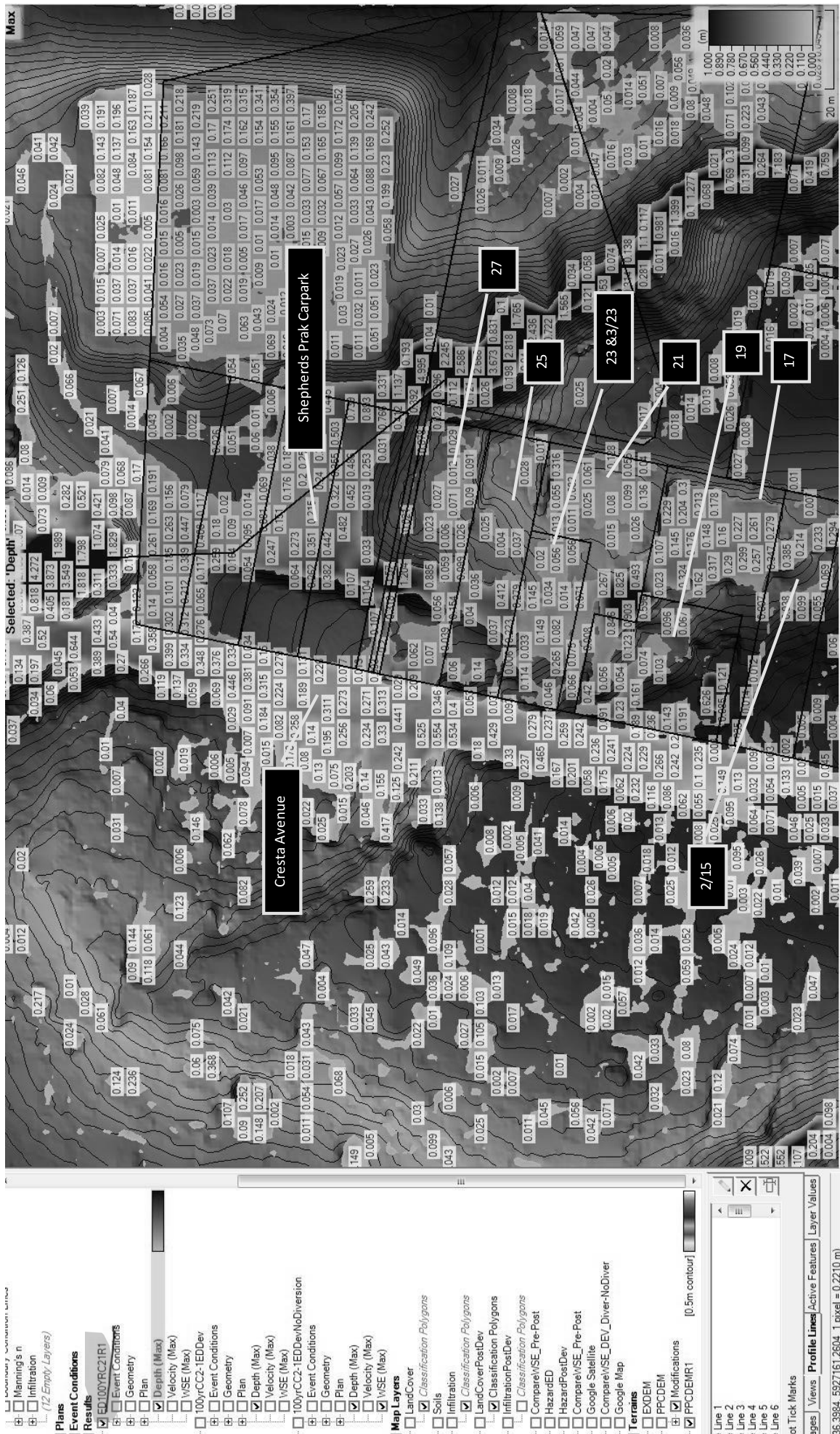


Figure 12 – Flooding Model 1% AEP 2.1⁰CC ED

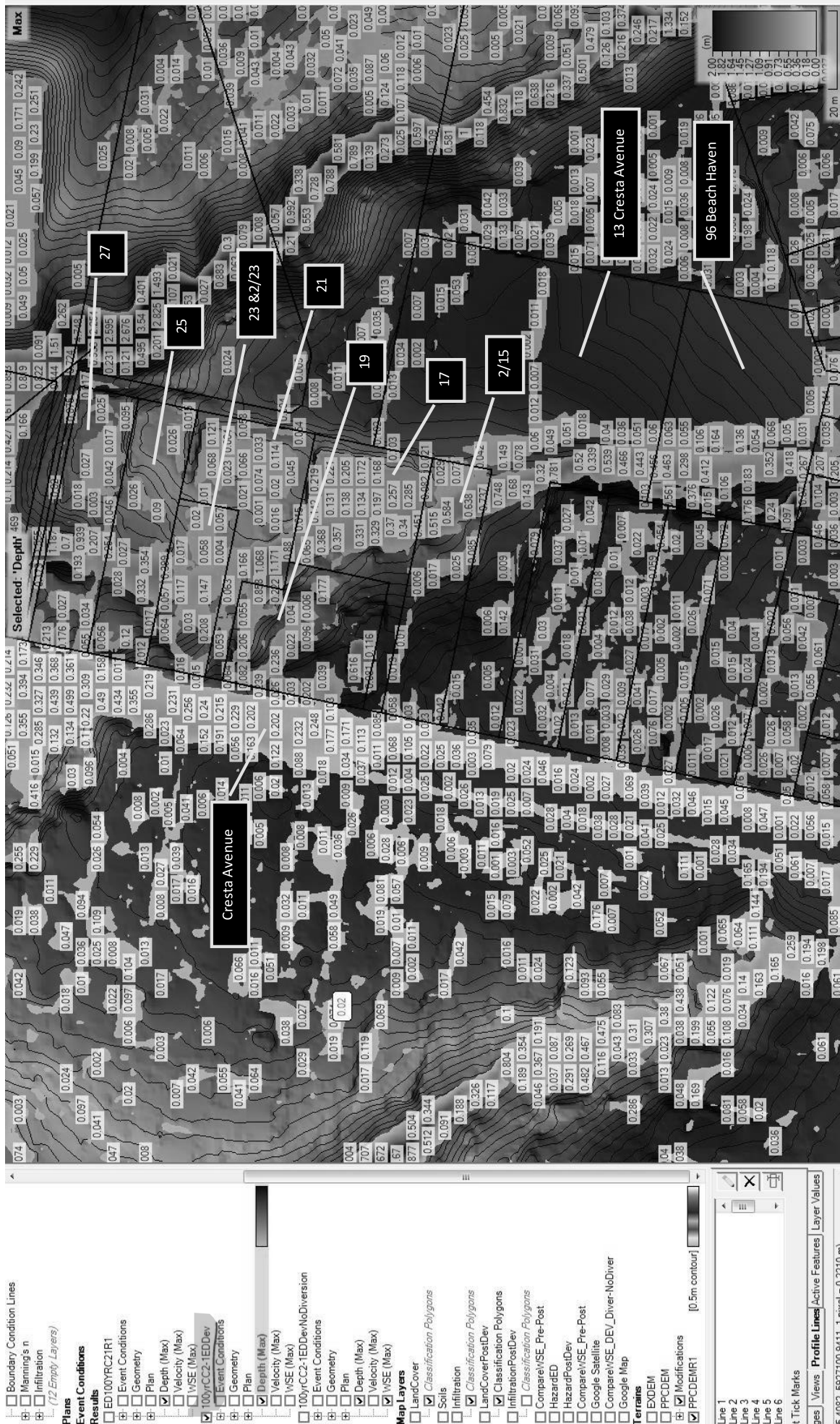


Figure 13 – Flooding Model 1% ED AEP 2.1⁰CC with Development

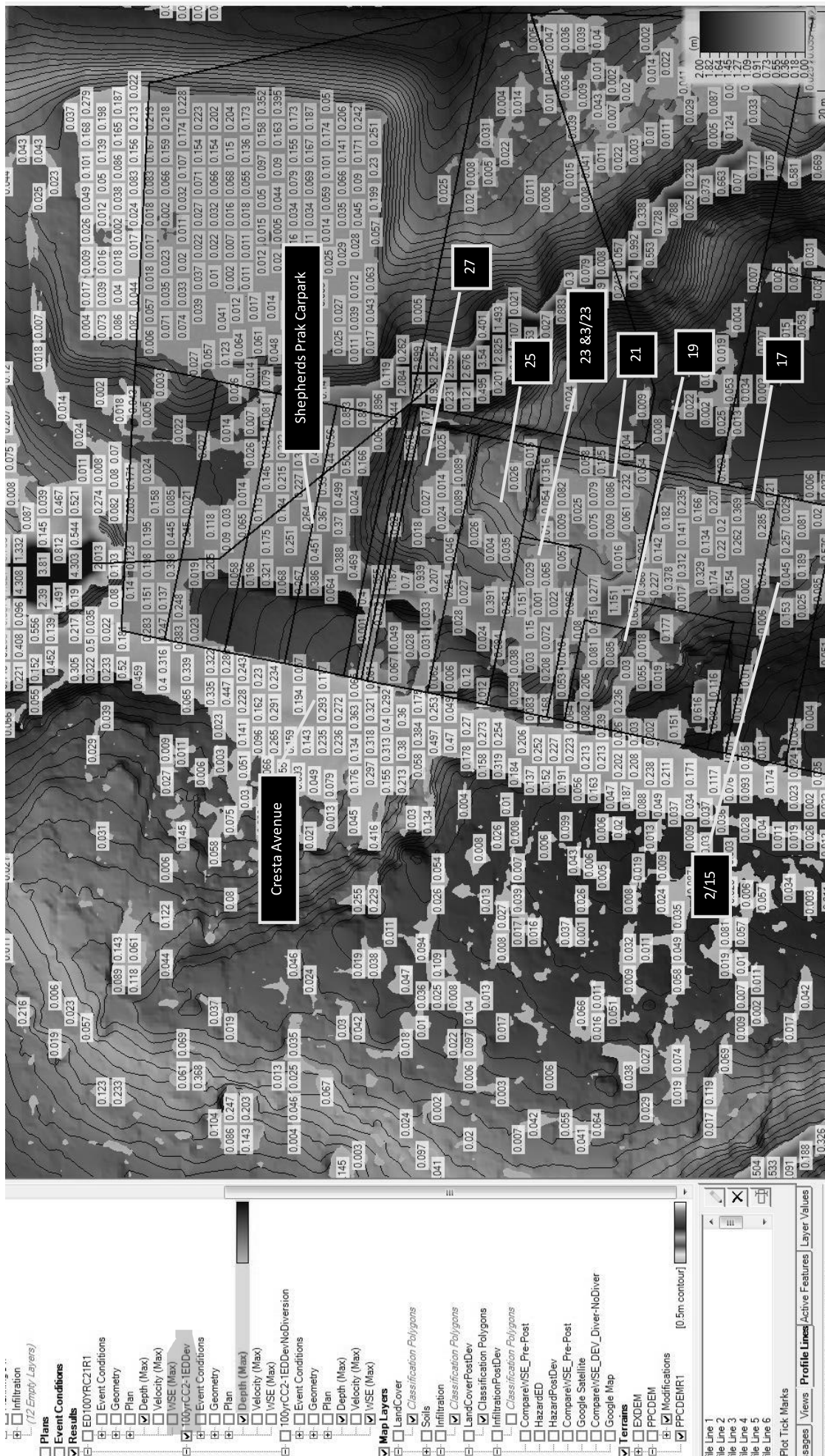


Figure 14 – Flooding Model 1% AEP 2.1^oCCED with Development

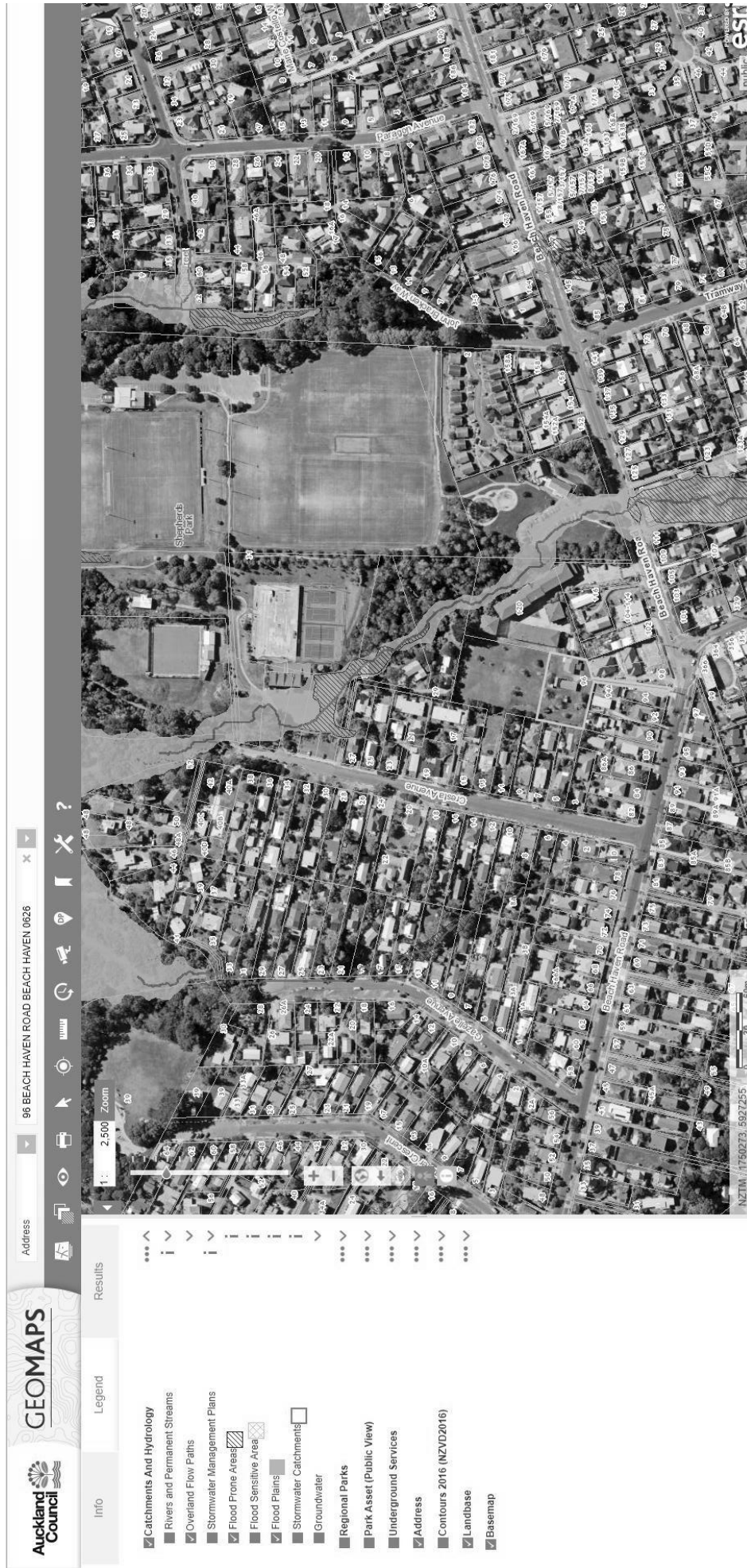


Figure 15 – GeoMaps: Flood Plain, Flood Prone and Overland Flow Path

SITE VISIT DEATIL

LOCATION (BEACH HAVEN, AUCKLAND)	PHOTOS	DESCRIPTIO N
13 Cresta Avenue		View Direction: to No.15 Cresta Avenue.

