

AUCKLAND UNITARY PLAN OPERATIVE IN PART

PROPOSED PLAN CHANGE 104 (Private): Remuera Precinct

SUMMARY OF DECISIONS REQUESTED

Enclosed:

- **Explanation**
- **Summary of Decisions Requested**
- **Submissions**

Explanation

- You may make a “further submission” to support or oppose any submission already received (see summaries that follow).
- You should use Form 6.
- Your further submission must be received by 10 October 2024
- Send a copy of your further submission to the original submitter as soon as possible after submitting it to the Council.

Summary of Decisions Requested

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
1	1.1	Kelsey Bergin	kelseyubergin@gmail.com	Approve the plan change without amendments
2	2.1	Stephanie Gale	stephaniegalez@gmail.com	Approve the plan change without amendments
3	3.1	Samuel Fielding	smfielding833@gmail.com	Seeks additional roading that links Ladies Mile to Greenlane East and/or Peach Parade
4	4.1	Katarina Pochyba	pochyba@hotmail.com	Decline the plan change - no specific decision requested
5	5.1	Vita Nova Projects Ltd	info@plastertech.co.nz	Decline the plan change - no specific decision requested
6	6.1	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify that a full sized flush median strip will be installed along Ladies Mile, and in particular properties at 82-88 Ladies Mile, opposite the development.
6	6.2	Simon McMullen	simon.c.mcmullen@gmail.com	Seeks further details of roading layouts (figures 4.5-4.12 in the Plan Change Transport Assessment), to consider vehicles entering and exiting the residential slip lane at 82-88 Ladies Mile.
6	6.3	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify design and strength of the current slip lane barrier
6	6.4	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify increased risk of the current slip lane barrier being struck by vehicles based on the new roads and layouts.
6	6.5	Simon McMullen	simon.c.mcmullen@gmail.com	Confirm plans for on road parking
6	6.6	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify what is proposed to reduce the single lane congestion between 70-88 Ladies Mile at peak times.
6	6.7	Simon McMullen	simon.c.mcmullen@gmail.com	Clarify impact of 25m building heights on privacy and access to sunlight and daylight and to the zone's [inferred to be Single House Zone] character.
7	7.1	Ian Calhaem	ian@hunterville.org	Amend Precinct Plan 1 1313.10.1 of the Ellerslie Racecourse Precinct by moving the Interface Control Zone from the boundary with dwellings on Hunterville Court / Derby Downs to the boundary between the racecourse and new development, as already proposed [inferred exists] along the boundary of properties along Peach Parade. Refer to map on page 5 for details.
7	7.2	Ian Calhaem	ian@hunterville.org	Retain existing provisions of Residential - Mixed Housing Urban Zone.
7	7.3	Ian Calhaem	ian@hunterville.org	Retain existing provisions of Residential - Terrace Housing and Apartment Building Zone.

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
7	7.4	Ian Calhaem	lan@huntermville.org	Retain existing height to boundary conditions as consented by the Fast Track application for this development.
7	7.5	Ian Calhaem	lan@huntermville.org	Provide for safe pedestrian access from the site to Lonsdale Street. At a minimum, include a pedestrian crossing opposite 15 Derby Downs Place. Refer to plan on page 7 for details
7	7.6	Ian Calhaem	lan@huntermville.org	Seek an additional pedestrian crossing across Morrin St to Robert St.
8	8.1	Deborah Anne Keightley	debbie@keightley.co.nz	Rezone the upper Ladies Mile apartment block [inferred from Special Purpose - Major Recreation Facility] to Residential - Terrace Housing and Apartment Building Zone].
8	8.2	Deborah Anne Keightley	debbie@keightley.co.nz	Rezone the lower/southerly area of the site [inferred from Special Purpose - Major Recreation Facility] to Medium Density housing.
9	9.1	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend Precinct Plan 1 - Zoning and Building Controls to remove proposed zoning within the Precinct and of any zones outside the precinct.
9	9.2	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend Precinct Plan 1 - Zoning and Building Controls to remove the 25m height limit, and instead use the Height Variation Control layer in the AUP plan viewer to show this information.
9	9.3	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend references of 'THAB zoned areas of the Precinct' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B' to align with AUP style and improve consistency with other precincts.
9	9.4	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Review the proposed Precinct-specific Arterial Road Access Restriction rule [inferred as rule IXXX.4.1(A2) and standard IXXX.6.12] and consider utilising the existing Vehicle Access Restriction – General Control in chapter E27 of the AUP.
9	9.5	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Review the plan change provisions and amend as necessary to reflect the AUP style guide.
9	9.6	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend Policy IXXX.3(5) by replacing the word "Ensure" with "Require".
9	9.7	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Amend the provisions to properly incorporate all MDRS requirements by incorporating these directly into the objectives, policies and activity table, notification rule and standards.
9	9.8	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Clarify that all aspects of the MDRS have been incorporated into the Precinct.
9	9.9	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Review and where appropriate remove references to PC78 from the plan change.
9	9.10	Auckland Council	warren.maclennan@aucklandcouncil.govt.nz	Clearly annotate or identify any Qualifying Matters, to ensure compliance with sections 771-K of the RMA.

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
10	10.1	Ngāti Te Ata Waiohua	karl_flavell@hotmail.com	Requests that the Cultural Impact Assessment Report recommendations are provided for.
11	11.1	Watercare Services Limited	Planchanges@water.co.nz	Amend the precinct provisions to ensure that development in excess of 357 dwellings on the site requires an assessment of the capacity of the water and wastewater networks as part of any resource consent application.
11	11.2	Watercare Services Limited	Planchanges@water.co.nz	Require development in excess of 357 dwellings as approved under the Fast-track Consent to be reassessed by Watercare as part of any future resource consent.
11	11.3	Watercare Services Limited	Planchanges@water.co.nz	Provide for protection of wastewater and water infrastructure assets as part of the Plan Change.
11	11.4	Watercare Services Limited	Planchanges@water.co.nz	Amend IXXX.2 Objective 4 to read: (4) Subdivision and development within the Precinct is coordinated with the supply delivery of sufficient adequate three waters, energy and communications infrastructure (refer Attachment 1 to the submission).
11	11.5	Watercare Services Limited	Planchanges@water.co.nz	Add new Objective 6: <u>(6) Adverse effects on the safe and efficient operation of the stormwater, water and wastewater network are avoided.</u> (refer Attachment 1 to the submission).
11	11.6	Watercare Services Limited	Planchanges@water.co.nz	Add new Policy IXXX.3(9) under IXXX.3 Policies: <u>(9) Require subdivision and development in the Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure with capacity for the proposed development.</u> (refer Attachment 1 to the submission).
11	11.7	Watercare Services Limited	Planchanges@water.co.nz	Add new Policy IXXX.3(10) under IXXX.3 Policies: <u>(10) Avoid subdivision or development exceeding 357 dwellings within the Precinct where it cannot be demonstrated that there is sufficient capacity in the water supply and wastewater reticulated network to service the development in the Infrastructure Capacity Assessment required by IXXX.X Special information requirements.</u> (refer Attachment 1 to the submission).
11	11.8	Watercare Services Limited	Planchanges@water.co.nz	Add a new Special information requirement to read: <u>IXXX.8 Special information requirements</u> <u>An application for any subdivision or development must be accompanied by:</u> <u>Water supply and wastewater Infrastructure Capacity Assessment</u> <u>(1) As part of any development and/or subdivision that will result in the precinct exceeding 357 dwellings¹, the applicant is required to produce a water supply and wastewater Infrastructure Capacity Assessment for the precinct to demonstrate there is sufficient capacity in the local and bulk water and wastewater reticulated network.</u> ¹ Consented under the decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023 (refer Attachment 1 to the submission).
11	11.9	Watercare Services Limited	Planchanges@water.co.nz	Require that the water and wastewater servicing requirements of the Plan Change will be adequately met, such that water and wastewater related effects are appropriately managed.

Plan Change 104 (Private): Remuera Precinct				
Summary of Decisions Requested				
Sub #	Sub Point	Submitter Name	Address for Service	Summary of Decisions Requested
12	12.1	Elizabeth Leuchars	lizzieleuchars@gmail.com	Decline the plan change - no specific decision requested
13	13.1	Craig McErlane	mactech@xtra.co.nz	Amend Precinct Plan 1 1313.10.1 of the Ellerslie Racecourse Precinct by moving the Interface Control Zone from the boundary with dwellings on Hunterville Court / Derby Downs to the boundary between the racecourse and new development, as already proposed [inferred exists] along the boundary of properties along Peach Parade. Refer to map on page 5 for details.
13	13.2	Craig McErlane	mactech@xtra.co.nz	Retain existing provisions of Residential - Mixed Housing Urban Zone.
13	13.3	Craig McErlane	mactech@xtra.co.nz	Retain existing provisions of Residential - Terrace Housing and Apartment Building Zone.
13	13.4	Craig McErlane	mactech@xtra.co.nz	Retain existing height to boundary conditions as consented by the Fast Track application for this development.
13	13.5	Craig McErlane	mactech@xtra.co.nz	Provide for safe pedestrian access from the site to Lonsdale Street. At a minimum, include a pedestrian crossing opposite 15 Derby Downs Place. Refer to plan on page 7 for details
13	13.6	Craig McErlane	mactech@xtra.co.nz	Seek an additional pedestrian crossing across Morrin St to Robert St.
14	14.1	McErlane Investment Trust	mactech@xtra.co.nz	Amend Precinct Plan 1 1313.10.1 of the Ellerslie Racecourse Precinct by moving the Interface Control Zone from the boundary with dwellings on Hunterville Court / Derby Downs to the boundary between the racecourse and new development, as already proposed [inferred exists] along the boundary of properties along Peach Parade. Refer to map on page 5 for details.
14	14.2	McErlane Investment Trust	mactech@xtra.co.nz	Retain existing provisions of Residential - Mixed Housing Urban Zone.
14	14.3	McErlane Investment Trust	mactech@xtra.co.nz	Retain existing provisions of Residential - Terrace Housing and Apartment Building Zone.
14	14.4	McErlane Investment Trust	mactech@xtra.co.nz	Retain existing height to boundary conditions as consented by the Fast Track application for this development.
14	14.5	McErlane Investment Trust	mactech@xtra.co.nz	Provide for safe pedestrian access from the site to Lonsdale Street. At a minimum, include a pedestrian crossing opposite 15 Derby Downs Place. Refer to plan on page 7 for details
14	14.6	McErlane Investment Trust	mactech@xtra.co.nz	Seek an additional pedestrian crossing across Morrin St to Robert St.

Submissions

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Kelsey Bergin
Date: Thursday, 25 July 2024 9:00:31 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Kelsey Bergin
Organisation name:
Agent's full name:
Email address: kelseylubergin@gmail.com
Contact phone number:
Postal address:

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
All
Property address:
Map or maps:
Other provisions:
All

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:
The application aligns with an already approved fast track and the zoning proposed is appropriate. Development, especially housing, in this area should be actively supported

I or we seek the following decision by council: Approve the plan change without any amendments | 1.1

Details of amendments:

Submission date: 25 July 2024

Attend a hearing

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

Declaration

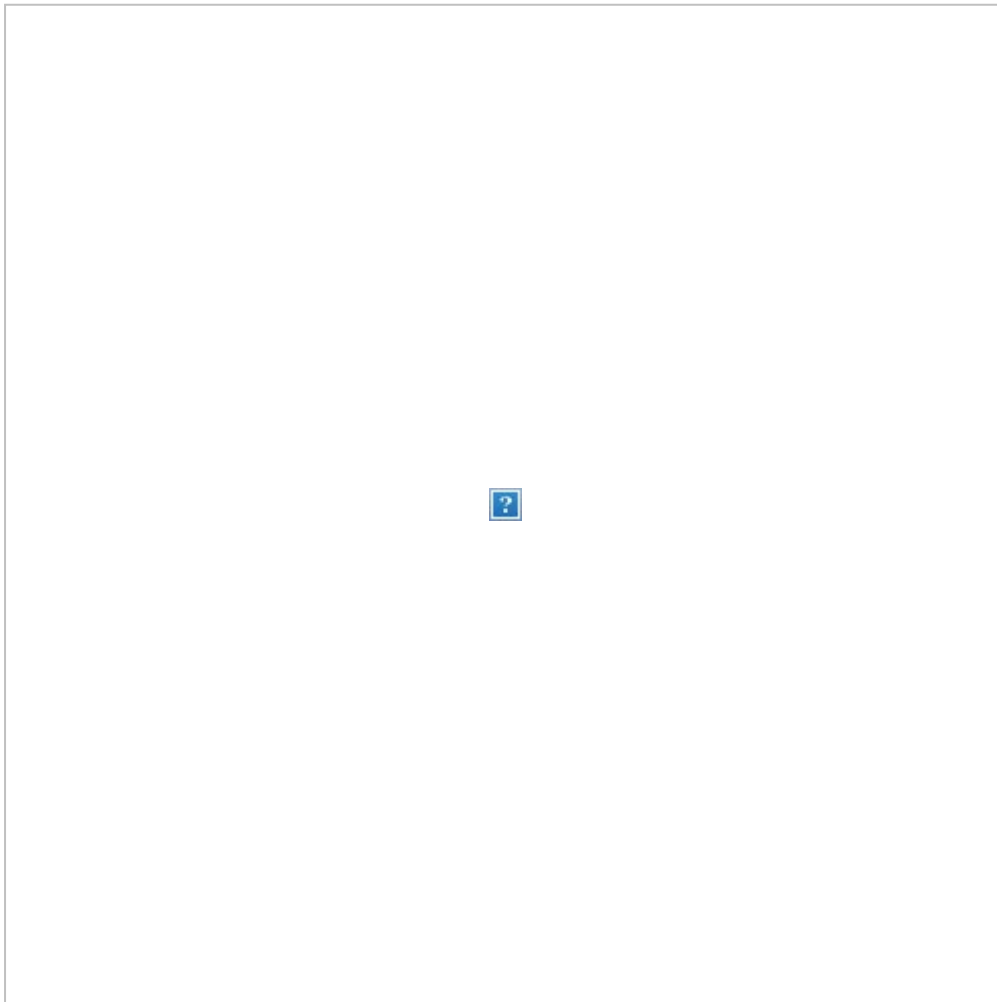
Could you gain an advantage in trade competition through this submission? No

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.



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From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Stephanie Gale
Date: Friday, 26 July 2024 9:15:43 am

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Stephanie Gale
Organisation name:
Agent's full name:
Email address: stephaniegalez@gmail.com
Contact phone number:
Postal address:
84 Park Road
Titirangi
Auckland 0604

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Rezoning of land from Special Purpose Major Recreation Zone to THAB residential
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:
Making more central Auckland land available for medium / high density housing is exactly what is needed to alleviate the housing shortage.

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

2.1

Details of amendments:

Submission date: 26 July 2024

Attend a hearing

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

Declaration

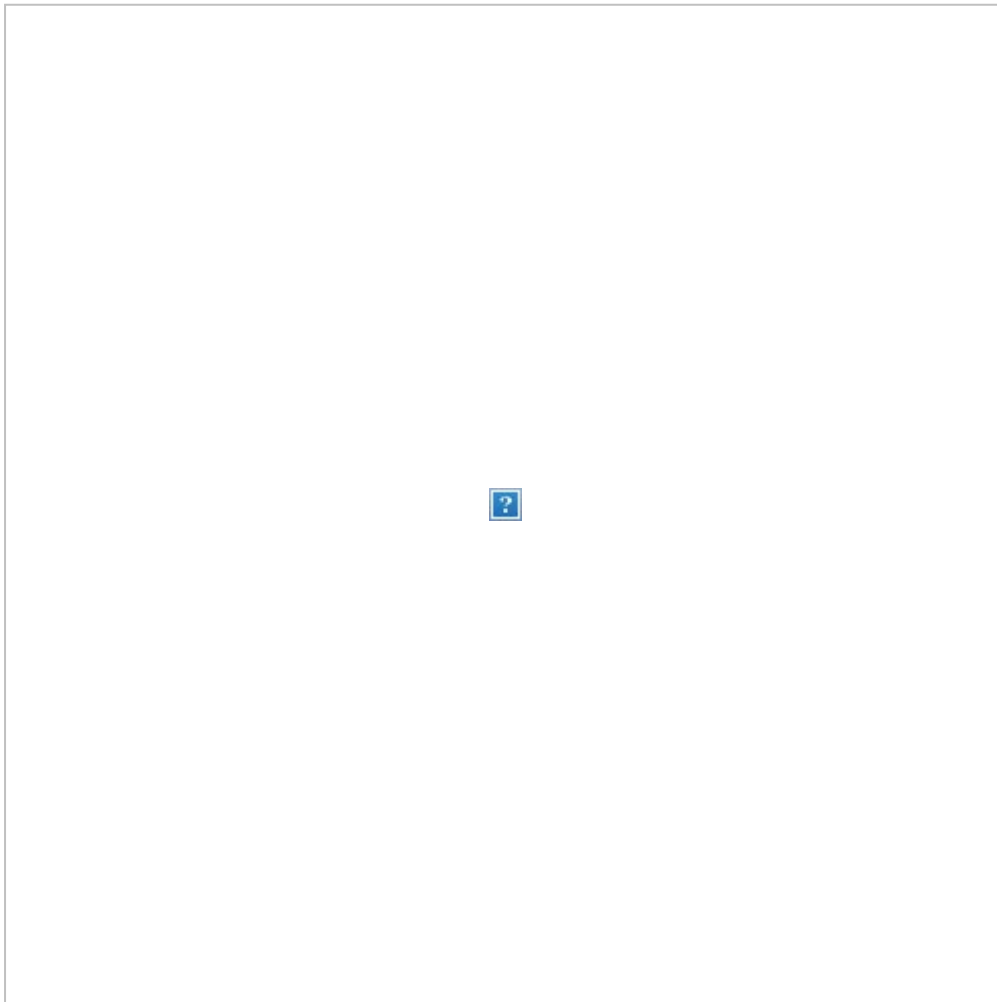
Could you gain an advantage in trade competition through this submission? No

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.



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From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Samuel Fielding
Date: Monday, 29 July 2024 3:31:00 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Samuel Fielding

Organisation name:

Agent's full name:

Email address: smfielding833@gmail.com

Contact phone number:

Postal address:

124 Ladies Mile

Ellerslie

Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:

Roading

Property address: 124 Ladies Mile

Map or maps: Drawings PP01 and PP05

Other provisions:

The congestion on and around Ladies Mile is already far too much for the road to manage, causing massive travel delays each morning and evening. Creating more high density housing here is only going to exacerbate the issue. There needs to be roading that links Ladies Mile to Greenlane East and/or Peach Parade. The current plan for crescents and roundabouts is going to make the traffic unbearable.

3.1

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:

Adding thousands more residents to an already heavily populated area is going to cause public unrest.

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: As above.