2/15
Cresta
Avenue



Driveway
to No.2/15
Cresta
Avenue.

2/15
Cresta
Avenue

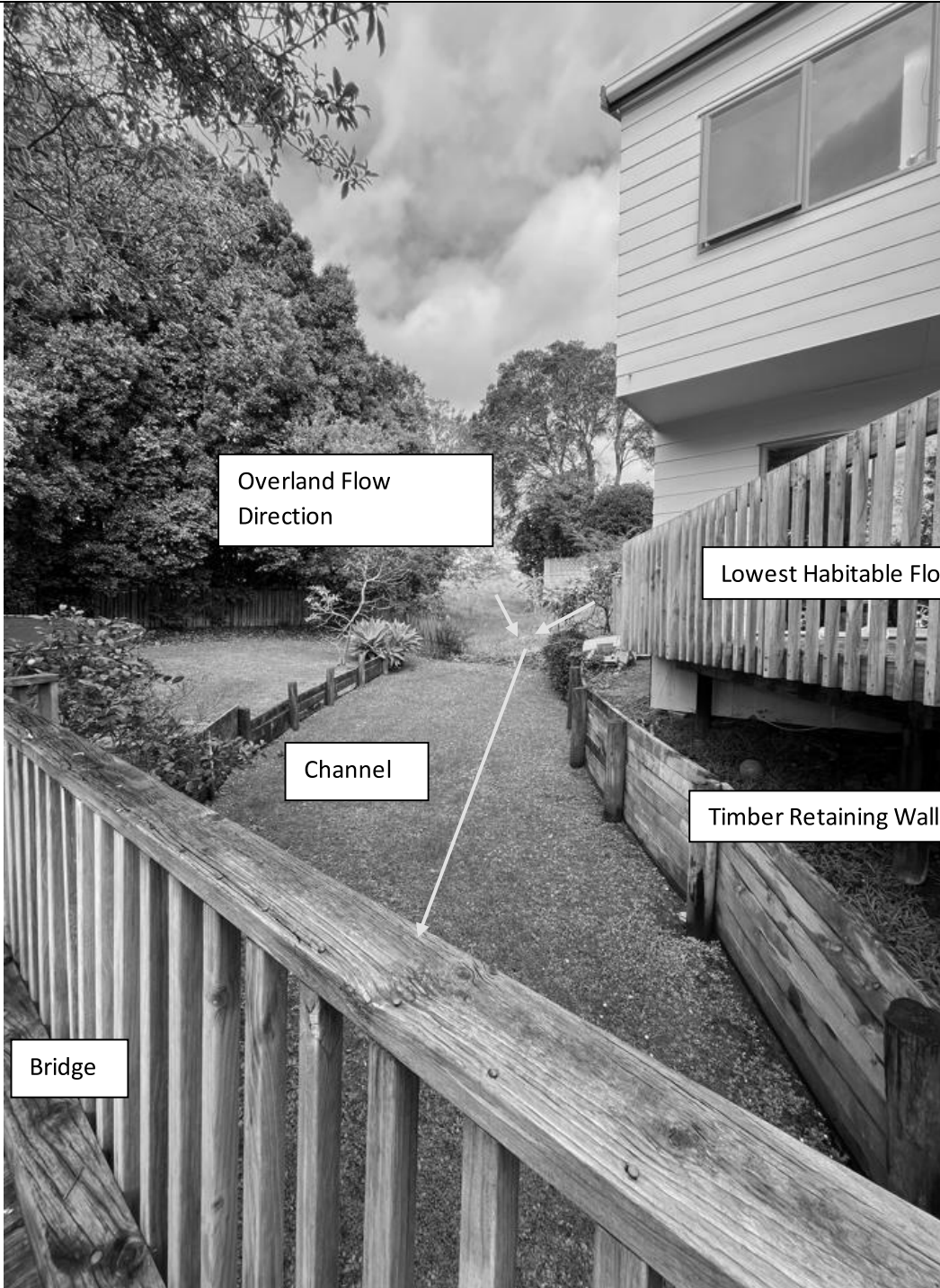


View of the
double-
storey
dwelling at
No.2/15
Cresta
Avenue.

The
dwelling
was built
on piles.

Timber
Retaining
walls along
the
channel for
overland
flow.

Timber
Retaining
wall was
measured
~0.99m in
height at
the



overland flow channel.

The lowest habitable floor level was measured as ~1.8m above the overland flow path channel.

The overland flow comes from No.96 Beach Haven and No.13 Cresta Avenue. Then the water flows along the channel at the back of No.2/15 Cresta Avenue.

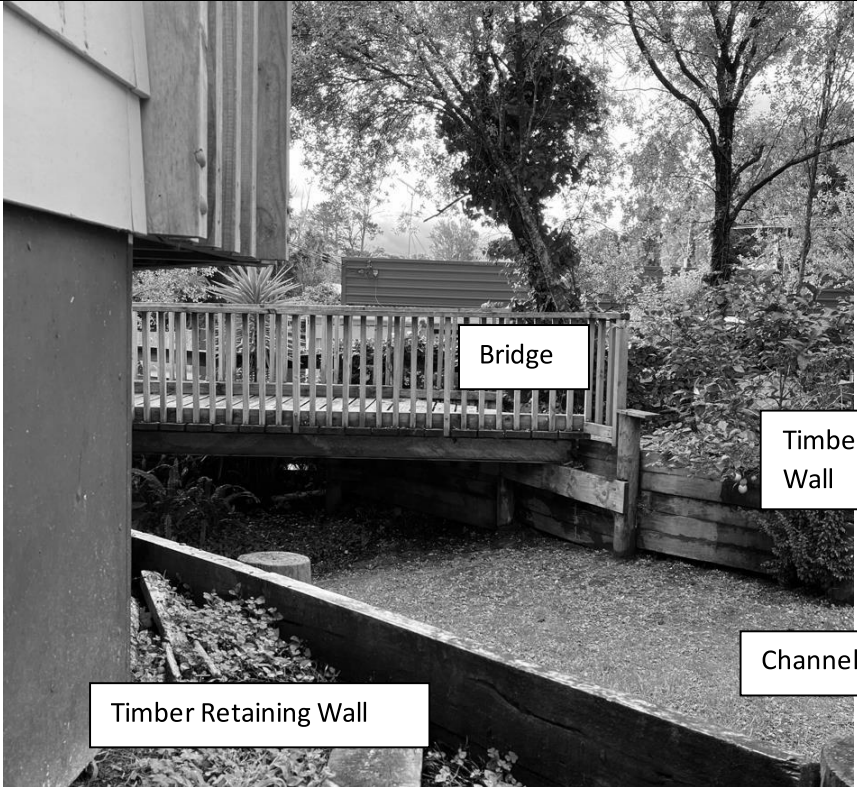
Overland Flow Direction

Lowest Habitable Floor

Channel

Timber Retaining Wall

Bridge

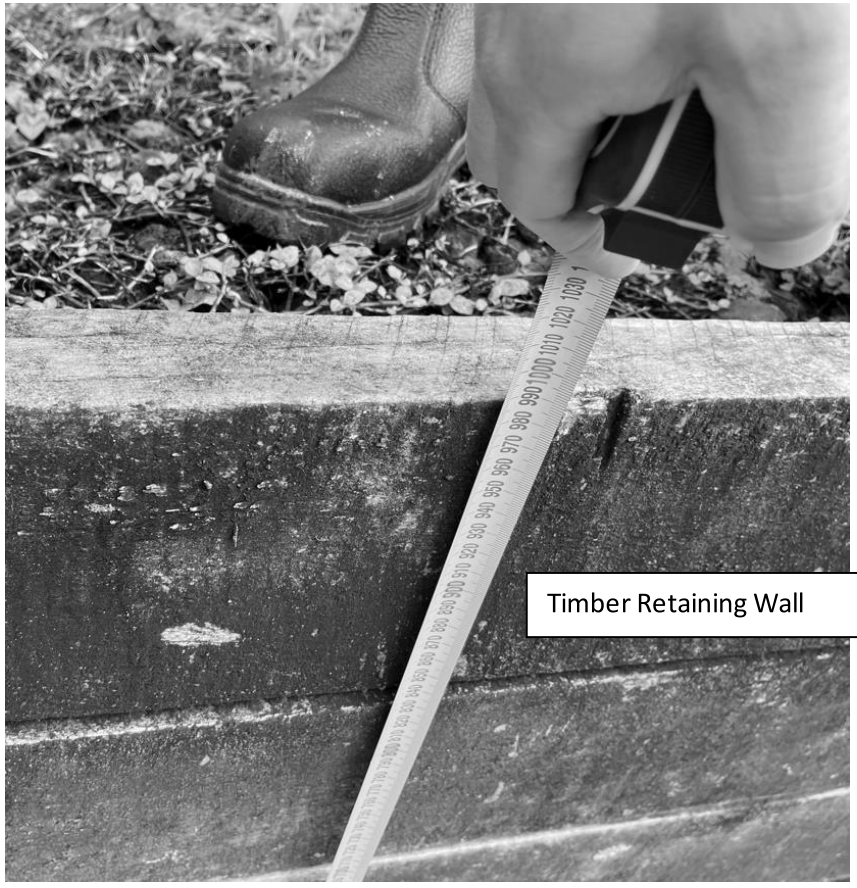


Bridge

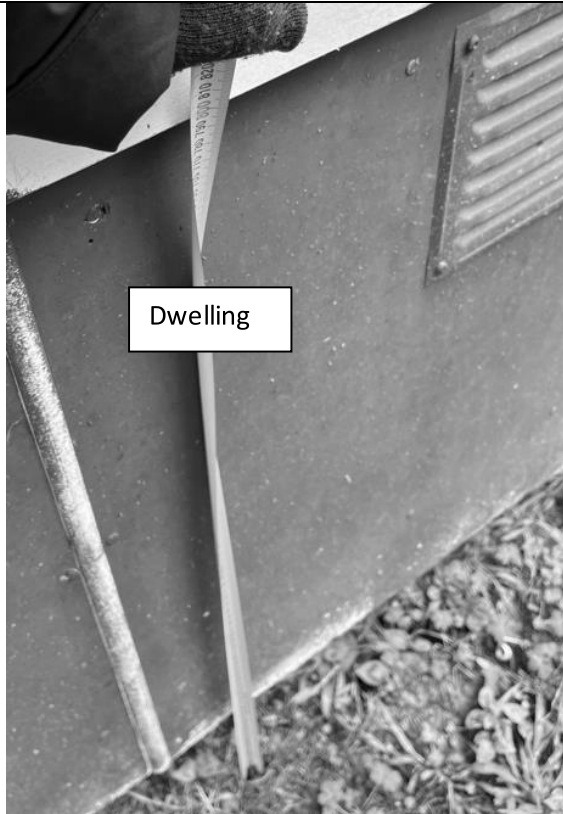
Timber Retaining Wall

Channel

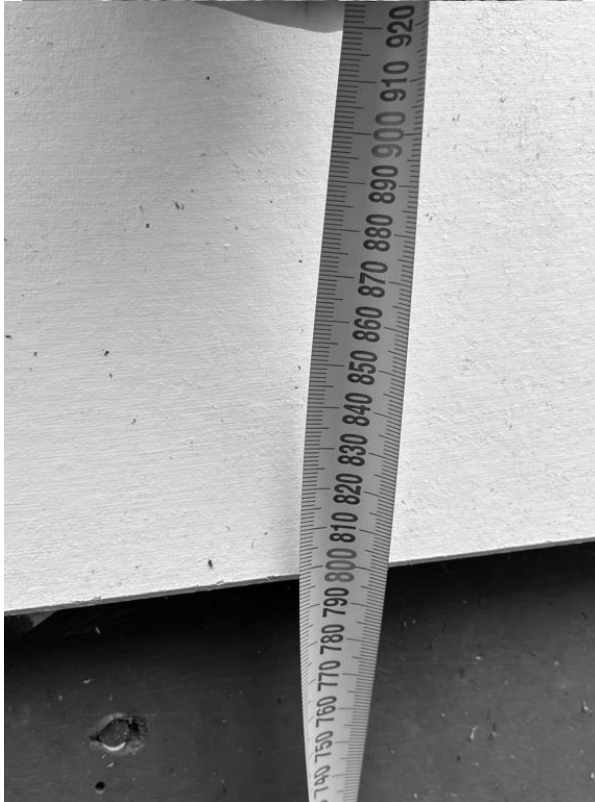
Timber Retaining Wall



Timber Retaining Wall



Dwelling



1/17,
2/17,
3/17
Cresta
Avenue



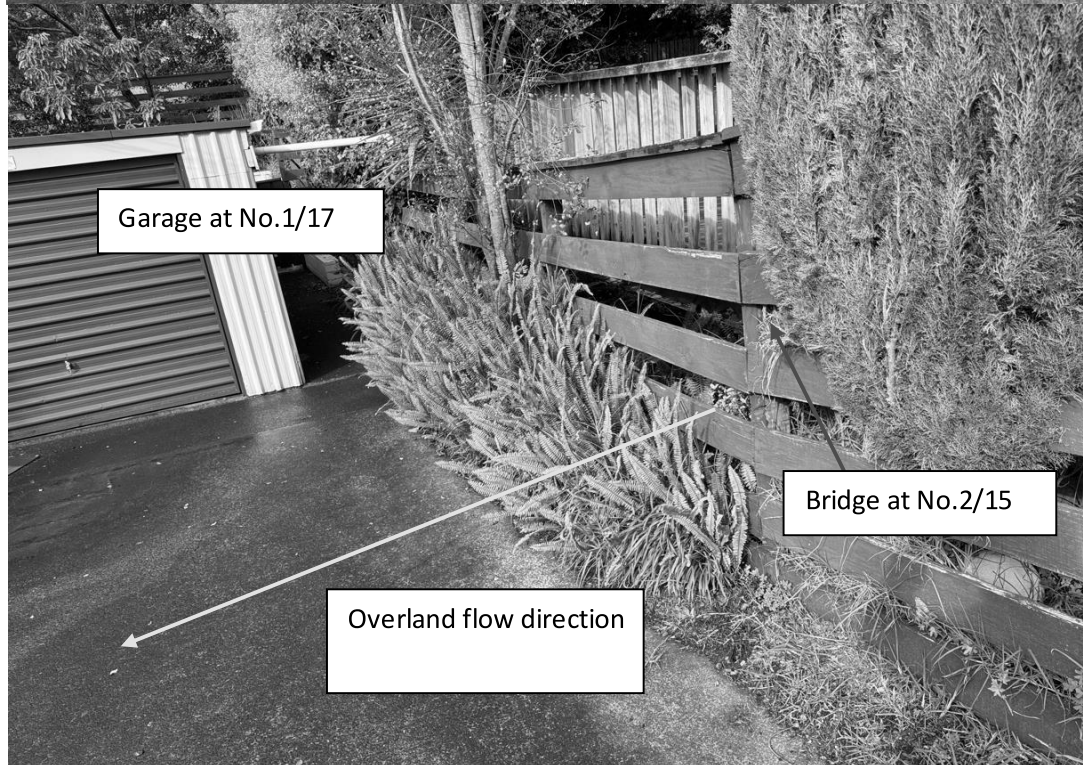
View of the dwellings at Nos.1/17, 2/17 and 3/17 Cresta Avenue.