Submission date: 29 July 2024

Attend a hearing

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

Declaration

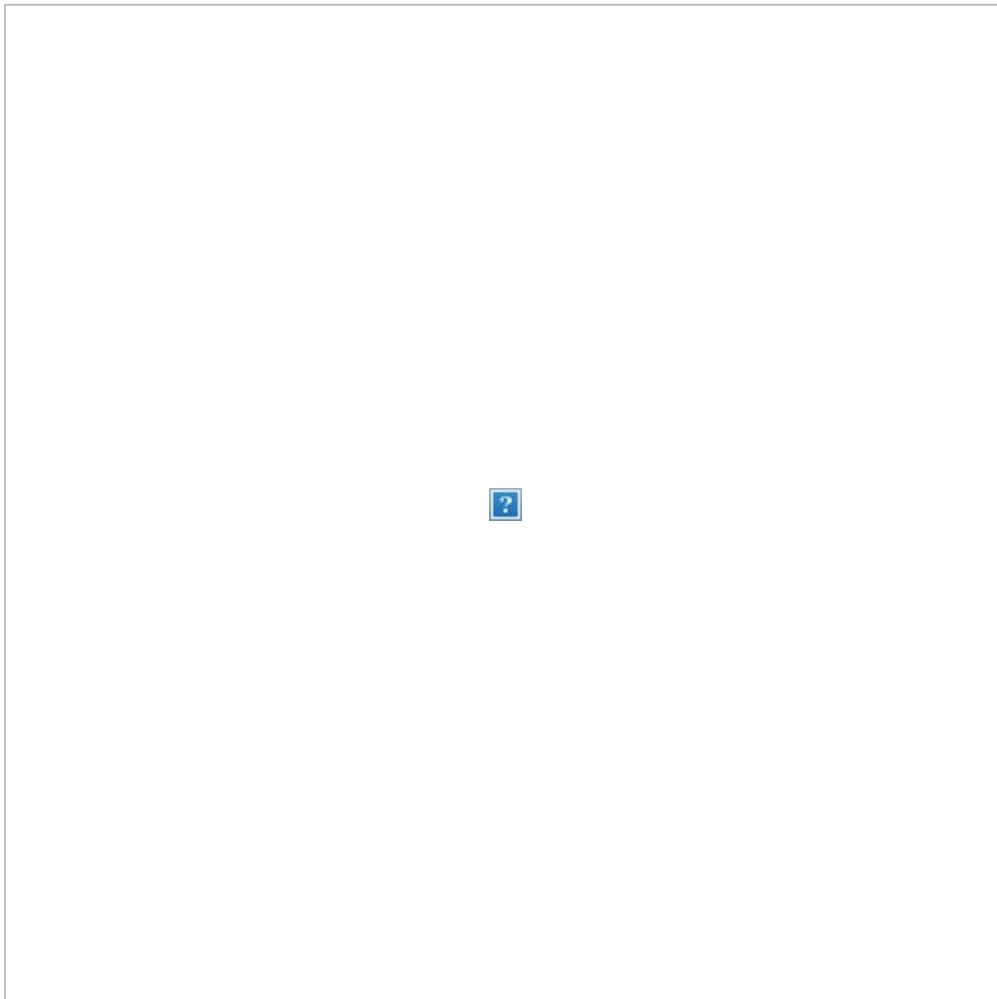
Could you gain an advantage in trade competition through this submission? No

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.



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From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Katarina Pochyba
Date: Thursday, 1 August 2024 7:30:26 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Katarina Pochyba

Organisation name:

Agent's full name:

Email address: pochyba@hotmail.com

Contact phone number: 0272277321

Postal address:
86 Ladies Mile Remuera
Remuera
Auckland 1050

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Rezoning of land at 79 Ladies Mile Remuera

Property address: 86 ladies mile remuera

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 own and live in the property at 86 Ladies Mile in Remuera and am opposed to the following plan change for the below reasons.

The proposed 25 metre high buildings will block significant sunlight from the front of my property where the two main bedrooms are. Further having seven stories of apartments facing directly into my bedroom makes me feel uncomfortable due to the lack of privacy, and I oppose the decision.

The traffic on the main road is already very heavy in the morning and the afternoons and sometimes I struggle to get in and out of my driveway safely, the proposed "upper loop road" is directly in front of my property and will cause further significant traffic and congestion.

The construction is significant and highly disruptive, i intend to sell my property in the next 24

months and will struggle to achieve the sale price I otherwise would if the construction didnt proceed.

If someone can please get in touch with me that would be much appreciated as I am finding this highly stressful.

Regards

Katarina Pochyba

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

Submission date: 1 August 2024

4.1

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.

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From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Keith Whitlow
Date: Thursday, 1 August 2024 11:15:42 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Keith Whitlow
Organisation name: Vita Nova Projects Ltd
Agent's full name: Keith Whitlow
Email address: info@plastertech.co.nz
Contact phone number:
Postal address:
PO Box 64101 Botany Downs
Auckland
Auckland 0626

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
79 LADIES MILE
Property address:
Map or maps:
Other provisions:
REZONING OF LAND

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 area needs more recreation areas, not less, and will adversely affect traffic and values, with too much housing infill.

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

Submission date: 1 August 2024

Attend a hearing

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

Declaration

| 5.1

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
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Yes

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From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Simon McMullen
Date: Wednesday, 14 August 2024 8:15:27 pm
Attachments: [Ladies Mile Slip Lane.pdf](#)

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Simon McMullen
Organisation name:
Agent's full name: Simon McMullen
Email address: simon.c.mcmullen@gmail.com
Contact phone number: 021440195
Postal address:
84 Ladies Mile
Remuera
AUCKLAND 1050

Submission details

This is a submission to:

Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
Property address: 84 Ladies Mile
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:
Our property at 84 Ladies Mile is located within a residential slip lane between 82-88 Ladies Mile immediately opposite the new development. We are relatively new to the property and appreciate this opportunity to express our thoughts on the plan change.

We have five main areas of concern:

1. There does not appear to be any mention of the above residential slip lane in the transport assessments provided. The properties at 82-88 rely on entering and exiting right out of the slip lane, at approx no.82 Ladies Mile. The addition of vehicles turning left and right out of the proposed north west upper loop will make what is already a difficult manoeuvre even more dangerous exiting our property.

We are already concerned with turning right into our property with three young children onboard and

the way it aggravates held up traffic. We would like confirmation a full sized flush median strip will be installed along Ladies Mile to help mitigate this impact. This is especially critical during peak traffic times. | 6.1

We are also concerned with the accuracy of the assumed roading layouts (figures 4.5-4.12) shown in the current PC104 transport assessment, and recommend these are illustrated in further detail to consider vehicles entering and exiting the residential slip lane noted above. | 6.2

2. We would also like to query the design and strength of the current slip lane barrier, and the increased risk of this being struck by errant vehicles with the new roads and layouts. | 6.3
| 6.4

3. On road parking is already limited and we are concerned this will be reduced with the new roading layout, please confirm the plans. | 6.5

4. What is being proposed to reduce the single lane traffic congestion between 70-88 Ladies Mile at peak times? | 6.6

5. We are concerned how the new Remuera Precinct and building heights up to 25m will impact our privacy and access to daylight/sunlight. Our property is in the residential single house zone, and we are concerned how this will impact the zones character. | 6.7

I or we seek the following decision by council: Decline the plan change, but if approved, make the amendments I requested

Details of amendments: Further consideration of impact on existing Ladies Mile residential slip lane and properties opposite the development.

Submission date: 14 August 2024

Supporting documents
Ladies Mile Slip Lane.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.

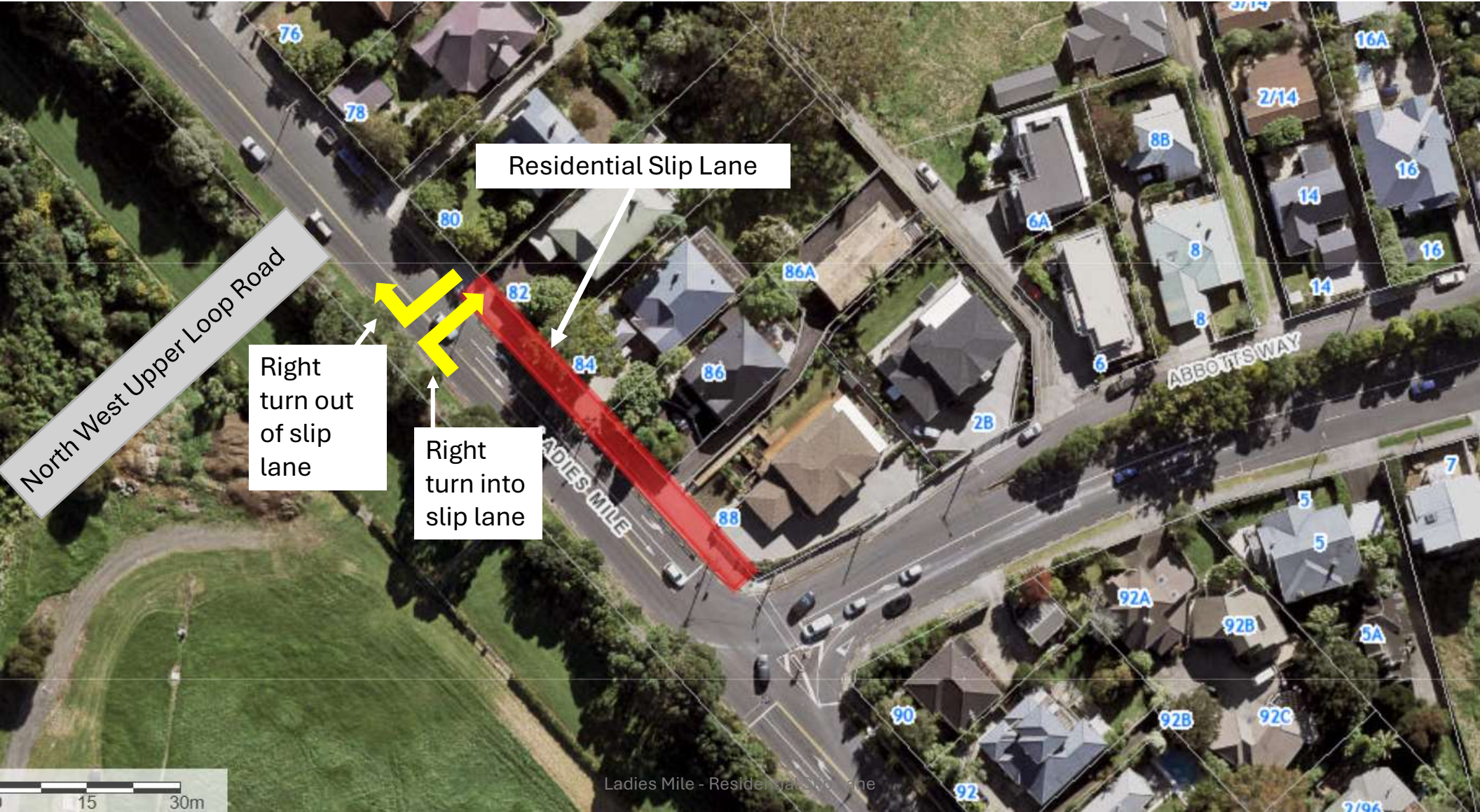
No

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

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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)

Ian Calhaem

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

6 Hunterville Court,

Ellerslie, 1051

Telephone:

21936795

Email:

ian@hunterville.org

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

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

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:

As on attached sheet

(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.

The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

The existing provisions of MHU and THAB are retained and

The existing height to boundary conditions as Consented by the Fast Track application are retained.

Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

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

7.1
7.2
7.3
7.4
7.5
7.6

08/18/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

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 Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

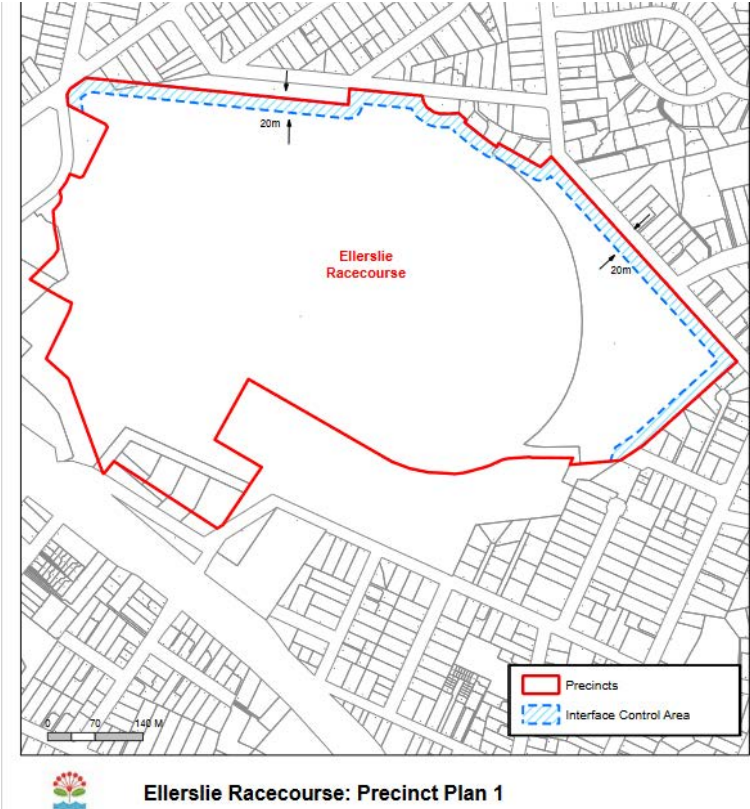
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



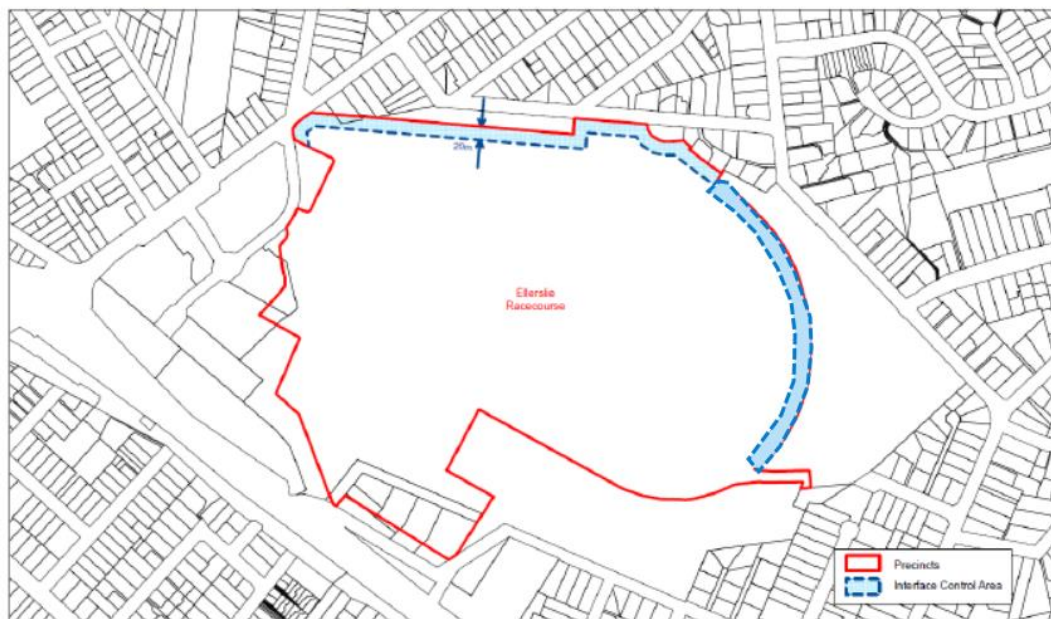
Precinct Plan page 29 (consolidated 1313)

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

7.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

7.2

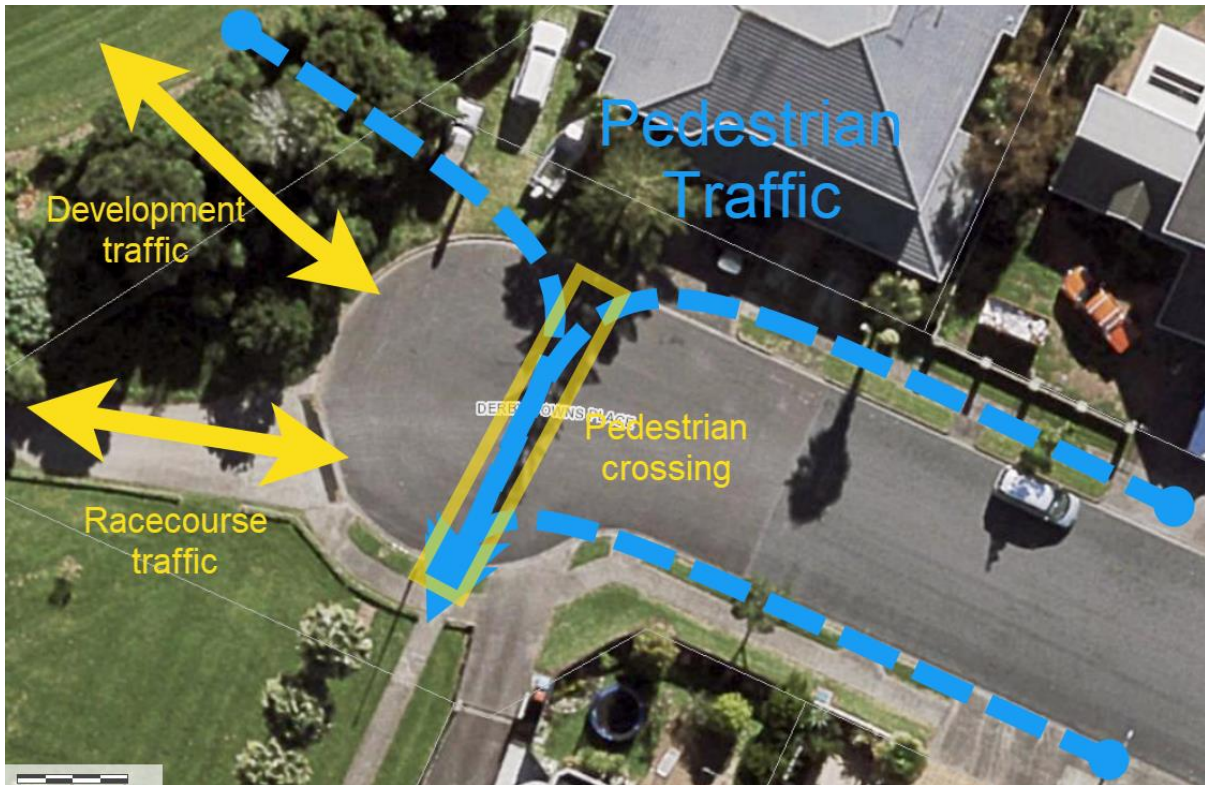
7.3

7.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St.

7.5

7.6

Ian Calhaem

18th August 2024

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Deborah Anne Keightley
Date: Monday, 19 August 2024 4:01:01 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Deborah Anne Keightley

Organisation name:

Agent's full name:

Email address: debbie@keightley.co.nz

Contact phone number:

Postal address:
1/18 Lonsdale Street,
Ellerslie
Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:

My submission relates to changing the present zoning to Terraced Housing/Apartments

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:

Changing the zoning from special reserve to Terraced Housing/Apartments is taking the nuclear option what would also work for increasing dwellings is to zone the area Medium density and that would then mean (that as the development is the the north and west of us) the neighbours that are already living in the area will not have their housing shaded by tall apartment buildings looking into their back yards.

The upper change, on Ladies Mile is not so bad as Remuera already has a horrible record of placing tall apartment blocks on ridge lines but the bottom plan change is for a commercial property (Retirement Village) where in fact there is plenty of land, at the moment, for the village to spread horizontally to say 3/4 stories rather than a very tall apartment block, in Ellerslie (the bottom plan change area is in Ellerslie, not Remuera) Ellerslie has NO high rise buildings so the bottom property will be entirely out of character in an area with 2 story bungalows and 90's infill housing, for what? a commercial complex!

Additionally has anyone thought to contact Ellerslie Primary School (the zoning area for this

development) to see whether they can take the students that will be generated from this development? My understanding is that they are VERY limited for space.

My proposal is that the upper area (by Ladies Mile goes ahead and is changed to Terraced Housing/Apartments for the main reason that it is a new development and subsequent housing can be built to mitigate the downsides of living by an apartment tower.

8.1

I propose that the lower request for a plan change is refused and the limit of the development there be 3/4 stories.

8.2

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

Details of amendments: Approve the upper Ladies Mile Apartment block. Decline the lower/southerly request for plan change but change the whole Hill area to Medium density housing

8.1

8.2

Submission date: 19 August 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.

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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 104:
Remuera Precinct

**SUBMISSION ON NOTIFIED PROPOSAL FOR PRIVATE PLAN CHANGE 104
TO THE AUCKLAND UNITARY PLAN (OPERATIVE IN PART)**

To: Auckland Council

Name of submitter: Auckland Council
(contact: Warren Maclennan)

Address for service: 35 Albert Street
Private Bag 92300
Auckland 1142

INTRODUCTION

1. This is a submission on Private Plan Change 104: Remuera Precinct (the **plan change**) to the Auckland Unitary Plan (Operative in Part) (**AUP**) by Fletcher Residential 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 Remuera 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 manner in which zoning has been incorporated into the precinct. Zoning should not be shown on precinct plans, and the zoning of a reserve outside the proposed precinct should not be included.
 - b. Lack of utilisation of existing AUP controls / methods, which may prevent consistent administration of the plan. For example, ACS seeks whether the existing Height Variation Control and Vehicle Access Restriction Control should be applied, rather than creating bespoke new rules within the precinct.
 - c. Lack of consistency with AUP *Best Practice Guide for Plan Changes to the Auckland Unitary Plan* (December 2018). For example, sub-precinct areas are not correctly named, and policy verbs used are not always in accordance with the style guide.
 - d. It is unclear whether all aspects of the Medium Density Residential Standards (MDRS) have been properly incorporated, as the approach used by the applicant appears to be different than the typical approach. This needs to be reviewed.
 - e. Rules that are qualifying matters must be annotated.