The residential dwelling was built on a concrete slab at the rear of the property.

Habitable floor of these three units was measured ~0.07m above the ground.

The dwelling at No.21 Cresta Avenue is at a higher terrain than No.3/17 Cresta Avenue.

The overland flow from No.2/15 Cresta Avenue flows through the bottom of the bridge, then goes along the front of the



Garage at No.1/17

Bridge at No.2/15

Overland flow direction

1/17



2/17



dwelling at No.17 Cresta Avenue to the lower terrain between Nos.21 and 3/21 Cresta Avenue.

It means that there will be both exterior and interior flooding for these three units during extreme storm events based on model prediction



19 Cresta Avenue



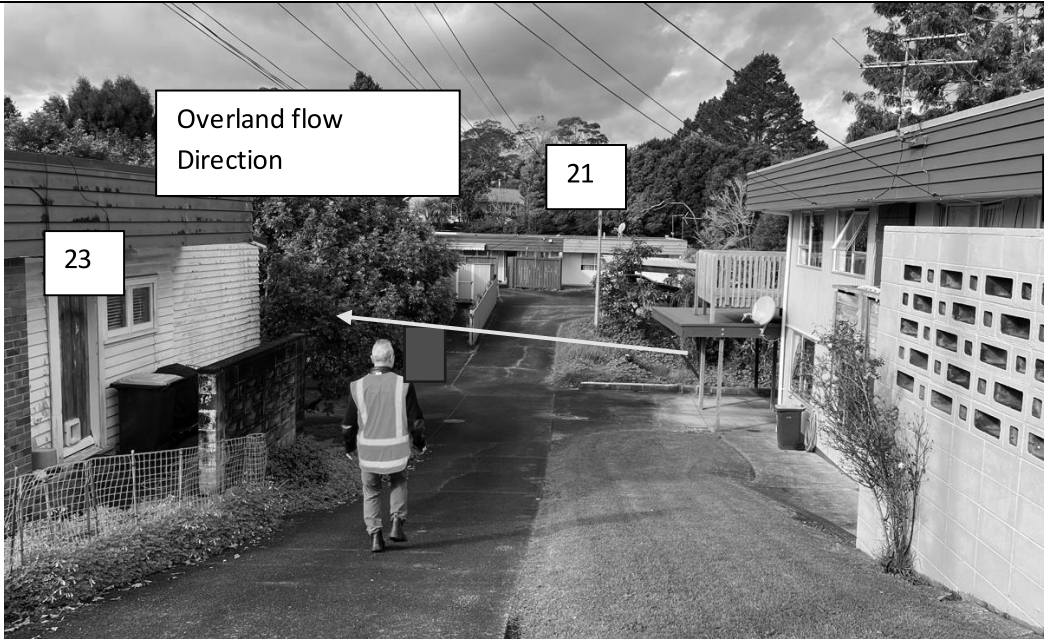
Possible ponding issue at the back of No.19 Cresta Avenue and at the front of No.21 Cresta Avenue.

The lowest habitable floor of the dwelling at 19 Cresta Avenue is measured over 0.51m above the ground level. It means less concerns on flooding issues.

The dwellings at No.3/21 Cresta Avenue are at higher terrain with less concern on interior flooding.



Public driveway for Nos.19, 21 and 2/23 Cresta Avenue



There is a low point between No.21 Cresta Avenue and Nos.19 and 23 Cresta Avenue.

Finally, the overland flow passes the low point between Nos.23 and 2/23 Cresta Avenue to the lower terrain.

2/23 Cresta Avenue



The habitable floor of the dwelling at 2/23 is measured over 0.63m above the ground.

2/23

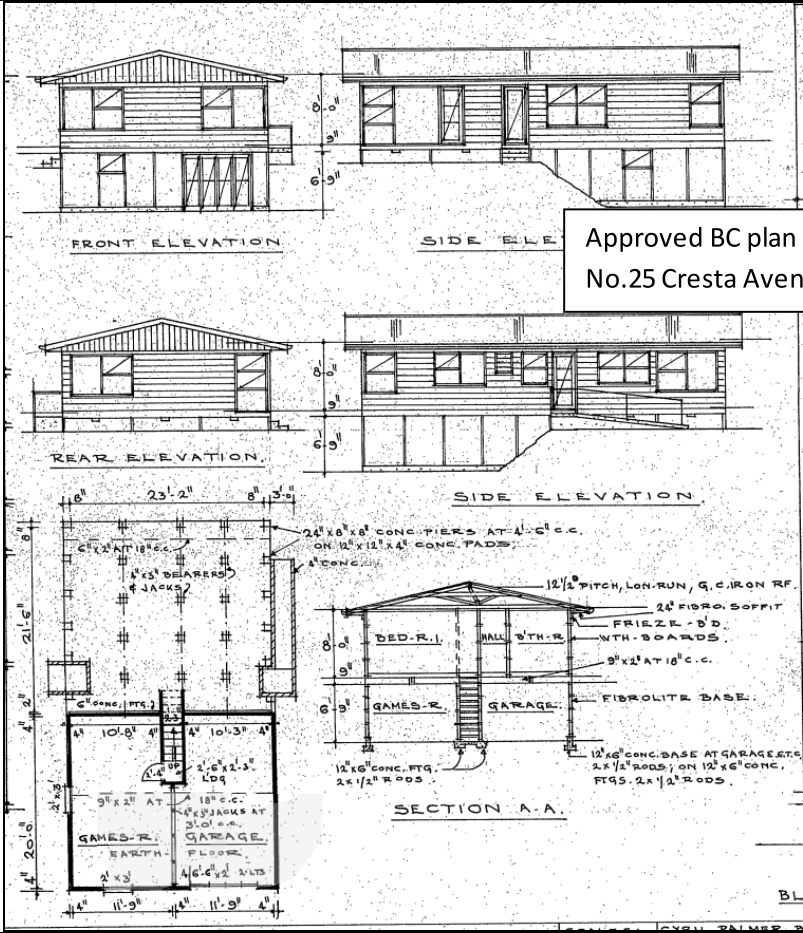


25 Cresta Avenue



Photo taken from the edge of No.2/25 Cresta Avenue.

The approved BC plans showed that the lower level was used as garage and game room. Therefore, less concern on interior flooding.



Approved BC plan from No.25 Cresta Avenue

2/25 Cresta Avenue



2/25

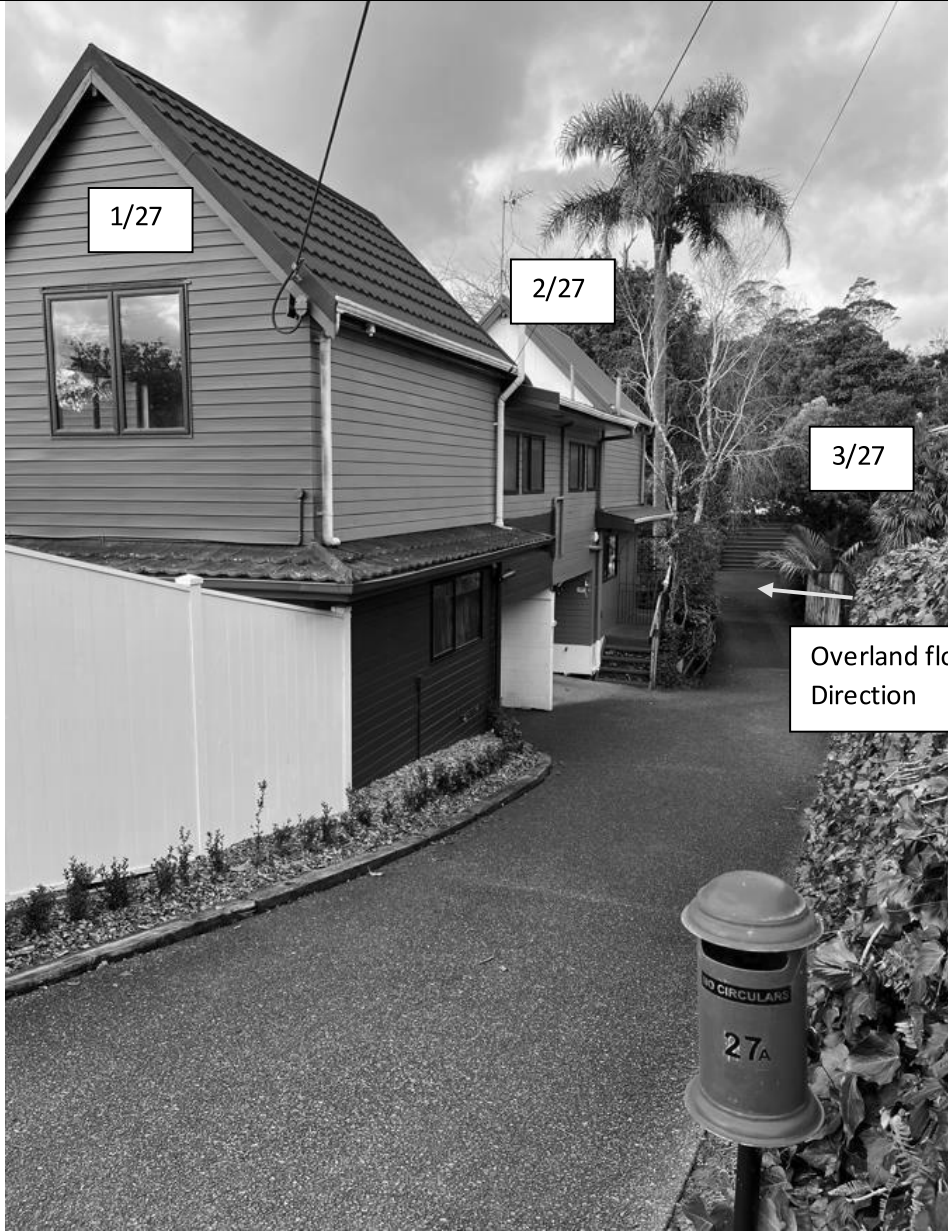
Overland flow Direction

View from the driveway entrance for 2/25 Cresta Avenue.

The overland flow comes from the low point between Nos.23 and 2/23 Cresta Avenue, then flow down the timber retaining wall to the low point between Nos.25 and 2/25 Cresta

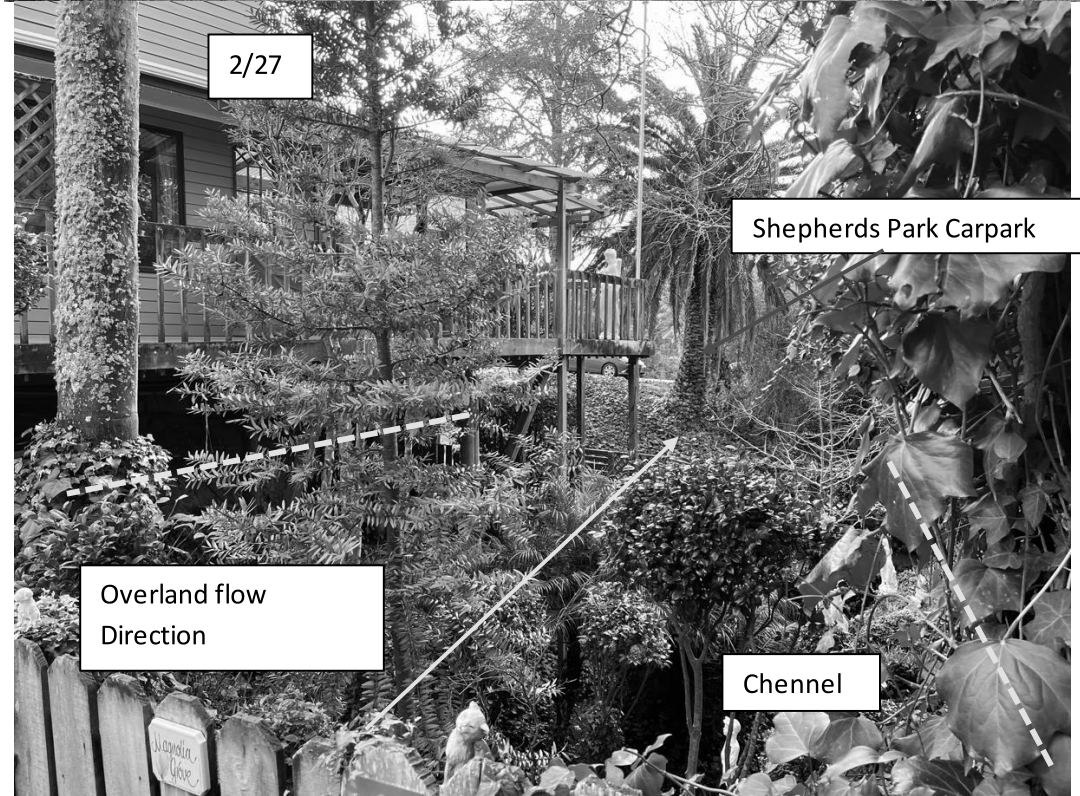


27 Cresta Avenue



The overland flow from Nos.25 and 2/25 Cresta Avenue flows to the low point at the back of No.2/27 Cresta Avenue.

There is a specific channel at the back of 2/25 Cresta Avenue for flood water to pass through.