References to Zoning in Precinct Provisions & Plans

6. ACS is concerned about the manner in which zoning has been incorporated into the precinct. The underlying THAB and MHU zoning are shown on Precinct Plan 1, and the zone names are referenced throughout the precinct. The maps and associated provisions should instead be changed to 'Sub-Precinct A' and 'Sub-Precinct B' (instead of 'THAB zoned areas of the Precinct' and 'Mixed Housing Urban zoned areas of the Precinct'), to be consistent with how other precincts are presented. The current drafting creates the potential for future implementation issues, particularly should the underlying zoning be changed in the future.

9.1

7. Additionally, showing Open Space Zoning of a reserve that is outside the proposed precinct is misleading, and should be removed from the plan change. 9.1

Consistency with existing AUP controls

8. ACS is concerned that there are inconsistencies with the methods proposed in the drafting of this precinct that will prevent consistent administration of the plan. The precinct proposes bespoke new controls, rather than using the controls that already exist in the AUP to manage these same matters.
9. Heights should be shown in the Height Variation Control (HVC) layer in the AUP Map Viewer, rather than shown on Precinct Plan 1. Using the HVC instead of the static precinct plan is a better approach, because the AUP Map Viewer will be regularly updated with any changes to cadastral information (meaning danger of misalignment of control with boundaries is minimised), application of spatial method will be easily understood, and the special height control will be clearly visible in AUP Map Viewer property summary. 9.2
10. The suggestion above of labelling this area as ‘Sub-Precinct A’ instead of ‘THAB zoned areas of the Precinct’ will allow the maps to read more clearly, and will help set clear objectives for the outcomes sought in this high-density part of the precinct. 9.3
11. Similarly, the proposed Arterial Road Access Restriction appears to be a variation on the Vehicle Access Restriction – General Control, which already exists elsewhere in the AUP (see chapter E27). ACS considers that utilising this existing tool may be a better way to restrict vehicle access along Ladies Mile, rather than creating a new rule that is specific to this precinct. A notable difference is that an infringement to the Vehicle Access Restriction is a Non-Complying activity, whereas the precinct proposes a Discretionary activity. Further study of this issue is likely needed, with particular attention paid to plan consistency. 9.4

Consistency with AUP style guide

12. The plan change does generally appear to be drafted appropriately, but ACS is concerned that the plan change does not in all instances reflect the *Best Practice Guide for Plan Changes to the Auckland Unitary Plan* (December 2018). 9.5
13. For example, the use of ‘Ensure’ in Policy IXXX.3(5) should be amended to the policy verb of ‘Require’ instead. The provisions should be thoroughly checked against the AUP best practice guide and be amended as required to ensure consistency with this guide. 9.6

Medium Density Residential Standards

- 14. The plan change has incorporated the Medium Density Residential Standards (**MDRS**), as required under Section 77G of the RMA. It has done so through the listing of separate provisions in 'Appendix B', rather than incorporating these directly into the objectives, policies, and activity tables. 9.7
- 15. However, it is not clear whether all the standards under MDRS have been properly reflected in the plan change. For example, there is no activity table referencing the full suite of use, development, and subdivision activities. Instead, there is a 'Rule' stating 'There must be no more than three dwellings per site'. This does not appear to reflect the MDRS requirement for 'Up to three dwellings per site' to be provided for as a permitted activity, and 'Four or more dwellings per site' as a restricted discretionary activity. 9.7
- 16. ACS therefore suggests that further work is required to amend the provisions and/or otherwise justify that *all* aspects of MDRS have been incorporated. 9.8
- 17. ACS is also concerned about incorporating specific reference to PC78, as this is a separate process that may or may not proceed in its current form, and could cause implementation issues with the precinct in future. It is recommended references to PC78 be reconsidered, and where appropriate removed from the plan change. 9.9

Qualifying Matters

- 18. The Section 32 Assessment Report identifies qualifying matters proposed within this plan change that relate to the setback of apartment buildings along the Ladies Mile frontage, the retention of existing trees, the proposed Notable Tree, and the maximum cap of 357 residential dwellings.
- 19. Rules related to these qualifying matters do appear to be properly annotated in the plan change provisions, but ACS requests that the annotation of qualifying matters continues to be reviewed, particularly in the event that there are any further amendments to the provisions that occur as the result of submissions. This is needed in order to properly meet the requirements of sections 77I-K of the RMA. 9.10

DECISION SOUGHT

- 20. ACS seeks the that the plan change is declined in its entirety, unless the matters raised in this submission are addressed.
- 21. In the alternative to the primary relief, ACS seeks the following decisions if the plan change is approved:

- a. Amend the Precinct Plans to remove the underlying zoning, and any zones outside the precinct. | 9.1
 - b. Amend the Precinct Plans to remove the 25m height limit, and instead use the Height Variation Control layer to show this information. | 9.2
 - c. Change reference to 'THAB zoned areas of the Precinct' to 'Sub-Precinct A' and 'Mixed Housing Urban zoned areas' to 'Sub-Precinct B' to align with AUP style and improve consistency with other precincts. | 9.3
 - d. Review the plan change provisions and amend as necessary to reflect the AUP style guide. | 9.5
 - e. Amend the provisions to incorporate all MDRS requirements, to ensure compliance with section 77G of the RMA. | 9.7
 - f. Ensure that the provisions continue to clearly annotate or identify any Qualifying Matters, to ensure compliance with sections 77I-K of the RMA. | 9.10
22. ACS seeks any other alternative or consequential relief to address the matters outlined in this submission.

APPEARANCES AT THE HEARING

- 23. ACS wishes to be heard in support of its submission.
- 24. If others make a similar submission, ACS will consider presenting a joint case with them at the hearing.

DATED 20 August 2024

On behalf of Auckland Council as submitter:



Warren Maclennan, Manager Planning - Regional, North, West & Islands, Planning & Resource Consents

Address for service:

Warren Maclennan
Email: Warren.Maclennan@aucklandcouncil.govt.nz
Telephone: 09 301 0101

Postal address:
Auckland Council
135 Albert Street
Private Bag 92300
Auckland 1142

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Karl Flavell
Date: Wednesday, 21 August 2024 4:15:56 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Karl Flavell
Organisation name: Ngaati Te Ata Waiohua
Agent's full name: Karl Flavell
Email address: karl_flavell@hotmail.com
Contact phone number: 0279328998
Postal address:
PO BOX 437
Pukekohe Auckland
Pukekohe Auckland 2120

Submission details

This is a submission to:
Plan change number: Plan Change 104
Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
All of the Application
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:
That the CIA Report recommendations are provided for.
I or we seek the following decision by council: Approve the plan change with the amendments I requested
Details of amendments: To be provided
Submission date: 21 August 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.

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Auckland Council
Private Bag 92300
Auckland 1142

Attn.: Planning Technician

unitaryplan@aucklandcouncil.govt.nz

TO: Auckland Council

SUBMISSION ON: Plan Change 104 (Private): Remuera Precinct

FROM: Watercare Services Limited

ADDRESS FOR SERVICE: planchanges@water.co.nz

DATE: 21 August 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) ("AUP OP"), the Auckland Plan 2050, and the Auckland Future Development Strategy 2023-2053.¹

¹ Local Government (Auckland Council) Act 2009, s58.

2 SUBMISSION

General

- 2.1 This is a submission on a private plan change requested by Fletcher Residential Limited (“Applicant”) to the AUP OP that was publicly notified on 25 July 2024 (“Plan Change 104”).
- 2.2 Plan Change 104 affects approximately 6.2 ha of land at 79 Ladies Mile Remuera (“Site”), to the east of the Ellerslie Racecourse. Resource consent for approximately 357 residential dwellings on the Site has already been granted through the fast-track process.²
- 2.3 The Plan Change includes:
- (a) Re-zoning of the Site from the existing Special Purpose – Major Recreation Facility zone to a combination of the Residential – Terrace Housing and Apartment Building zone and the Residential – Mixed Housing Urban zone.
 - (b) A new precinct (Remuera Precinct) with associated provisions to reflect the built form, site layout, connections and landscaped areas that have been consented through the approved Fast-track Consent.
- 2.4 Watercare opposes the Plan Change in its current form and has proposed amended precinct provisions in Attachment 1 to address the concerns set out in this submission.
- 2.5 The purpose of this submission is to address the technical feasibility of the proposed water and wastewater servicing to ensure that the effects of future development enabled under Plan Change 104 on Watercare’s existing and planned water and wastewater network are appropriately considered and managed in accordance with the Resource Management Act 1991 (“RMA”).
- 2.6 In making its submission, Watercare has considered the relevant provisions of the Auckland Plan 2050, Long-term Plan 2024-2034 (10-year Budget), the Auckland Future Development Strategy 2023-2053, 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 FY25-FY34. Watercare has also considered the relevant RMA documents including the AUP OP and the National Policy Statement on Urban Development 2020 (updated in May 2022).

Specific parts of the Plan Change

- 2.7 The specific parts of the Plan Change that this submission relates to are:
- (a) the extent of development to be enabled by the Plan Change, beyond that already authorised by the Fast-track Consent;
 - (b) the proposed water and wastewater servicing arrangements; and
 - (c) the effects of the Plan Change on Watercare’s existing and planned water and wastewater network.

² Refer decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023 (“Fast-track Consent”).

Yield

- 2.8 The Engineering Report supporting Plan Change 104 has assessed the infrastructure requirements based on a total yield of 357 dwellings as enabled under the existing Fast-track Consent. The impact of development in excess of 357 dwellings on the water supply and wastewater networks servicing the Site has not been assessed by the Applicant.
- 2.9 As notified, Plan Change 104 incorporates density and subdivision rules that replicate the Medium Density Residential Standards (“MDRS”) introduced by the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. The density of development possible where the more permissive MDRS are incorporated can result in significantly higher yield.
- 2.10 Watercare's experience to date has been that when resource consents for subdivision and development enabled by approved plan changes are lodged, development proposals are often considerably more intensive than what was indicated and assessed during the plan change process (i.e. in terms of infrastructure capacity and constraints). Where this increase in yield has occurred previously, water and wastewater capacity has been taken up faster than planned which means that applications for connections to the network may not be able to be approved by Watercare for some time.
- 2.11 Similarly, under Plan Change 104, the proposed re-zoning could ultimately result in an intensity of future development well in excess of the consented scenario. In other words, the Site, if re-zoned, has the potential to accommodate significantly more than the 357 dwellings specified in the application (and against which water supply and wastewater infrastructure requirements have been assessed). Therefore, Watercare seeks amendments to the precinct provisions to ensure that development in excess of 357 dwellings on the Site requires an assessment of the capacity of the water and wastewater networks as part of any resource consent application to ensure that additional plan-enabled development can be appropriately accommodated.

11.1

Wastewater servicing

- 2.12 In its feedback to the Fast-track Consent Watercare indicated that the Branch 1 sewer had existing capacity constraints, with three engineered overflow point (“EOP”) structures downstream (in the vicinity of Woodley Avenue and Entrican Avenue) that were predicted to overflow frequently. The 357 dwelling development proposed in the Fast-track Consent was anticipated to increase overflow frequency and the volume of those EOPs to an unacceptable level.
- 2.13 The application states that wastewater connections from the Site to Ellerslie Branch 1B transmission sewer and the Derby Downs sewer have since been completed, consented and constructed under Engineering Approval No. ENG60396803, and include stormwater separation works necessary to provide capacity in the transmission sewer. This available capacity, however, is based on 357 dwellings and may be insufficient if future enabled development exceeds that yield.
- 2.14 Development in excess of 357 dwellings as approved under the Fast-track Consent will need to be reassessed by Watercare as part of any future resource consent to ensure that any additional yield can be accommodated.

11.2

Water supply servicing

- 2.15 In its feedback to the Fast-track Consent Watercare advised that the existing connections at Ladies Mile and Marua Road are required to be upgraded to 150mm diameter pipes.

- 2.16 An additional new watermain is also required from Peach Parade along the frontage at Ladies Mile, connecting to the Ladies Mile main near Marua Road.
- 2.17 The developer will also be responsible for internal reticulation to the above and firefighting requirements.
- 2.18 Development in excess of the 357 dwellings approved under the Fast-track Consent will need to be reassessed by Watercare as part of any future resource consent. | 11.2

Protection of wastewater and water infrastructure assets

- 2.19 The Fast-track Consent records Watercare's concern regarding the impact of construction and vibration on existing wastewater and water infrastructure. Conditions of consent were accordingly imposed to explicitly require:³
- (a) Protection of Watercare's 450mm Branch 1B Ellerslie wastewater and 810mm Hunua Treated Watermain from damage.
 - (b) Building surveys and repair of any damage caused by vibration from construction activities.
 - (c) Consultation with Watercare in the preparation of a Construction Noise and Vibration Management Plan.
- 2.20 Given the importance of this critical infrastructure and its recognition in the Fast-track Consent, Watercare considers that providing for its protection as part of the Plan Change is also appropriate. | 11.3

Precinct provisions

- 2.21 Watercare supports precinct provisions that require subdivision and development to be coordinated with the provision of adequate water supply and wastewater infrastructure and to ensure that its critical infrastructure is protected.
- 2.22 In that regard, Watercare therefore seeks the following amendments (as set out in Attachment 1) to the proposed Remuera Precinct provisions:
- a) Amendments to Objective 4 for consistency with other AUP OP precincts. | 11.4
 - b) New Objective 6 to acknowledge the need to protect Watercare's critical infrastructure against potential adverse effects of construction and vibration. | 11.5
 - c) New Policies 9 and 10 to give effect to Objective 4. | 11.6
| 11.7
 - d) New Special information requirement for a water supply and wastewater Infrastructure Capacity Assessment for any development and/or subdivision that will result in the precinct exceeding 357 dwellings. | 11.8

³ Refer decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023, conditions 14(c), 15(g), and 67.

3 DECISION SOUGHT

- 3.1 Watercare seeks a decision that ensures that the water and wastewater servicing requirements of the Plan Change will be adequately met, such that water and wastewater related effects are appropriately managed.
- 3.2 Watercare seeks the following relief:
- (a) That the Plan Change be amended as set out in Attachment 1 (or similar amendments that address the concerns raised in this submission).
 - (b) In the absence of amendments as set out in 3.2(b), that the Plan Change be declined.
 - (c) Any such alternative or consequential relief that addresses the concerns raised in this submission.

4 HEARING

- 4.1 Watercare wishes to be heard in support of its submission.

21 August 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 – Amendments requested by Watercare

(based on Precinct Provisions proposed in the Application dated 18 June 2024)

Black Text – Notified Precinct provisions

Red Text – Watercare’s proposed amendments

Additions **underlined and bold**, deletions ~~struck through~~)

IXXX Remuera**IXXX.1 Precinct description**

The Remuera Precinct (Precinct) comprises approximately 6.2 hectares of sloping land which was formerly part of the Ellerslie Racecourse Precinct. The Precinct is located at the eastern end of the racecourse site and is bound by Ladies Mile and Derby Downs Place.

The Precinct enables housing choice including both medium to high density living opportunities with development up to 25m in height provided within the Terrace House and Apartment Building zones. Development of the Precinct is defined by identified publicly accessible open spaces, areas of private open space, existing mature Pohutukawa trees on Ladies Mile (combined with a 6m setback in their vicinity) and garden streets.

Movement through the Precinct is provided by two new public roads, one of which connects to Ladies Mile while the other connects to Derby Downs Place. Entry markers are proposed at these locations. A series of interconnected commonly owned access lots in combination with identified pedestrian routes provide internal linkages within and through the Precinct. An existing tunnel also connects Derby Downs Place with the infield of the racecourse.

Stormwater from the precinct is managed by the approved Stormwater Management Plan for the precinct.

The zoning of the land within the Precinct is Residential - Terrace Housing and Apartment Buildings and Residential – Mixed Housing Urban. All relevant overlay, Auckland-wide and zone provisions apply in this Precinct unless otherwise specified below.

The objectives, policies, rules and other provisions in Appendix B apply to and modify the Residential Mixed Housing Urban and Residential Terrace House and Apartment Building zoned land within the Precinct until Plan Change 78 becomes operative, after which point the provisions no longer apply.

IXXX.2 Objectives

- (1) The Precinct is a well-functioning urban environment that is serviced with adequate infrastructure and which recognises the importance of intensification of this locality in proximity to the Ellerslie Rail Station. Development is based around an integrated and connected series of public streets, publicly accessible open spaces, garden streets and publicly accessible pedestrian routes.

...

(4) Subdivision and development within the Precinct is coordinated with the supply delivery of sufficient adequate three waters, energy and communications infrastructure.

(5) Adverse effects on the safe and efficient operation of the road network are avoided.

(6) Adverse effects on the safe and efficient operation of the stormwater, water and wastewater network are avoided.

IXXX.3 Policies

...

(9) Require subdivision and development in the Precinct to be coordinated with the provision of adequate stormwater, wastewater, and water supply infrastructure with capacity for the proposed development.

(10) Avoid subdivision or development exceeding 357 dwellings within the Precinct where it cannot be demonstrated that there is sufficient capacity in the water supply and wastewater reticulated network to service the development in the Infrastructure Capacity Assessment required by IXXX.X Special information requirements.

...

IXXX.4 Activity table

All relevant overlay, Auckland-wide, and zone activity tables apply unless the activity is listed in Activity table IXXX.4.1 below.

Table IXXX.4.1 specifies the activity status of land use and subdivision activities in the Precinct pursuant to sections 9(3) and section 11 of the Resource Management Act 1991.

Table IXXX.4.1 Activity table

Activity	Activity status
(A1) Any activity, development and/or subdivision that does not comply with Standards IXXX.6.1 – IXXX.6.11	RD
(A2) Any activity, development and/or subdivision that does not comply with Standard IXXX.6.12 Arterial Road Access	D
(A3) Any activity, development and/or subdivision that does not comply with Standard IXXX.6.13 Development Staging & Transport D D Network Infrastructure Requirements and Table IX.6.13.1	D

(A4)	Any activity, development and/or subdivision that would result in more than 357 dwellings within the Precinct	NC
------	---	----

...

IXXX.8 Special information requirements

An application for any subdivision or development must be accompanied by:

Water supply and wastewater Infrastructure Capacity Assessment

(1) As part of any development and/or subdivision that will result in the precinct exceeding 357 dwellings¹, the applicant is required to produce a water supply and wastewater Infrastructure Capacity Assessment for the precinct to demonstrate there is sufficient capacity in the local and bulk water and wastewater reticulated network.

¹ Consented under the decision of the Expert Consenting Panel for The Hill - Ellerslie, 17 April 2023

From: UnitaryPlanSubmissionForm@donotreply.aucklandcouncil.govt.nz
To: [Unitary Plan](#)
Subject: Unitary Plan Publicly Notified Submission - Plan Change 104 - Elizabeth Leuchars
Date: Thursday, 22 August 2024 3:01:04 pm

The following customer has submitted a Unitary Plan online submission.

Contact details

Full name of submitter: Elizabeth Leuchars

Organisation name: NA

Agent's full name: Lizzie

Email address: lizzieleuchars@gmail.com

Contact phone number:

Postal address:
lizzieleuchars@gmail.com
Auckland
Auckland 1051

Submission details

This is a submission to:

Plan change number: Plan Change 104

Plan change name: PC 104 (Private): Remuera Precinct

My submission relates to

Rule or rules:
The Auckland Unitary Plan
Proposed Plan Change 104 (Private) - Remuera Precinct

Property address: 79 Ladies Mile, Remuera.