Shepherd
s Park
Squash
Club

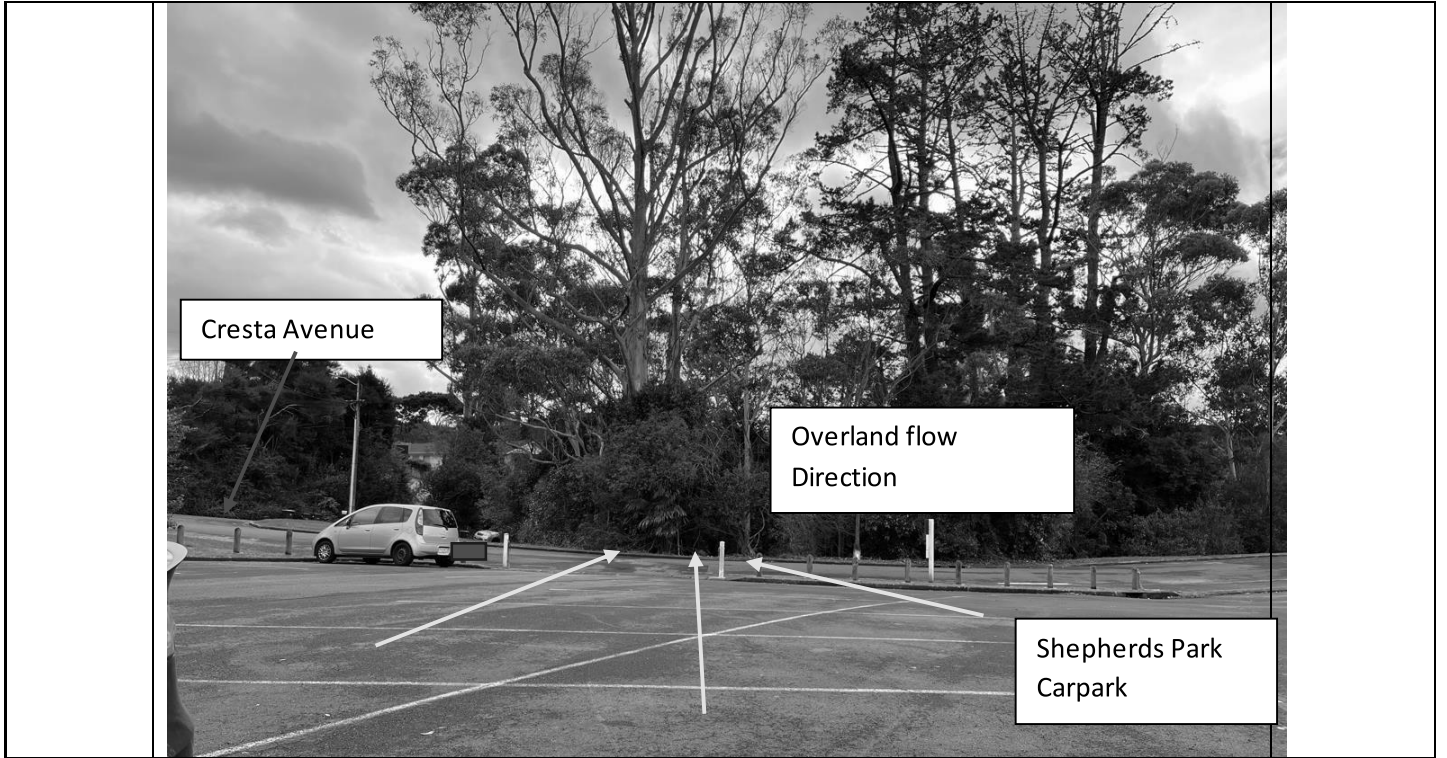



The
overland
flow from
No.27
Cresta
Avenue
and
another
overland
flow as
shown
from
GeoMaps.

Shepherds
Park is at
the low
point like a
bowl with
lower
boundary
at the
north.

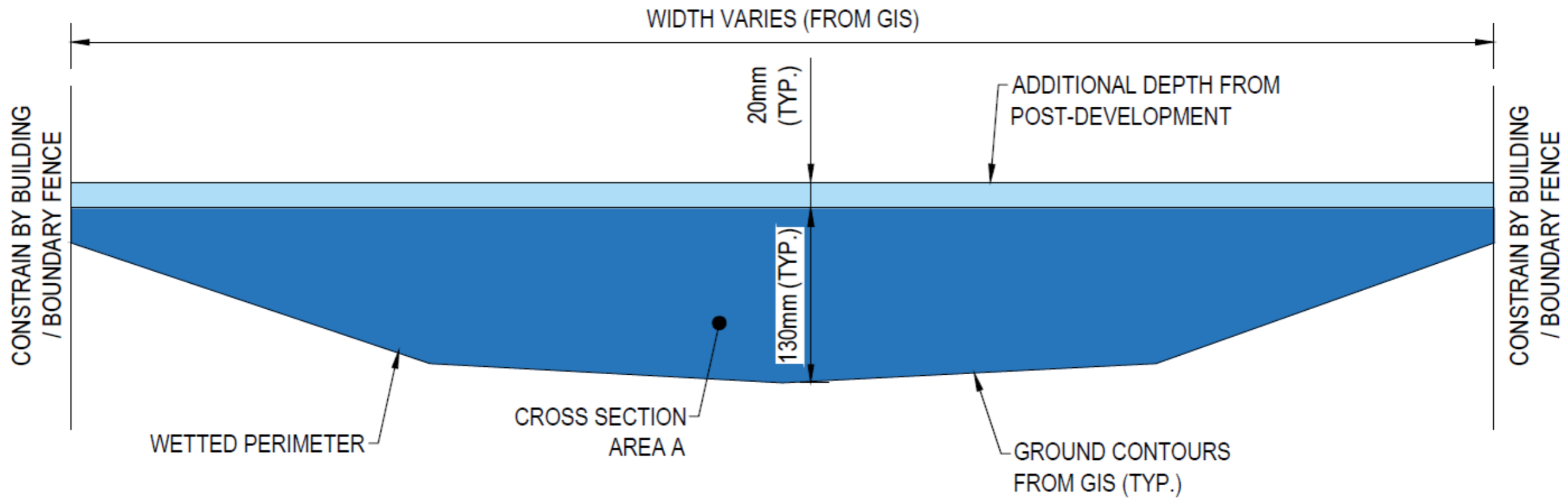
The flood
water
finally
overtops
Shepherds
Park and
flows to
the lower
terrain
along
Cresta
Avenue.






Request No.	Category of Information Request	HW Request For Information	Reason For Request	Applicant's Response 20.02.24	HW Response 23.02.24
HW1	Flood Effects	<p>A more detailed flood effects assessment including the following is required:</p> <ul style="list-style-type: none"> Investigation and description of existing downstream flooding issues Floor level survey of downstream properties Details of any known floors that currently flood Assessment of whether the land use provided for in the PPC will increase the risk of floor flooding The flood impact on downstream properties in terms of flood flows, depths, extents, duration, velocity and frequency for the pre- and post-development scenario – without the climate change factor. <p>Given the apparent initial proposal to divert additional catchment area that is otherwise discharging to the open watercourse to the north, and the complexities of the downstream overland flow path drainage system, more detailed modelling (such as 2D modelling) is required in conjunction with the above, to adequately understand the difference in terms of flood flows, depths, extents, duration, velocity and frequency, appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the plan change.</p>	<p>To enable the local authority to better understand—the nature of the request in respect of the effect it will have on the environment; the ways in which any adverse effects may be mitigated; the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request; appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change or plan.</p> <p>Stormwater runoff from the Beach Haven Plan Change Area (PCA) has the potential to increase and/or create flooding risks to downstream properties.</p> <p>There is a lack of investigation and description of existing flooding issues downstream of the plan change area, which could potentially be exacerbated by future development enabled by the Beach Haven PPC.</p> <p>There is potential flooding of properties and buildings along the overland flow path between No. 15 and No. 27 Cresta Avenue. Additionally, the carpark at the Beach Haven Tennis Club may also be exposed to flood hazard (velocity x depth). Refer to figure – Area 1 and Area 2 below respectively.</p> 	<p>The applicant does not have legal access to the properties at 15 and 27 Cresta Avenue to carry out the required testing. Further, we do not consider it necessary to carry out further assessment, given we have previously provided a robust flooding assessment of effects, including mitigation of downstream flooding effects.</p> <p>The Overland flow path assessment undertaken by Airey's to date includes the following:</p> <ul style="list-style-type: none"> GIS supported data analysis to determine flood flows, depths, extents, duration and velocity using TP108 against rainfall data from the following conditions: Max rainfall data analysis for 2.1° Climate Change Max rainfall data analysis for 3.8° Climate Change Max rainfall data analysis from Auckland Anniversary Weekend Storm (worst Auckland location adopted) HEC-HMS Data modelling Historic and current aerial photograph analysis <p>Refer to the typical cross section diagram detailed below.</p>	<p>Healthy Waters disagree that the flooding assessment provided provides a robust assessment of effects, including mitigation of downstream flooding effects, and maintains its view that a more detailed flood effects assessment is required, as initially requested.</p> <p>To further detail the information sought as per this request – the following should be included:</p> <p>The comparisons between outflow hydrographs from the development site under 2yr, 10yr and 100yr 2.1°C future storm events, for:</p> <ul style="list-style-type: none"> Predevelopment – current natural catchment and imperviousness Post development – modified catchment boundary, proposed imperviousness Post development with mitigation proposed. <p>This will enable Healthy Waters to understand the hydrological effects on the downstream overland flow path and receiving systems.</p> <p>The previous request for assessment of flood extents, depths, levels, durations and velocities between the pre and post development scenario on the downstream receiving environments remain valid.</p> <p>The 'Overland flow path assessment' and various analyses referred in the applicant's 20.02.24 response have not been made available to Council/Healthy Waters to aid in any understanding of effects this information may provide.</p> <p>(Note: With regard to the HW original request re existing downstream flooding issues – please be aware that downstream flooding has previously been reported (as per property file records), and that Council</p>

Request No.	Category of Information Request	HW Request For Information	Reason For Request	Applicant's Response 20.02.24	HW Response 23.02.24
					are aware of previous potential overland flow path issues through No.s 17, 21 and 23 Cresta Ave. Specifically, for example, it is understood that 17 Cresta Ave is slab on ground with therefore minimal freeboard to any flooding).



HW2	SW General	Please provide a concept drawing or plan showing the proposed layout of the stormwater drainage system, including the primary and secondary systems.	To enable the local authority to better understand—the nature of the request in respect of the effect it will have on the environment; the ways in which any adverse effects may be mitigated; the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request; appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change or plan. This information is required so that the proposed stormwater management can be clearly understood. No layout plan was included in the SMP.	Please see attached Drawing RC400 detailing the proposed Primary Stormwater Drainage system. Please see attached Drawing MS900 detailing the proposed Secondary Stormwater Drainage system through the subject Site.	Acknowledge the provision of these two drawings outlining the proposed primary drainage system, and the existing secondary system indicating the area of the site that currently discharges to the OLFP and the additional area (1650m ²) to be diverted to discharge to the OLFP as opposed to the open watercourse. Both drawings don't extend to any areas beyond the site boundaries and cover the full OLFP catchment upstream and downstream of the site. The secondary
------------	------------	--	--	--	--

			We have previously seen layout plans as part of the SMP submitted with the Resource Consent application. However, we cannot assume that the layout of the proposed stormwater system has not changed from those seen previously.		system drawing also doesn't detail proposed contours and hence OLFP routes and directions and entry points of flows to downstream properties.
HW3	SW General	<p>Is stormwater runoff from the total development area proposed to be directed to the 750mm/400mm diameter stormwater pipe downstream and the overland flow path along the drain?</p> <p>Has there been any consideration of discharging some flows to the stream. The overland flowpath catchment plan in Appendix C of the SMP indicates some catchment draining to the existing overland flowpath. It is not clear what is proposed for that part of the site that currently drains to the stream.</p>	<p>To enable the local authority to better understand—the nature of the request in respect of the effect it will have on the environment; the ways in which any adverse effects may be mitigated; the benefits and costs, the efficiency and effectiveness, and any possible alternatives to the request; appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change or plan.</p> <p>There is a catchment divide within the site, with the natural drainage pattern appearing to be 40% draining to the natural stream channel to the north and 60% to the overland flow path to the west (refer to figure below).</p> <p>More information is required to before a full assessment of stormwater runoff effects can be completed.</p>	<p>Please refer to attached drawing RC400 detailing the primary stormwater drainage system. All impervious areas are currently directed to the Detention Tanks, which in turn discharge to the existing 750/400mm stormwater line.</p> <p>Please refer to Drawings MS900 detailing the catchment areas of the Secondary System. Approximately 23% (1650m²) of the original site area drains to the eastern overland flow path (stream). The remaining 77% (5407m²) naturally drains to the western overland flow path through 15 Cresta Avenue to the north. Our proposal will retain approximately 14.5% of the original eastern catchment draining to the east (stream). The remainder of the eastern catchment will be diverted to the western catchment under the current proposal. This is due to the site primarily naturally sloping toward the West.</p> <p>As stated above, a small portion of the eastern catchment is retained, however the majority will now drain to the western overland flow path found entirely within the site boundaries. There is no defined overland flow path from the site boundaries to the eastern overland flow path (stream).</p> <p>Auckland Council policy typically requires the defined overland flowpaths to remain with the entry and exit points remaining as predevelopment. This is what we have adopted in our design.</p> <p>In short we have considered the overland flow paths and consider that sending more water to the east is more problematic and has more significant issues, than working with the existing defined overland flow paths.</p>	
					
HW4	Water Quantity	The HEC-HMS model presented previously shows that 24hrs storm was used for tank sizing. Also, it appears that attenuation of the 1% AEP storm is in the model. Please	To enable the local authority to better understand—the nature of the request in respect of the effect it will have on the environment; the ways in which any adverse effects may be mitigated; the benefits and costs, the efficiency and effectiveness,	With the immediate downstream public stormwater network being less than 600mmØ diameter, the network is to be considered 100% blocked as per SWCOP.	The applicant confirms that attenuation of 10 year storm event flows is proposed, and

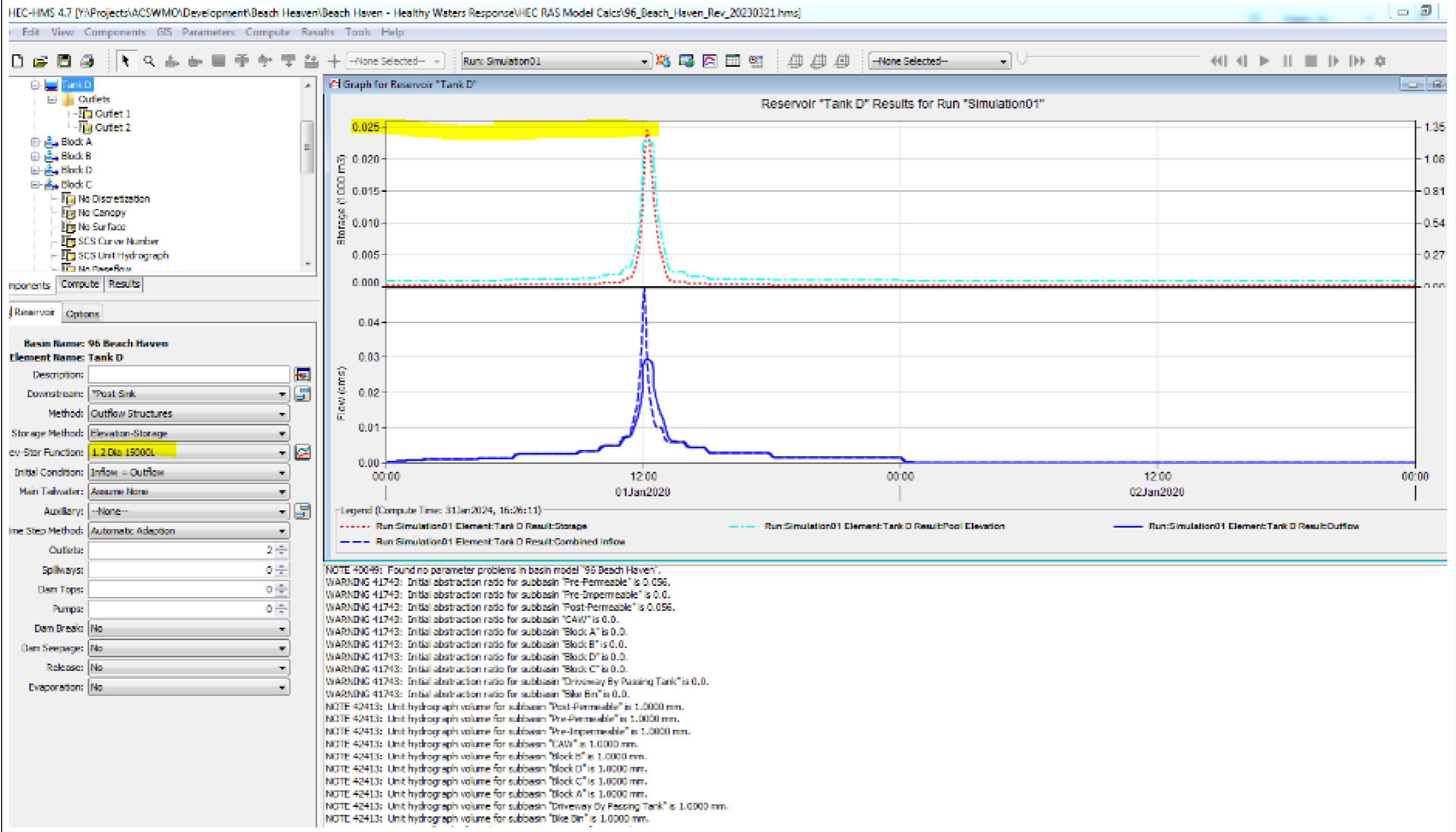
		<p>confirm that the attenuation volume will be calculated using the storm duration that requires the largest volume (i.e., using 10 minute duration can lead to under sizing of the attenuation device).</p>	<p>and any possible alternatives to the request; appropriate to the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change or plan.</p> <p>Applicant to confirm that attenuation of the 10 and 100 year storm event is proposed.</p>	<p>Consequently, the underground attenuation device was sized for the 10% AEP rainfall events only.</p> <p>Initially, spreadsheet routing model was used to size the volumes required. The HEC-HMS model was developed as a check for the spreadsheet routing model. All entries for the HEC-HMS model were as per required by TP108 (including using TP108 rainfall maps, adjusting for 2.1°C climate change and 24hr temporal rainfall normalisation...etc). HEC-HMS model outputs confirmed that 10% AEP attenuation is achieved by the detention design, which reduces the peak flow by approximately 10L/s.</p> <p>Out of curiosity, we ran HEC-HMS model with the climate change adjusted 1% AEP rainfall volume. HEC-HMS model output suggests that 1% AEP attenuation can be achieved by the detention design, which reduces the peak flow by approximately 40L/s. With a reduced peak flow, downstream flood depth is likely to reduce. Please note HEC-HMS model does not consider downstream stormwater system blockage and considers water is constantly draining out of the detention systems. Hence, this can be considered as the best-case scenario.</p> <p>Our overland flow path assessment considered downstream network as fully blocked. Which is the worst-case scenario. It was determined that there is at most a 20mm increase in flood depth for 1% AEP rainfall event. Consequently, in reality, post development downstream flooding will be somewhere between a reduction in existing flood depth and a 20mm increase. As per our report, we consider this as a minor effect.</p>	<p>also outlines potential implications for 100 year event flows.</p> <p>The updated HEC-HMS model is required to verify the conclusions provided in the 20.02.24 response re proposed detention to attenuate the peak flow from the development site. It is also necessary to understand whether the extended duration of peak flow can/will increase the duration of flood – particularly in the case of any flooding of habitable floors.</p> <p>As per HW1 above, there has been insufficient investigation and assessment undertaken to support/demonstrate statements made in the applicant’s cl23 response as to effects on flood depths. Further, assessment of the downstream impacts of increases in flood depth is required utilising a representative flow path geometry with comparison of the existing and proposed situation.</p>
--	--	--	---	--	--

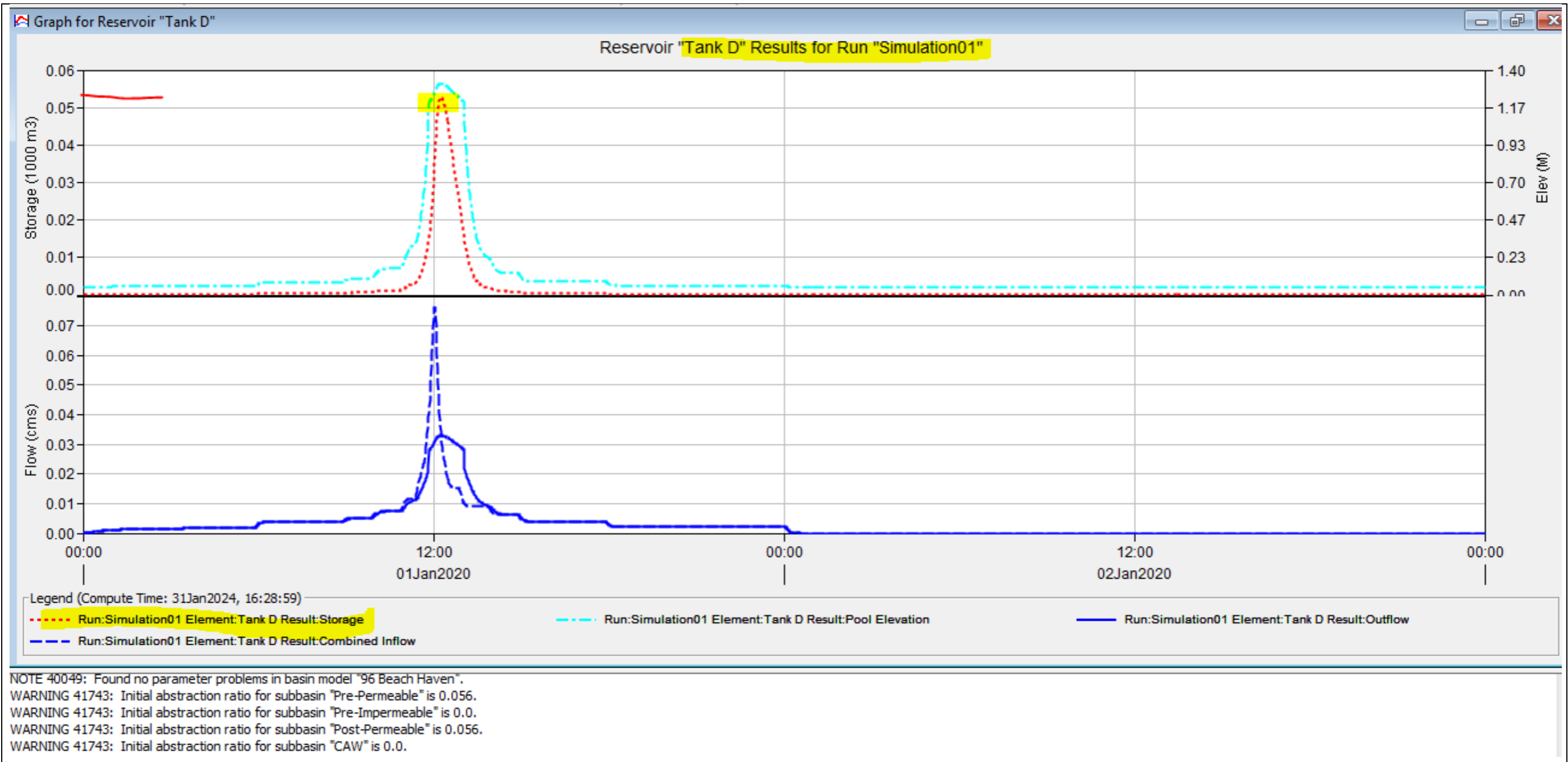
Advice Note:

We had a quick look at the HEC-HMS model for detention tank sizing which was provided as part of the Resource Consent application (and subsequently as requested in conjunction with the recommenced PPC process). We noticed that Tank D is possibly undersized. For 10% AEP storm events, the peak storage in the tank is ~25m³, while a 15m³ tank is shown in the model. For 1% AEP storm events, the size of Tank D will be 52 m³ versus 15m³ as designed.

We have not checked the other tanks in detail.

We noticed that Tank B and Tank C are in series, and both tanks had orifices at outlets. It is more effective to use a single large tank or remove the orifices on the upstream tank to improve attenuation effects.





Drawing MS900 Detailing the proposed Secondary Stormwater Drainage



AIREY CONSULTANTS LTD
TEL: (09) 534 8523
www.airey.co.nz
TAKAPUNA
BOTANY
QUEENSTOWN

CLIENT:
BENTLEY STUDIOS LTD

JOB TITLE:
PROPOSED ENGINEERING WORKS
96 BEACH HAVEN ROAD & 13 CRESTA AVENUE
BEACH HAVEN

REV	AMENDMENT	DATE	BY

DRAWING STATUS:
FOR INFORMATION
ISSUE PURPOSE:
CONSENT

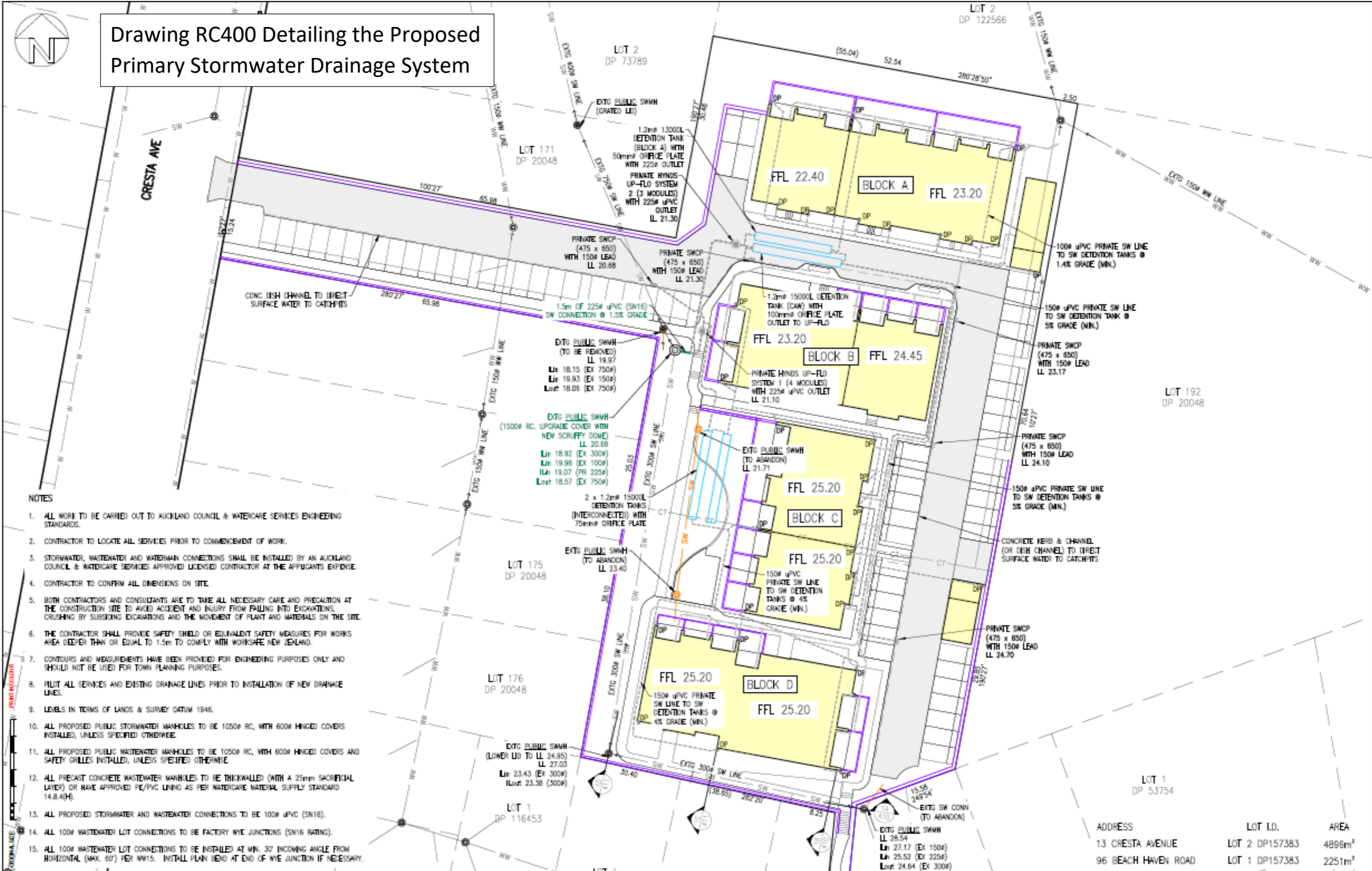
DESIGN:
DRAWN: STS
CHECKED: NNN
DATE: 19/09/2023
SCALE: 1:750 @ A3
DO NOT SCALE FROM DRAWINGS
© Copyright 2023 Airey Consultants Ltd

DRAWING TITLE:
OVERLAND FLOW PATH CATCHMENT
- 120 BEACH HAVEN ROAD, 29 CRESTA AVENUE,
96 BEACH HAVEN ROAD AND 13 CRESTA AVENUE

JOB No: 200626/1 SHEET No: MS900 REV: -



Drawing RC400 Detailing the Proposed Primary Stormwater Drainage System



NOTES

1. ALL WORK TO BE CARRIED OUT TO AUCKLAND COUNCIL & WATERCARE SERVICES ENGINEERING STANDARDS.
2. CONTRACTOR TO LOCATE ALL SERVICES PRIOR TO COMMENCEMENT OF WORK.
3. STORMWATER, WASTEWATER AND WATERMAIN CONNECTIONS SHALL BE INSTALLED BY AN AUCKLAND COUNCIL & WATERCARE SERVICES APPROVED LICENSED CONTRACTOR AT THE APPLICANTS EXPENSE.
4. CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE.
5. BOTH CONTRACTORS AND CONSULTANTS ARE TO TAKE ALL NECESSARY CARE AND PRECAUTION AT THE CONSTRUCTION SITE TO AVOID ACCIDENT AND INJURY FROM FALLING INTO EXCAVATIONS, CRUSHING BY SUBSIDING EXCAVATIONS AND THE MOVEMENT OF PLANT AND MATERIALS ON THE SITE.
6. THE CONTRACTOR SHALL PROVIDE SAFETY SHIELD OR EQUIVALENT SAFETY MEASURES FOR WORKS AREA DEEPER THAN OR EQUAL TO 1.5m TO COMPLY WITH WORKSAFE NEW ZEALAND.
7. CONTOURS AND MEASUREMENTS HAVE BEEN PROVIDED FOR ENGINEERING PURPOSES ONLY AND SHOULD NOT BE USED FOR TOWN PLANNING PURPOSES.
8. PLOT ALL SERVICES AND EXISTING DRAINAGE LINES PRIOR TO INSTALLATION OF NEW DRAINAGE LINES.
9. LEVELS IN TERMS OF LANDS & SURVEY DATUM 1946.
10. ALL PROPOSED PUBLIC STORMWATER MANHOLES TO BE 1050# RC, WITH 600# HINGED COVERS INSTALLED, UNLESS SPECIFIED OTHERWISE.
11. ALL PROPOSED PUBLIC WASTEWATER MANHOLES TO BE 1050# RC, WITH 600# HINGED COVERS AND SAFETY GRILLES INSTALLED, UNLESS SPECIFIED OTHERWISE.
12. ALL PRECAST CONCRETE WASTEWATER MANHOLES TO BE THICKWALLED (WITH A 25mm SACRIFICIAL LAYER) OR HAVE APPROVED PE/PVC LINING AS PER WATERCARE MATERIAL SUPPLY STANDARD 14.8.4(H).
13. ALL PROPOSED STORMWATER AND WASTEWATER CONNECTIONS TO BE 100# uPVC (SN16).
14. ALL 100# WASTEWATER LOT CONNECTIONS TO BE FACTORY WYE JUNCTIONS (SN16 RATING).
15. ALL 100# WASTEWATER LOT CONNECTIONS TO BE INSTALLED AT MIN. 30° INCOMING ANGLE FROM HORIZONTAL (MAX. 60° PER W/15). INSTALL FLAN BEND AT END OF WYE JUNCTION IF NECESSARY.