Map or maps:

Other provisions:
Proposed Plan Change 104 (Private) Remuera Precinct

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:

It is in relation to the height of the buildings; the density of living (ie the number of people living in this block). The lack of infrastructure i.e. Roads, drainage, sewage, and local schools which are already under severe pressure, and developments such as Stonefields and other such Remuera developments have already compounded this problem. These critical factors have not been addressed. Fletcher Living is slicing the salami on top of the concessions that have already been made to them.

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

Submission date: 22 August 2024

12.1

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.

Yes

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

[Do you know your flood risk? Check your address and get prepared.](#)



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)

Craig McErlane

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

68 Ladies Mile ,

Ellerslie, 1051

Telephone:

64274821116

Email:

mactech@xtra.co.nz

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

PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

The specific provisions that my submission relates to are:

(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

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:

As on attached sheet

(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.

• The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

13.1

• The existing provisions of MHU and THAB are retained and

13.2

• The existing height to boundary conditions as Consented by the Fast Track application are retained.

13.3

• Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.

13.4

13.5

I wish to be heard in support of my submission

13.6

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

C F McElane

08/22/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

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 Plan Change 104

Background

The zoning of residential housing in Hunterville Court and Derby Downs was changed by PC78 from MHS to MHU.

The purpose of PC78 was to allow an increase in residential intensification in locations closer than 800m from train stations in a controlled manner.

The Developers have acknowledged that the development is outside this 800m radius and are trying to argue that the established rules should not apply to them.

This is an insidious lowering of standards that were only recently established by PC78.

Contrary to the Developer's statements, the site is not well provided for by public transport, and AT in the fast-track application commented that an increase in bus services is restricted by the already constricted roading system surrounding the site.

An increase in the height overlay in the proposed THAB zones from 16m + 2m roof form to 25m is again a subtle dilution of the standards only recently established in PC78.

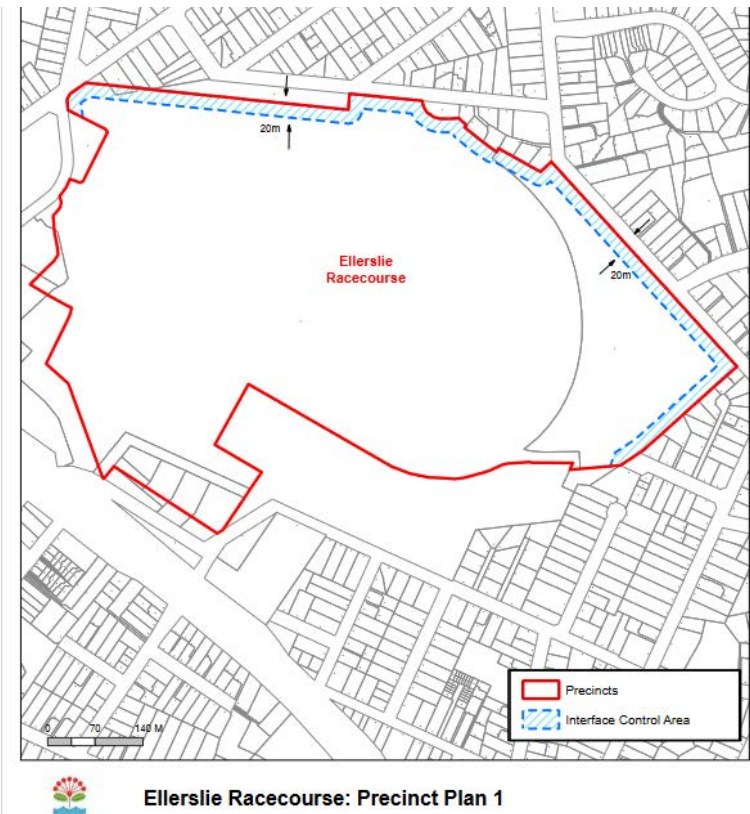
The fast-track Consent permits two level detached housing along Ladies Mile due to the Single House Zone and two level detached housing along the southern boundary due to existing neighbouring houses.

The Developer states in the proposed PPC104 that "The maximum volumes shown in Figure 20b are a **Significant Improvement** and are consistent with the neighbourhood context. They therefore recognise that the change the zoning from MHS to MHU along this boundary is detrimental to the neighbours, and contrary to what was proposed and consented to.

The Developers acknowledge that the roading network is close to capacity in the morning and afternoon peak periods. However, they are proposing that up to 100 residential movements per hour can be accommodated in the northern portion and 150 vehicle movements per hour in the southern portion if the Derby Downs and Ladies Mile intersection is upgraded to a signalised intersection. They further argue that there is a good and convenient path from the Development to the Ellerslie Train Station across Derby Downs and via Lonsdale Street.

During the Fast Track process residents raised the current issues with the volume of traffic using Derby Downs to access the Racecourse which conflicts with pedestrians, including school children getting to Ellerslie School and the train station. The addition of up to 150 further traffic movements per hour will further compound the problem.

A. Interface Control Zone



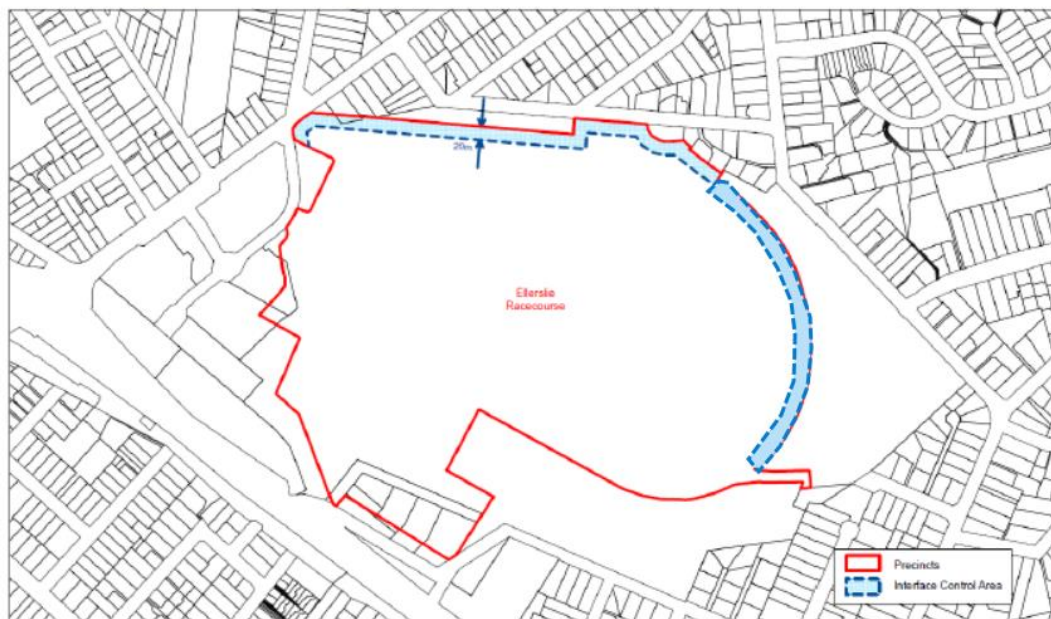
Precinct Plan page 29 (consolidated 1313)

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by Plan PPC104

I313.10. Precinct plans
I313.10.1. Ellerslie Racecourse: Precinct plan 1



Proposed by residents

The relationship between the existing houses and the activities on the Racecourse precinct are currently protected by the Interface Control Zone as specified in the Utitary Plan, 1311.10. The PPC 104 proposes the construction of 357 dwellings in the north east corner of the precinct in accordance with the fast-track consent. The presence of these dwellings does not alter the relationship between the existing dwellings and the activities on the racecourse.

Therefore, we propose that:

- The existing Interface Control Zone be moved from the boundary with dwellings on Hunterville Court/Derby Downs to the boundary between the racecourse and the new development, as already proposed for the boundary along Peach Parade.

13.1

B. Changes to Zoning

The proposed increase in dwellings per site from 1 to 3 within the MHU and THAB zones is contrary to the Consented approval given by the Fast Track application. The Developers are insisting that the Consent limits the total number of dwellings to 357 and that they do not intend to alter this, however there is no guarantee that the plans submitted for the Fast Track Application will be adhered to. Further, the proposal is to increase the permitted volume by changing the height to boundary requirement of 2m by 45 degrees, to 4m and 60 degrees.

We propose that:

- The existing provisions of MHU and THAB are retained and
- The existing height to boundary conditions as Consented by the Fast Track application are retained.

13.2

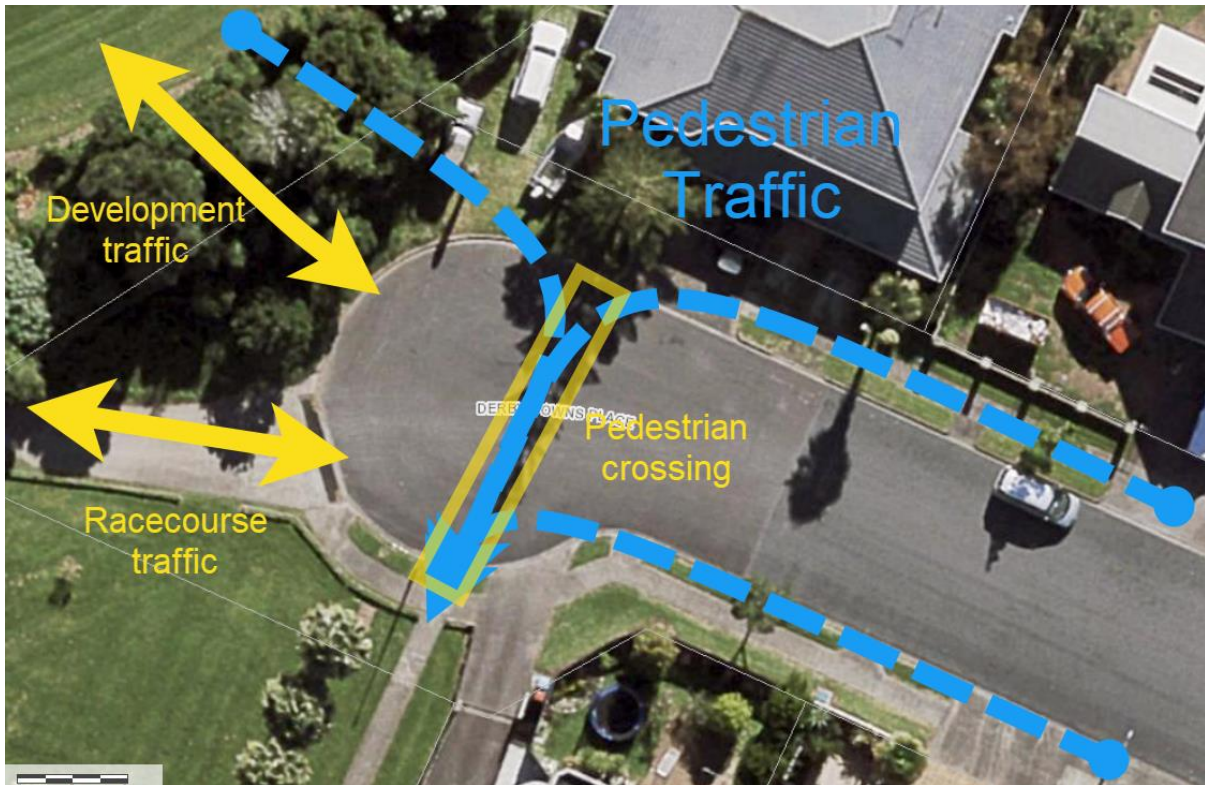
13.3

13.4

I note that both these concerns (A & B) were also raised by Auckland Council in P3 and T11 of their request for further information.