ADDRESS	LOT I.D.	AREA
13 CRESTA AVENUE	LOT 2 DP157383	4896m ²
96 BEACH HAVEN ROAD	LOT 1 DP157383	2251m ²



AIREY CONSULTANTS LTD
 TEL: (06) 534 8523
 www.airey.co.nz
 TAKAPUNA
 BOTANY
 QUEENSTOWN

CLIENT:
BEACH HAVEN ROAD APARTMENTS LIMITED

JOB TITLE:
**PROPOSED ENGINEERING WORKS
 96 BEACH HAVEN ROAD & 13 CRESTA AVENUE
 BEACH HAVEN**

REV	AMENDMENT	DATE	BY

DRAWING STATUS:
FINAL
 ISSUE PURPOSE:
RESOURCE CONSENT

DESIGN	CHKD	DATE	SCALE	DO NOT SCALE FROM DRAWINGS	DRAWING TITLE	JOB No	SHEET No	REV
NNN	BTS	03/10/2023	1:500 @ A3		OVERALL STORMWATER PLAN	200625/1	RC400	-

ATTACHMENT SEVEN

**RECOMMENDED AMENDMENTS TO NOTIFIED
PRECINCT PROVISIONS**

IXXX. Beach Haven Precinct

IXXX.1 Precinct Description

The purpose of the Beach Haven precinct is to incorporate the Medium Density Residential Standards contained in Schedule 3A of the Resource Management Act 1991.

The Beach Haven precinct applies to a 0.7147ha site located immediately to the north of the Beach Haven Local Centre at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven. The zoning of the land within this precinct is Residential – Mixed Housing Urban. The outcomes anticipated in the precinct correspond to the Residential Mixed Housing Urban zone with the Medium Density Residential Standards incorporated, and the provisions apply except to the extent the density standards are incorporated.

The provision of adequate capacity in terms of the water supply and wastewater infrastructure servicing the precinct is essential to achieving the planned level of development. Upgrades to water supply and wastewater infrastructure located outside of the precinct boundaries are required to avoid, remedy or mitigate adverse effects on the environment and on the level of service provided to those connected to the infrastructure both inside and outside the precinct.

The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.

IXXX.2 Objectives

- (1) A well-functioning urban environment that enables all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.
- (2) A relevant residential zone provides for a variety of housing types and sizes that respond to –
 - (a) housing needs and demands; and
 - (b) the neighbourhood's planned urban built character, including three-storey buildings.
- (3) Development and subdivision is enabled where it can be serviced by the water supply and wastewater networks to manage adverse effects.

All relevant overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

IXXX.3 Policies

- (1) Enable a variety of housing types with a mix of densities within the zone, including three-storey attached and detached dwellings, and low-rise apartments.
- (2) Apply the MDRS across all relevant residential zones in the District Plan except in circumstances where a qualifying matter is relevant (including matters of significance such as historic heritage and the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga).
- (3) Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
- (4) Enable housing to be designed to meet the day-to-day needs of residents.

- (5) Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

Water Supply and Wastewater Infrastructure

- (6) Require subdivision and development to be coordinated with the provision of bulk water supply or bulk wastewater networks with adequate capacity to service the proposed development.

All relevant overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

IXXX.4 Activity table

All relevant overlay, Auckland-wide and zone activities apply in this precinct unless specified below at IXXX.4(1) or Table IXXX.4.1.

- (1) H5.4.1(A5) The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings.

Table IXXX.4.1 specifies the activity status of activities in the IXXX Beach Haven Precinct pursuant to section 9(3) and 11 of the Resource Management Act 1991.

Note 1

All applications for subdivision consent are subject to section 106 of the RMA.

Note 2

Where a subdivision application is accompanied by a land use consent application for up to three dwellings, that land use consent application must be an application for a certificate of compliance.

Note 3

The precinct is subject to Designation 4311 Whenuapai Airfield Approach and Departure Path Protection which imposes restrictions in relation to permanent and temporary structure height. No permanent or temporary obstacle shall penetrate the approach and departure path obstacle limitation surfaces identified in Designation 4311 without prior approval in writing of the New Zealand Defence Force.

Table IXXX.4.1 Activity Table

Activity		Activity Status
Use		
(A1)	Up to three dwellings on a site	P
(A2)	The conversion of a principal dwelling into a maximum of three dwellings	P
(A2A)	<u>Any new or converted dwelling that does not comply with standard IXXX.6.1.10</u>	<u>RD</u>
Development		

(A3)	The construction of one or more dwellings on a site that do not comply with one or more Standards IXXX.6.1.1 to IXXX.6.1.9 inclusive	RD
(A4)	Accessory buildings	P
(A5)	Internal and external alterations to buildings	P
(A6)	Additions to an existing dwelling	P
(A6A)	<u>Any development that does not comply with standard IXXX.6.10</u>	<u>RD</u>
Subdivision		
<u>Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</u>		
A7	Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct	€
(A8)	Subdivision accompanied by a land use consent application for up to three dwellings	C
(A9)	Subdivision around existing buildings and development that complies with the relevant overlay, Auckland-wide and zone rules	C
(A10)	Any subdivision listed above not meeting IXXX.6.2 Subdivision Standards	RD
(A11)	Any subdivision listed above not meeting General Standards E38.6.2 to E38.6.6 inclusive	D
(A12)	Any subdivision listed above not meeting Standards for subdivision in residential zones E38.8.1.1(1) and E38.8.1.2	D

IXXX.5 Notification

- (1) Any application for resource consent for the construction and use of one, two or three dwellings listed in Activity Table IXXX.4.1(A1) above that does not comply with one or more of the following standards listed in IXXX.5(1)(a)-(h) will be considered without public notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.,
- (a) Standard IXXX.6.1.2 Building height;
 - (b) Standard IXXX.6.1.3 Height in relation to boundary;
 - (c) Standard IXXX.6.1.4 Yards;
 - (d) Standard IXXX.6.1.5 Building coverage;
 - (e) Standard IXXX.6.1.6 Landscaped area;
 - (f) Standard IXXX.6.1.7 Outlook space (per unit);
 - (g) Standard IXXX.6.1.8 Outdoor living space (per unit); and
 - (h) Standard IXXX.6.1.9 Windows to street.
- (2) Any application for resource consent for the construction and use of four or more residential units that comply with the density standards (IXXX.6.1.1) will be considered without public and limited notification unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991.

- (a) Standard IXXX.6.1.2 Building height;
 - (b) Standard IXXX.6.1.3 Height in relation to boundary;
 - (c) Standard IXXX.6.1.4 Yards;
 - (d) Standard IXXX.6.1.5 Building coverage;
 - (e) Standard IXXX.6.1.6 Landscaped area;
 - (f) Standard IXXX.6.1.7 Outlook space (per unit);
 - (g) Standard IXXX.6.1.8 Outdoor living space (per unit);
 - (h) Standard IXXX.6.1.9 Windows to street.
- (3) Unless the Council decides that special circumstances exist under section 95A(9) of the Resource Management Act 1991, public and limited notification of an application for a controlled subdivision resource consent is precluded if the subdivision is associated with an application for the construction and use of:
- (a) one, two or three dwellings that do not comply with one or more of the Standards listed in IXXX.5(1); or
 - (b) four or more dwellings that comply with all the Standards listed in IXXX.5(2).
- (4) Any application for a resource consent which is listed in IXXX.5(1), IXXX.5(2), or IXXX.5(3) above which also requires resource consent under other rules in the Plan will be subject to the normal tests for notification under the relevant sections of the RMA.

IXXX.6 Standards

- (1) Unless specified in Standard IXXX.6(2) below, all relevant overlay, Auckland-wide and zone standards apply to all activities in the IXXX Beach Haven precinct.
- (2) The following zone standards do not apply to activities IXXX.4.1(A1), (A2), (A4), (A5) and (A6) listed in Activity Table IXXX.4.1 above:
- (a) H5.6.3 The conversion of a principal dwelling existing as at 30 September 2013 into a maximum of two dwellings;
 - (b) H5.6.6 Alternative height in relation to boundary;
 - (c) H5.6.4 Building height;
 - (d) H5.6.5 Height in relation to boundary (except standards in H.5.6.5(2), (3) and (4) and (7) apply in the IXXX Beach Haven precinct);
 - (e) H5.6.8 Yards;
 - (f) H5.6.10 Building coverage;
 - (g) H5.6.11 Landscaped area;
 - (h) H5.6.12 Outlook space;
 - (i) H5.6.14 Outdoor living space;

(3) The activities listed as a permitted activity in Activity Table IXXX.4.1 must comply with permitted activity standards IXXX.6.1.1 to IXXX.6.1.9 10.

(4) Any activities listed as a controlled activity in Activity Table IXXX.4.1 must comply with controlled activity standards IXXX.6.2.

IXXX.6.1.1 Number of dwellings per site

(1) There must be no more than three dwellings per site.

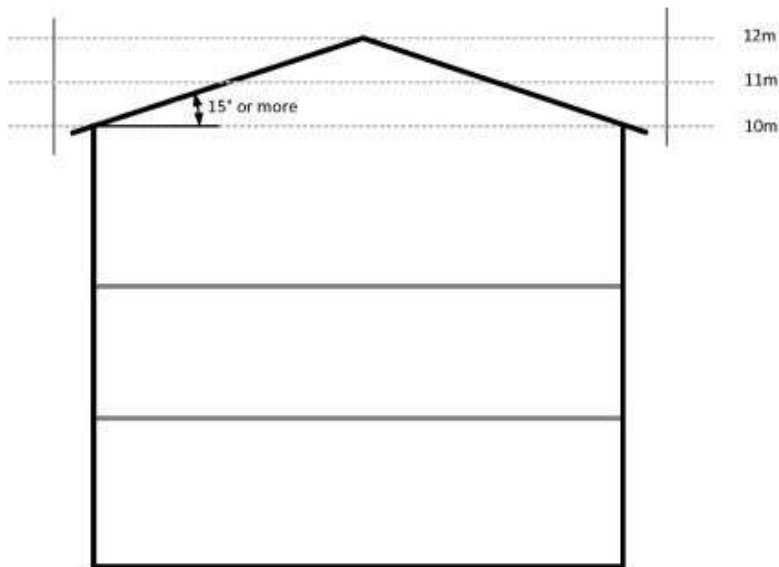
IXXX.6.1.2 Building height

Purpose: To manage the height of buildings to:

- achieve the planned urban built character of predominantly one to two storeys;
- minimise visual dominance effects;
- maintain a reasonable standard of residential amenity for adjoining sites; and
- provide some flexibility to enable variety in roof forms.

(1) Buildings must not exceed 11m in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown in Figure IXXX.6.1.2.1 below.

Figure IXXX.6.1.2.1 Building height

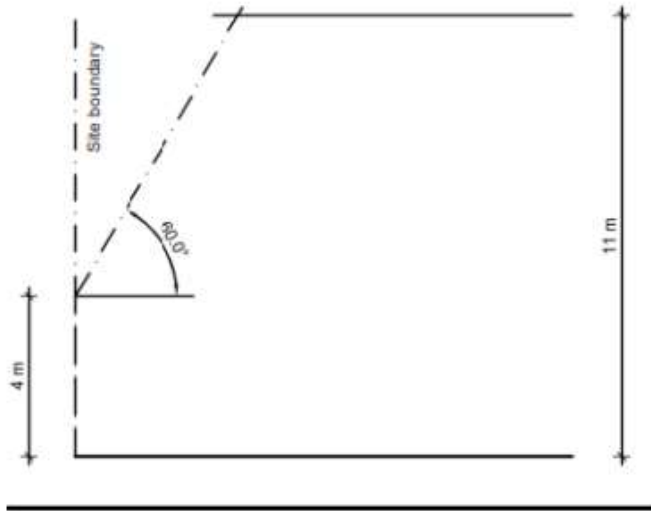


IXXX.6.1.3 Height in relation to boundary

Purpose: To manage the height and bulk of buildings at boundaries to maintain a reasonable level of sunlight access, privacy and minimise adverse visual dominance effects to immediate neighbours.

- (1) Buildings must not project beyond a 60-degree recession plane measured from a point 4m vertically above ground level along side and rear boundaries as shown in Figure IXXX.6.1.3.1 Height in relation to boundary below.

Figure IXXX.6.1.3.1 Height in relation to boundary



IXXX.6.1.4 Yards

Purpose:

- to create an urban streetscape character and provide sufficient space for landscaping within the front yard;
- to maintain a reasonable standard of residential amenity for adjoining sites;
- to ensure buildings are adequately set back from lakes, streams and the coastal edge to maintain water quality and provide protection from natural hazards; and
- to enable buildings and services on the site or adjoining sites to be adequately maintained.

- (1) Buildings must be setback from the relevant boundary by the minimum depth listed below:

- (a) Front yards: 1.5m.
- (b) Side and rear yards: 1m

- (2) This standard does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

IXXX.6.1.5 Building coverage

Purpose: To manage the extent of buildings on a site to achieve the planned character of buildings surrounded by open space.

- (1) The maximum building coverage must not exceed 50 per cent of the net site area.

IXXX.6.1.6 Landscaped area

Purpose:

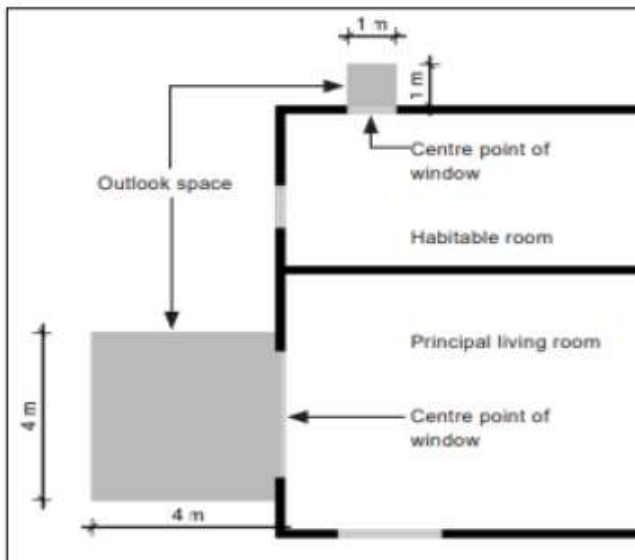
- to provide for quality living environments consistent with the planned urban built character of buildings surrounded by vegetation; and
 - to create a vegetated urban streetscape character.
- (1) A dwelling at ground floor level must have a landscaped area of a minimum of 20 per cent of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.
- (2) The landscaped area may be located on any part of the development site, and does not need to be associated with each dwelling.

IXXX.6.1.7 Outlook space (per unit)

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
 - in combination with H5.6.13. Daylight Standard, manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.
- (1) An outlook space must be provided for each dwelling as specified in this clause.
- (a) An outlook space must be provided from habitable room windows as shown in Figure IXXX.6.1.7.1 Outlook space requirements for development containing up to three dwellings below.
- (b) The minimum dimensions for a required outlook space are as follows and as shown in Figure IXXX.6.1.7.1 Outlook space requirements for development containing up to three dwellings below:
- (i) a principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (ii) all other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (c) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (d) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (e) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (f) Outlook spaces may be under or over a balcony.
- (g) Outlook spaces required from different rooms within the same building may overlap.
- (h) Outlook spaces must—
- (i) be clear and unobstructed by buildings; and
 - (ii) not extend over an outlook space or outdoor living space required by another dwelling.

Figure IXXX.6.1.7.1 Outlook space



IXXX.6.1.8 Outdoor living space (per unit)

Purpose: To provide dwellings with outdoor living space that is of a functional size and dimension, has access to sunlight, is separated from vehicle access and manoeuvring areas, and ensure:

- private outdoor living spaces are directly accessible from the principal living room, dining room or kitchen;
- communal outdoor living spaces are conveniently accessible for all occupants.

- (1) A dwelling at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, balcony, patio, or roof terrace space that, —
 - (a) where located at ground level, has no dimension less than 3 metres; and
 - (b) where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (c) is accessible from the dwelling; and
 - (d) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location; or
 - (ii) located directly adjacent to the unit; and
 - (e) is free of buildings, parking spaces, and servicing and manoeuvring areas.

- (2) A dwelling located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
 - (a) is at least 8m² and has a minimum dimension of 1.8 metres; and
 - (b) is accessible from the dwelling; and
 - (c) may be—
 - (i) grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
 - (ii) located directly adjacent to the unit.

IXXX.6.1.9 Windows facing the street

Purpose: To provide for passive surveillance while maintaining privacy for residents and users.

- (1) Any dwelling facing the street must have a minimum of 20 per cent of the street-facing façade in glazing. This can be in the form of windows or doors.

IXXX.6.1.10 Water and Wastewater

Purpose:

To ensure the bulk wastewater and potable water infrastructure has capacity to service the development of the Beach Haven Precinct

- (1) All subdivision and/or development within the Precinct must be able to be serviced by a publicly available functioning bulk wastewater network and water supply network with sufficient capacity to service the precinct.

IXXX.6.2 Standards for controlled activities

Purpose:

- To provide for subdivision of land for the purpose of construction and use of dwellings in accordance with MDRS permitted and restricted discretionary land use activities

IXXX.6.2.1 Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct

- (1) Any subdivision relating to an approved land use consent must comply with that land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.
- (4) Any subdivision must comply with standard IXXX.6.1.10

IXXX.6.2.2 Subdivision around existing buildings and development

- (1) Prior to subdivision occurring, all development must meet the following:
 - (a) Comply with the relevant overlay, Auckland-wide, zone and precinct rules; or
 - (b) Be in accordance with an approved land use consent.
- (2) Subdivision does not increase the degree of any non-compliance with standards IXXX.6.1.1 to IXXX.6.1.9 except that Standard IXXX.6.1.3(1) does not apply along the length of any proposed boundary where dwellings share a common wall.
- (3) No vacant sites are created.
- (4) Any subdivision must comply with standard IXXX.6.1.10.

IXXX.6.2.3 Subdivision accompanied by a land use consent application for up to three dwellings

- (1) The subdivision and land use consent applications relate to a vacant site;
- (2) The subdivision and land use consent applications must be determined concurrently;
- (3) Each dwelling, relative to its proposed boundaries, complies with Standards IXXX.6.1.1 to IXXX.6.1.9; and
- (4) No vacant sites are created.

IXXX.7 Assessment – controlled activities

IXXX.7.1 Matters of control

The Council will reserve control over all of the following matters when assessing a controlled activity resource consent application:

(1) All controlled subdivision activities in Table IXXX.4.1:

- (a) compliance with an approved resource consent or consistency with a concurrent land use consent application;
- (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
- (c) ~~the effects~~ capacity of infrastructure provision. and management of effects of stormwater.

IXXX.7.2 Assessment criteria

(1) The Council will consider the relevant assessment criteria for controlled subdivision from the list below:

- (a) compliance with an approved resource consent or consistency with a concurrent land use consent application:
 - (i) any proposed consent notice;
 - (ii) refer to Policy E38.3(6);
- (b) compliance with the relevant overlay, Auckland-wide, precinct and zone rules;
 - (i) refer to Policy E38.3(1) and (6);
- (c) whether there is appropriate provision made for infrastructure including:
 - (i) whether provision is made for infrastructure including creation of common areas over parts of the parent site that require access by more than one site within the subdivision;
~~and~~
 - (ii) whether appropriate management of effects of stormwater has been provided;
 - (iii) refer to Policies E38.8(1), (6), (19) to (23), and
 - (iv) whether there is adequate provision and capacity of infrastructure to service the subdivision
 - (v) refer to Policy IXXX.3(6).

IXXX.8 Assessment – restricted discretionary activities

IXXX.8.1 Matters of discretion

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) The construction of one or more dwellings on a site that do not comply with any of Standards IXXX.6.1.1 to IXXX.6.1.9 ~~10~~:
- (a) any precinct and zone policies relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the urban built character of the precinct;
- (e) the effects on the amenity of neighbouring sites;
- (f) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (g) the characteristics of the development;

- (h) any other matters specifically listed for the standard; ~~and~~
- (i) where more than one standard will be infringed, the effects of all infringements; and
- (j) the effects on infrastructure capacity including:
 - a. whether there is confirmation from the utility provider of sufficient capacity in the bulk water supply and wastewater networks to service the development or subdivision; and
 - b. where adequate network capacity is not available, whether adequate mitigation is proposed.

(2) Restricted discretionary subdivision activities in Table IXXX.4.1:

- (a) Refer to E38.12.1.(6) and (7) Matters of discretion
- (b) Refer to Policy E38.3(13)
- (c) Refer to Policy IXXX.8.1(1)(j) Matters of discretion
- (d) Refer to Policy IXXX.3(6).

IXXX.8.2 Assessment criteria

The Council will consider the assessment criteria below for restricted discretionary activities to the extent relevant to the proposal:

- (1) The construction of one or more dwellings on a site that do not comply with one or more of Standards IXXX.6.1.1 to IXXX.6.1.9 10:
 - (a) for building height:
 - (i) refer to Policy IXXX.3(1)
 - (ii) refer to Policy IXXX.3(2)
 - (iii) refer to Policy IXXX.3(5)
 - (iv) require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - providing for residents' safety and privacy while enabling passive surveillance on the street;
 - minimising visual dominance effects to adjoining sites;
 - maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - minimising visual dominance effects of carparking and garage doors to streets and private accessways;
 - minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
 - requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
 - designing practical, sufficient space for residential waste management; and
 - (v) designing practical, sufficient space for internal storage and living areas.

Visual dominance

- (vi) the extent to which buildings as viewed from the street or public places are designed to minimise visual dominance effects of any additional height, taking into account:
 - the planned urban built character of the precinct; and

- the location, orientation and design of development,
- the effect of the proposed height on the surrounding and neighbouring development.

Character and Visual Amenity

- (vii) the extent to which the form and design of the building and any additional height responds to the planned form and existing character of the surrounding area, including natural landforms and features, and the coast; and
- (viii) how buildings as viewed from the street or public places are designed to appear against the skyline, taking into account:
- whether roof plan, services and equipment are hidden from views; and
 - whether the expression of the top of the building provides visual interest and variation.
- (b) for height in relation to boundary:
- (i) refer to Policy IXXX.3(1)
- (ii) refer to Policy IXXX.3(5)
- (iii) require development to achieve a built form that contributes to high-quality built environment outcomes by:
- maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - providing for residents' safety and privacy while enabling passive surveillance on the street;
 - minimising visual dominance effects to adjoining sites;
 - maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - minimising visual dominance effects of carparking and garage doors to streets and private accessways;
 - minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
 - requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
 - designing practical, sufficient space for residential waste management; and
- (iv) designing practical, sufficient space for internal storage and living areas.

Sunlight access

- (v) whether sunlight access to the outdoor living space of an existing dwelling on a neighbouring site satisfies the following criterion:
Four hours of sunlight is retained between the hours of 9am – 4pm during the Equinox (22 September):
- over 75% of the existing outdoor living space where the area of the space is greater than the minimum required by Standard IXXX.6.1.8; or
 - over 100% of existing outdoor living space where the area of this space is equal to or less than the minimum required by Standard IXXX.6.1.8.
- (vi) in circumstances where sunlight access to the outdoor living space of an existing dwelling on a neighbouring site is less than the outcome referenced in Standard IXXX.6.1.8:

- the extent to which there is any reduction in sunlight access as a consequence of the proposed development, beyond that enabled through compliance with Standard H5.6.5 Height in relation to boundary control; and
- the extent to which the building affects the area and duration of sunlight access to the outdoor living space of an existing dwelling on a neighbouring site, taking into account site orientation, topography, vegetation and existing or consented development.

Visual dominance

(vii) the extent to which buildings as viewed from the side or rear boundaries of adjoining residential sites or developments are designed to reduce visual dominance effects, taking into account:

- the planned urban built character of the zone;
- the location, orientation and design of development;
- the physical characteristics of the site and the neighbouring site;
- the design of side and rear walls, including appearance and dominance; and
- providing adequate visual and/or physical break up of long continuous building forms.

Overlooking and privacy

(viii) the extent to which direct overlooking of a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.

(c) for yards:

(i) refer to Policy IXXX.3(1)

(ii) refer to Policy IXXX.3(2)

(iii) refer to Policy IXXX.3(3)

(iv) require development to achieve a built form that contributes to high-quality built environment outcomes by:

- maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
- providing for residents' safety and privacy while enabling passive surveillance on the street;
- minimising visual dominance effects to adjoining sites;
- maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
- minimising visual dominance effects of carparking and garage doors to streets and private accessways;
- minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
- requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
- designing practical, sufficient space for residential waste management; and

(v) designing practical, sufficient space for internal storage and living areas.

(d) for building coverage:

(i) refer to Policy IXXX.3(1)

- (ii) refer to Policy IXXX.3(3)
 - (iii) require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - providing for residents' safety and privacy while enabling passive surveillance on the street;
 - minimising visual dominance effects to adjoining sites;
 - maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - minimising visual dominance effects of carparking and garage doors to streets and private accessways;
 - minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
 - requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
 - designing practical, sufficient space for residential waste management; and
 - (iv) designing practical, sufficient space for internal storage and living areas.
 - (v) whether the non-compliance is appropriate to the context, taking into account:
 - whether the balance of private open space and buildings is consistent with the existing and planned urban character anticipated for the precinct;
 - the degree to which the balance of private open space and buildings reduces onsite amenity for residents, including the useability of outdoor living areas and functionality of landscape areas;
 - the proportion of the building scale in relation to the proportion of the site.
- (e) for landscaped area:
- (i) refer to Policy IXXX.3(1)
 - (ii) refer to Policy IXXX.3(3)
 - (iii) require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - providing for residents' safety and privacy while enabling passive surveillance on the street;
 - minimising visual dominance effects to adjoining sites;
 - maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - minimising visual dominance effects of carparking and garage doors to streets and private accessways;
 - minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
 - requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
 - designing practical, sufficient space for residential waste management; and
 - (iv) designing practical, sufficient space for internal storage and living areas.
 - (v) refer to Policy H5.3(10) and

- (vi) the extent to which existing trees are retained.
- (f) for outlook space:
- (i) refer to Policy IXXX.3(1)
 - (ii) refer to Policy IXXX.3(3)
 - (iii) refer to Policy IXXX.3(5)
 - (iv) require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - providing for residents' safety and privacy while enabling passive surveillance on the street;
 - minimising visual dominance effects to adjoining sites;
 - maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - minimising visual dominance effects of carparking and garage doors to streets and private accessways;
 - minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;
 - requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
 - designing practical, sufficient space for residential waste management; and
 - designing practical, sufficient space for internal storage and living areas.
 - (v) The extent to which overlooking of a neighbour's habitable room windows and private and/or communal outdoor living space can be minimised through the location and design of habitable room windows, balconies or terraces and the appropriate use of building and glazing setbacks and/or screening which is integrated part of the overall building design.
- (g) for outdoor living space:
- (i) refer to Policy IXXX.3(1);
 - (ii) refer to Policy IXXX.3(4); and
 - (iii) the extent to which dwellings provide private open space and communal open space that is useable, accessible from each dwelling and attractive for occupants.
- (h) for windows to street and private vehicle and pedestrian accessways:
- (i) refer to Policy IXXX.3(3)
 - (ii) require development to achieve a built form that contributes to high-quality built environment outcomes by:
 - maintaining privacy, outlook, daylight and sunlight access to provide for the health and safety of residents on-site;
 - providing for residents' safety and privacy while enabling passive surveillance on the street;
 - minimising visual dominance effects to adjoining sites;
 - maintaining a level of privacy, and sunlight and daylight access for adjoining sites;
 - minimising visual dominance effects of carparking and garage doors to streets and private accessways;
 - minimising adverse effects on the natural environment, including restricting maximum impervious area on a site to reduce the amount of stormwater runoff generated by a

development and ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated;

- requiring development to reduce the urban heat island effects of development and respond to climate change, by providing deep soil areas that enable the growth of canopy trees;
 - designing practical, sufficient space for residential waste management; and
 - designing practical, sufficient space for internal storage and living areas. And
- (iii) the extent to which the glazing:
- allows views to the street and/or accessways to ensure passive surveillance; and
 - provides a good standard of privacy for occupants.
- (i) For infrastructure and capacity
- a. Refer to Policy IXXX.3(6)

(2) Restricted discretionary subdivision activities in Table IXXX.4.1

- (a) the effect of the design and layout of the sites to achieve the purpose of the precinct and to provide safe and legible and convenient access to a legal road;
 - (b) the effect of infrastructure provision and management of effects on stormwater;
 - (c) the effects arising from any significant increase in traffic volumes on the existing road network; and
 - (d) the effect on the functions of floodplains and provision for any required overland flow paths;
 - (e) the effect of the layout and design of blocks and sites on the solar gain achieved for the sites created
 - (f) for the effect of the development on infrastructure capacity in the wider water supply network and wastewater network.
- a. Refer to Policy IXXX.3(6).

IXXX.9 Special information requirements

~~There are no special information requirements in this precinct.~~

1. An application for any subdivision or development must be accompanied by a stormwater design report prepared by a suitably qualified person to confirm that the proposed stormwater design will achieve peak discharge attenuation to pre-development level (based on existing terrain and catchment area) for up to a 1% AEP flood event, with allowance for climate change adjustments to rainfalls.

IXXX.10 Precinct plans

There are no precinct plans in this precinct.