We disagree with the responses from the applicant, where they argue that their “policy is...” as this does not ensure adherence to the current “policy” in the future. The maximum cap of 357 dwellings does not define where these dwelling will be located and changing the provisions of MHU would allow adverse changes affecting neighbourhood dwellings with no comeback available.

C. Pedestrian access to Ellerslie train station



- Proposed Plan change 104 must include provision for safe pedestrian access from the site to Lonsdale Street. As a minimum PPC104 should include a pedestrian crossing opposite 15 Derby Downs Place.
- A further recommendation would be to ask Council to consider an additional pedestrian crossing across Morrin St to Robert St.

13.5

13.6

Ian Calhaem

18th August 2024

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)

Craig McErlane (McErlane Investment trust on be halve of our tenants)

Organisation Name (if submission is made on behalf of Organisation)

Address for service of Submitter

66 Ladies Mile

Ellerslie, 1051

Telephone:

274821116

Email:

mactech@xtra.co.nz

Contact Person: (Name and designation, if applicable)

Scope of submission

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PC 104 (Private)

Plan Change/Variation Name

Remuera Precinct

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(Please identify the specific parts of the proposed plan change / variation)

Plan provision(s)

Location of Interface Control Zone, changes to MHU and THAB zone rules

Or

Property Address

Pedestrian Crossing on Derby Downs Place to Lonsdale St

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

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As on attached sheet

(continue on a separate sheet if necessary)

I seek the following decision by Council:

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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

14.1
14.2
14.3
14.4
14.5
14.6

CFMcErlane

08/22/2024

Signature of Submitter
(or person authorised to sign on behalf of submitter)

Date

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Proposed Plan Change 104

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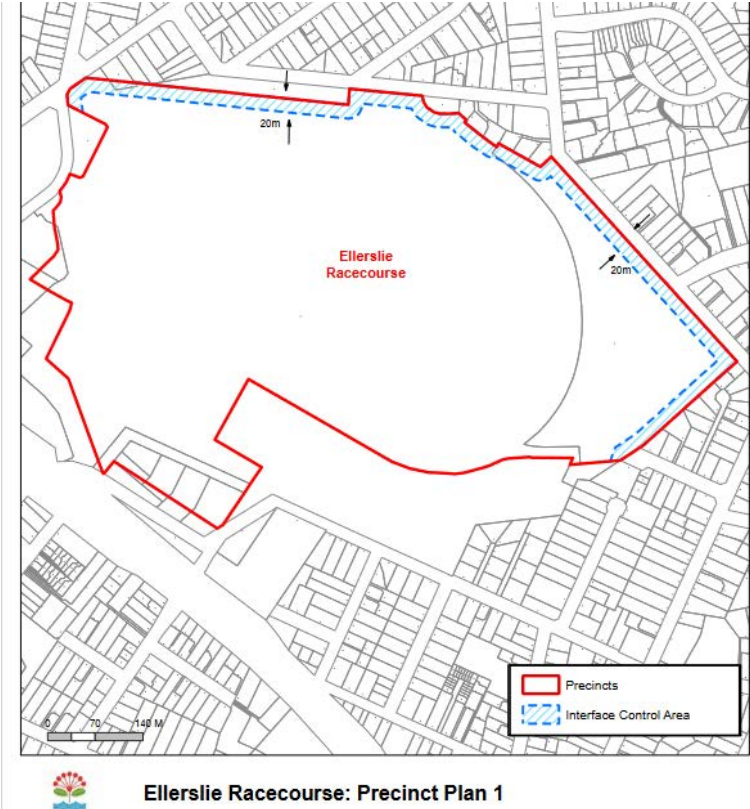
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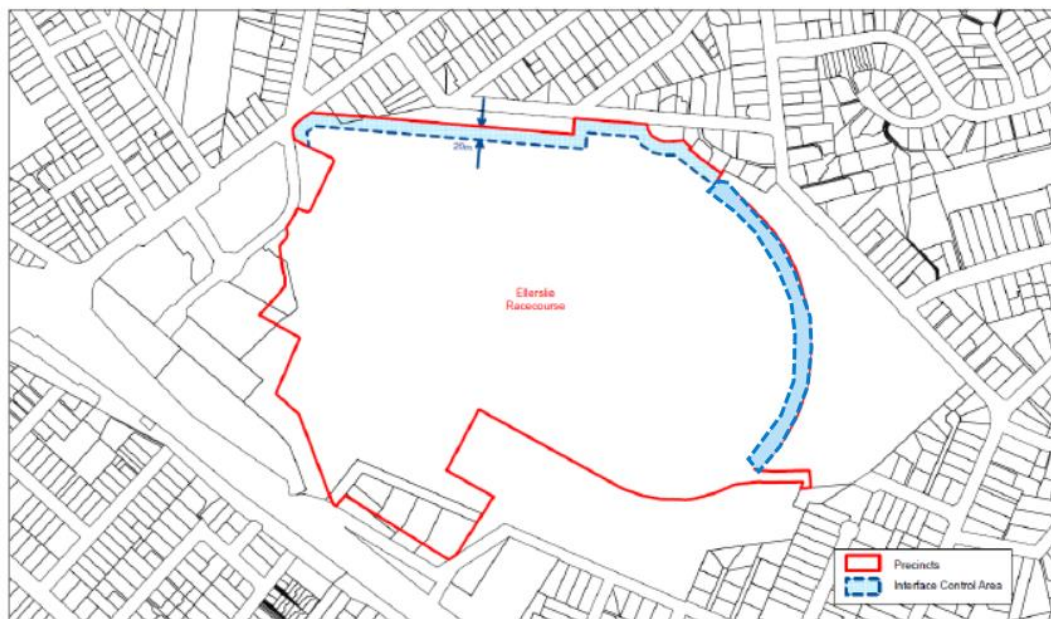
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14.2

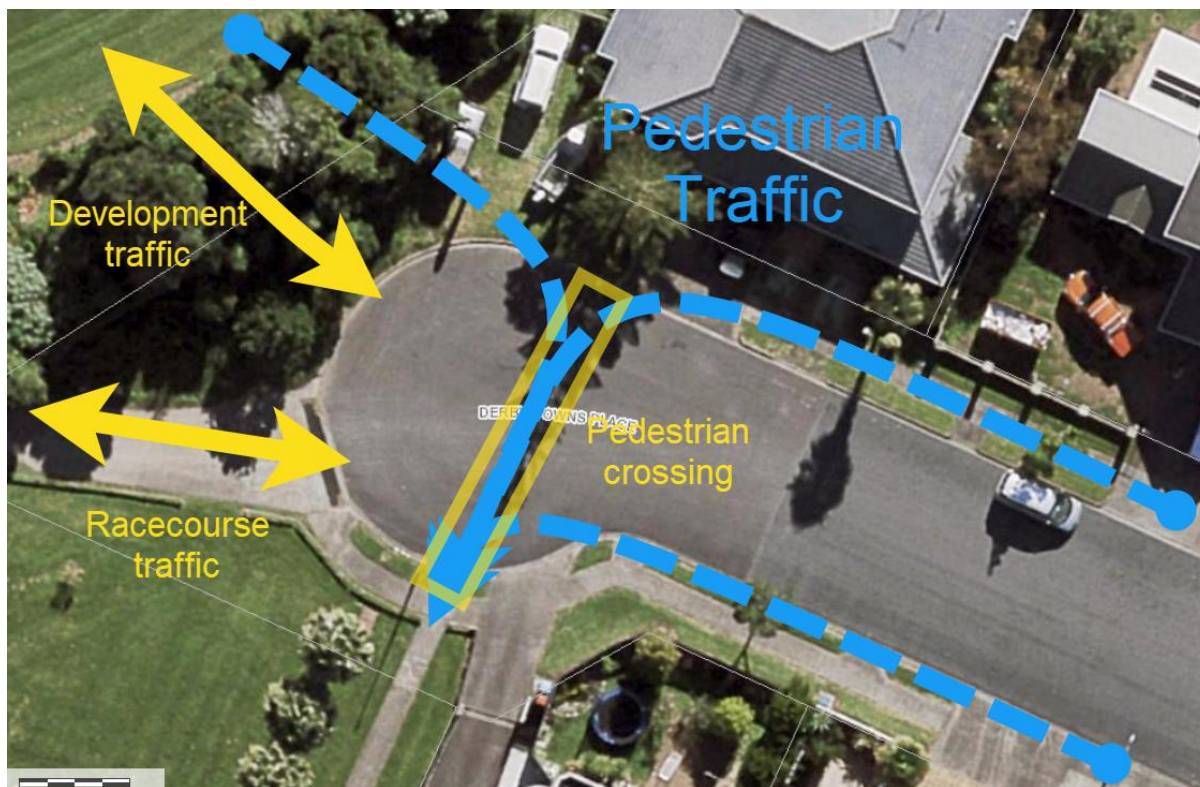
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14.5

14.6

Ian Calhaem

18th August 2024