ATTACHMENT EIGHT

SECTION 32AA FOR S42A RECOMMENDED AMENDMENTS

Attachment 8 - s32AA assessment of recommended amendments arising from submissions on PPC99

The following table contains the Section 32AA evaluation of the proposed rules arising from the s42A report:

Rule	Discussion: Appropriateness, Effectiveness and Efficiency, Costs and Benefits, risk of acting / not acting
IXXX.1 Precinct Description	<p>Appropriateness:</p> <p>The inclusion of the street address of the two sites is appropriate in that it provides clarity to which sites in Beach Haven that the precinct provisions apply to.</p> <p><u>Water supply and wastewater</u></p> <p>The inclusion in the description in relation to water supply and wastewater infrastructure servicing the precinct is appropriate. Water Services Limited has identified that there is capacity constraints within the Beach Haven catchment.</p> <p>In addition, PC78 identifies the two sites as being subject to the Water Supply and/or Wastewater Constraints Control qualifying matter in the PC78 map viewer. However, the related proposed provisions in the relevant residential zones including the Residential – Mixed Housing Urban zone do not have legal effect until such time as PC78 is made operative in the AUP. Including the proposed amendments will ensure that the future development enabled by PPC99 avoids, remedies, or mitigates the adverse effects on the environment.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>The inclusion of reference to NZDF’s Designation 4311 is appropriate given the proximity of the two sites to NZDF’s base at Whenuapai. NZDF’s infrastructure is nationally and regionally significant and its ongoing operation to meet Defence</p>

	<p>purpose under section 5 of the Defence Act 1990 is critical.</p> <p>Effectiveness and efficiency:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendments for the Water Supply and Wastewater network infrastructure, and the Whenuapai Airbase are considered effective and efficient in that:</p> <ul style="list-style-type: none">• the risk of adverse effects on the capacity of existing water supply and wastewater network infrastructure are avoided as future development will be required to ensure that development can be adequately serviced without risking the capacity of the existing water supply and wastewater network infrastructure. <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>The risk of adverse effects in relation to flight safety and operation of the NZDF's Whenuapai Airbase are avoided. The inclusion of the amendments in the precinct provisions increases the visibility and awareness of the obstacle limitation surfaces designation and that a resource consent applicant may be required to seek approval from NZDF in relation to any permanent or temporary structures which penetrate the obstacle limitation surfaces.</p> <p>Costs:</p> <p><u>Water supply and Wastewater</u></p> <p>The cost of not including the recommended amendments has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p>
--	--

	<p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u> <u>The cost of not including the recommended amendments in relation to NZDF’s Whenuapai airbase has the potential to increase the risk to the ongoing operation, and flight safety, of the airbase.</u></p> <p>Benefits:</p> <p><u>Water supply and wastewater</u></p> <p>The benefit of including the recommended amendments has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>The benefit of including the recommended amendments in relation to NZDF’s Whenuapai airbase will have the potential to decrease the risk to the ongoing operation, and flight safety, of the airbase.</p> <p>Risks of acting/not acting:</p> <p><u>Water supply and wastewater</u></p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p>
--	---

	<p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>There is sufficient and certain information on Designation 4311 and the approach and departure path obstacle limitation surfaces. The purpose and conditions of the designation are included in Chapter K of the AUP and therefore have been through a robust statutory and planning process.</p> <p>The risk of not acting could have the potential to increase the risk to flight safety and the operation of NZDF’s airbase at Whenuapai. There’s also an increased risk to persons residing under the flight path and the approach and departure path obstacle limitation surfaces.</p>
--	---

IXXX.2 Objectives	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendment to include a new objective IXXX.2(3) is considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to include IXXX.2(3) is considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people’s health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced</p>
-------------------	--

	<p>without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p> <p>The cost of not including IXXX.2(3) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of including IXXX.2(3) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>Risks of acting/not acting:</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the</p>
--	--

	<p>operation, maintenance, and upgrades of its infrastructure.</p>
--	--

<p>IXXX.3 Policies</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendment to include a new policy IXXX.3(6) is considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to include IXXX.3(6) is considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people’s health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p> <p>The cost of not including IXXX.3(6) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of including IXXX.3(6) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk</p>
------------------------	---

	<p>of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
<p>IXXX.4.1 Activity Table - (A2A), (A6A), removal of (A7) and addition of wording above (A8), addition of Note 3.</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendments to include new activities (A2A), (A6A) and amend (A7) are considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>The recommended amendment to (A7) also aligns with the proposed provisions for PC78 E38 Subdivision – urban.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>The inclusion of Note 3 is appropriate given the proximity of the two sites to NZDF’s base at Whenuapai and in relation to the obstacle limitation surfaces. NZDF’s infrastructure is nationally and regionally significant and its ongoing operational requirements to meet the Defence purpose under section 5 of the Defence Act 1990 is critical.</p>

	<p>Effectiveness and efficiency:</p> <p><u>Water supply and Wastewater</u></p> <p>The amendment to include new activities (A2A), (A6A) and amend (A7) are considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people's health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>The risk of adverse effects in relation to flight safety and operation of the NZDF's Whenuapai Airbase are avoided. The inclusion of the amendments in the precinct provisions increases the visibility and awareness of the obstacle limitation surfaces designation and that a resource consent applicant may be required to seek approval from NZDF in relation to any permanent or temporary structures which penetrate the obstacle limitation surfaces.</p> <p>Costs:</p> <p><u>Water supply and wastewater</u></p> <p>The cost of not including new activities (A2A), (A6A) and amend (A7) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p>
--	--

	<p>The cost of not including the recommended amendments in relation to NZDF's Whenuapai airbase will have the potential to increase the risk to the ongoing operation, and flight safety, of the airbase.</p> <p>Benefits:</p> <p><u>Water supply and wastewater</u></p> <p>The benefit of including new activities (A2A), (A6A) and amend (A7) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>The benefit of including the recommended amendments in relation to NZDF's Whenuapai airbase will have the potential to decrease the risk to the ongoing operation, and flight safety, of the airbase.</p> <p>Risks of acting/not acting:</p> <p><u>Water supply and wastewater</u></p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater</p>
--	---

	<p>overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p> <p><u>Designation 4311 – NZDF and the approach and departure path obstacle limitation surfaces</u></p> <p>There is sufficient and certain information on Designation 4311 and the approach and departure path obstacle limitation surfaces. The purpose and conditions of the designation are included in Chapter K of the AUP and therefore have been through a robust statutory and planning process.</p> <p>The risk of not acting could have the potential to increase the risk to flight safety and the operation of NZDF’s airbase at Whenuapai. There’s also an increased risk to persons residing under the flight path and the approach and departure path obstacle limitation surfaces.</p>
--	---

Standards IXXX.6.10	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendment to include a new standard IXXX6.10 is considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to include a new standard IXXX6.10 is considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people’s health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p>
---------------------	--

	<p>The cost of not including a new standard IXXX6.10 has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of including a new standard IXXX6.10 has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
<p>IXXX.6.2.1 standards for controlled activities – Subdivision in accordance with an approved land use consent for the purpose of the construction or use of dwellings as permitted or restricted discretionary activities in the precinct</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendment to include a new standard IXXX6.2.1(4) which references the new standard IXXX6.10 is considered appropriate in achieving the</p>

	<p>purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to a new standard IXXX6.2.1(4) which references the new standard IXXX6.10 is considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people's health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p> <p>The cost of not including a new standard IXXX6.2.1(4) which references the new standard IXXX6.10 has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of including a new standard IXXX6.2.1(4) which references the new standard IXXX6.10 has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk</p>
--	--

	<p>infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
<p>IXXX.6.2.2 Subdivision around existing buildings and development</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendment to include a new standard IXXX6.2.2(4) which references the new standard IXXX6.10 is considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to a new standard IXXX6.2.2(4) which references the new standard IXXX6.10 is considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people’s health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p> <p>The cost of not including a new standard IXXX6.2.2(4) which references the new standard IXXX6.10 has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of</p>

	<p>untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of including a new standard IXXX6.2.2(4) which references the new standard IXXX6.10 has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
<p>IXXX.7.1 Matters of control</p>	<p>Appropriateness:</p> <p><u>Stormwater, water supply and wastewater</u></p> <p>The recommended amendment to amend IXXX.7.1(c) is considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to IXXX.7.1(c) is considered effective and efficient in</p>

	<p>achieving the lowest cost in regard to reducing the risk to the environment and people's health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>It is also considered effective and efficient in regard to reducing the risk to property and people from natural hazards i.e., flooding and overland flow path in relation to stormwater effects.</p> <p>Costs:</p> <p>The cost of not amending IXXX.7.1(c) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>It also has the potential to increase the risk to property and people from natural hazards i.e., flooding and overland flow paths in relation to stormwater effects.</p> <p>Benefits:</p> <p>The benefit of amending IXXX.7.1(c) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>It also has the potential to decrease the risk to property and people from natural hazards i.e., flooding and overland flow paths in relation to stormwater effects.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare</p>
--	---

	<p>Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p> <p>There is also sufficient and certain information in relation to stormwater management within the AUP provisions and the GIS viewer maps which show where floodplains and overland flow paths are located. The risk of not acting could have the potential to increase the adverse effects of natural hazards on property and people downstream of the two sites i.e., flooding and increased stormwater in overland flow paths</p>
<p>IXXX.7.2 Assessment criteria</p> <p>IXXX.7.2(c), (i), (iii), (iv) and (v)</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendments to IXXX.7.2(c)(i),(iii), (iv) and (v) are considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendments to IXXX.7.2(c)(i) and (iii), and the addition of IXXX.7.2(c) (iv) and (v) are considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people's health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p>

	<p>Costs:</p> <p>The cost of not including the amendments to IXXX.7.2(c)(i) and (iii), and the addition of IXXX.7.2(c) (iv) and (v) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of the amendments to IXXX.7.2(c)(i) and (iii), and the addition of IXXX.7.2(c) (iv) and (v) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited's existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
--	--

<p>IXXX.8.1 Assessment – restricted discretionary activities</p> <p>IXXX.8.1 (1),(h), (i), (j), (2)(c) and (d)</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendments to IXXX.8.1(h) and (i) and the addition of IXXX.8.1(j) and IXXX.8.1 (2)(c) and (d) are considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendments to IXXX.8.1(h) and (i) and the addition of IXXX.8.1(j) and IXXX.8.1 (2)(c) and (d) are considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people’s health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p> <p>The cost of not including the amendments to IXXX.8.1(h) and (i) and the addition of IXXX.8.1(j) and IXXX.8.1 (2)(c) and (d) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of the amendments to IXXX.8.1(h) and (i) and the addition of IXXX.8.1(j) and IXXX.8.1 (2)(c) and (d) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk</p>
--	--

	<p>of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
<p>IXXX.8.2 Assessment criteria</p> <p>IXXX.8.2 (1)(i)(a) and 2(f)</p>	<p>Appropriateness:</p> <p><u>Water supply and wastewater</u></p> <p>The recommended amendments to include IXXX.8.2(1)(i) and (2)(f) are considered appropriate in achieving the purpose of the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendments to include IXXX.8.2(1)(i) and (2)(f) are considered effective and efficient in achieving the lowest cost in regard to reducing the risk to the environment and people's health and the highest benefit in ensuring that development and subdivision enabled by PPC99 can be serviced without risking the capacity of the existing water supply and wastewater network infrastructure.</p> <p>Costs:</p>

	<p>The cost of not including the addition of IXXX.8.2(1)(i) and (2)(f) has the potential to increase the risk to constrain the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. PPC99 will enable a level of development that could result in an increased risk of untreated wastewater flows into the environment.</p> <p>Benefits:</p> <p>The benefit of including the addition of IXXX.8.2(1)(i) and (2)(f) has the potential to decrease the risk in constraining the development, operation, maintenance and upgrading of Watercare Services Limited’s existing and planned water supply and wastewater network infrastructure. The recommended amendments will also ensure that the risk of untreated wastewater overflows into the environment is reduced.</p> <p>Risk of acting/not acting</p> <p>There is sufficient and certain information on Water supply and wastewater network infrastructure including Watercare Services Limited section 32 report for PC78. The section 32 report identifies Beach Haven as having Wastewater bulk infrastructure capacity issues and identifies the Watercare Asset Management Plan projects and the timeframe for delivery to address this constraint as Kahika Rising Main Extension 2027, Kahika Pump Station Upgrades 2027, and Beach Haven Diversion 2030.</p> <p>The risk of not acting could have the potential to increase the risk to the environment from untreated wastewater overflows and issues for Watercare Services Limited in regard to the operation, maintenance, and upgrades of its infrastructure.</p>
<p>IXXX.9 Special information requirements</p>	<p>Appropriateness:</p> <p>The recommended amendment to amend IXXX.9 is considered appropriate in achieving the purpose of</p>

	<p>the RMA in promoting the sustainable management of natural and physical resources.</p> <p>Effectiveness and efficiency:</p> <p>The amendment to IXXX.9 is considered effective and efficient in regard to reducing the risk to property and people from natural hazards i.e., flooding and overland flow path in relation to stormwater effects.</p> <p>Costs:</p> <p>The cost of not amending IXXX.9 has the potential to increase the risk to property and people from natural hazards i.e., flooding and overland flow paths in relation to stormwater effects.</p> <p>Benefits:</p> <p>The benefit of amending IXXX.9 has the potential to decrease the risk to property and people from natural hazards i.e., flooding and overland flow paths in relation to stormwater effects.</p> <p>Risk of acting/not acting:</p> <p>There is sufficient and certain information in relation to stormwater management within the AUP provisions and the GIS viewer maps which show where floodplains and overland flow paths are located. The provisions in the AUP have been through a robust RMA and planning process.</p> <p>The risk of not acting could have the potential to increase the adverse effects of natural hazards on property and people downstream of the two sites i.e., flooding and increased stormwater in overland flow paths.</p>
--	---

Error! Unknown document property name.

ATTACHMENT NINE

SECTION 42A REPORT AUTHOR QUALIFICATIONS AND EXPERIENCE

Section 42A Report Author – qualifications and experience statement

1. My full name is Joanna Hart. I am a Senior Policy Planner in the Planning – Regional, North, West and Islands Unit (Planning and Resource Consents Department) employed by Auckland Council.
2. I am the Auckland Council reporting planner for PPC99 at 13 Cresta Avenue and 96 Beach Haven Road, Beach Haven. I am authorised by Council to provide planning evidence for PPC99.
3. I hold the qualifications of Bachelor of Science from the University of Auckland (1999) and Master of Planning Practice from the University of Auckland (2001). I am an associate member of the New Zealand Planning Institute. I have worked as a planner for 18 years for local authorities including the former North Shore City Council (February 2007 – October 2010) and Auckland Council (November 2010 – present).
4. My key responsibilities in my role as a senior policy planner includes processing and reporting on plan changes and notice of requirements and contributing to area spatial plans. I wrote evidence and appeared at the Independent Hearing Panel hearings for the Auckland Unitary Plan in 2016. I also provided planning evidence, in support of Auckland Council's submission on the Northern Corridor Improvement Project notices of requirement, to the Board of Inquiry in 2017. I have been the reporting planner for private plan change requests in 2021 and 2023. I was one of the reporting planners for the Supporting Growth North West (New Zealand Transport Authority Waka Kotahi and Auckland Transport) 19 notices of requirement for roading infrastructure and reported and appeared at the hearing in October 2023 for eight of the Auckland Transport notices of requirement. I am also providing planning evidence to the Independent Hearing Panel hearings for Auckland Council's Intensification Planning Instrument (Plan Change 78: Intensification) for existing qualifying matters for Nationally Significant Infrastructure and Designations.

