

Before the Independent Hearings Panel

In the matter of the Resource Management Act 1991 (**RMA**)

And

In the matter of Plan Change 78: Intensification (**PC78**) to the
Auckland Unitary Plan Operative in Part (**AUP**)

**Memorandum of counsel on behalf of Auckland Council regarding
Hearing Topic 016B Business – Metropolitan Centre Zone provisions
and Hearing Topic 020AY Precincts – Sylvia Park Precinct – additional
submission points being addressed in the Council's evidence**

Date: 3 October 2024



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MAY IT PLEASE THE PANEL

1 This memorandum is filed on behalf of Auckland Council (**Council**) in response to paragraph 5 of the direction from the Independent Hearing Panel (**Panel**) of 18 September 2024 (**Direction**). The Panel's Direction concerns hearings for the Business – Metropolitan Centre zone (**Hearing Topic 016B**) and Sylvia Park precinct (**Hearing Topic 020AY**) on 25 and 26 November 2024.

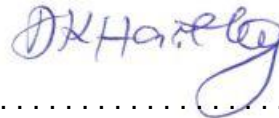
2 Paragraph 5 of the Direction stated:

5. Where Council is planning on providing evidence on submission points that have not been allocated to this hearing the Panel requests that the Council advise the Senior Hearings Advisor by midday Monday 7 October 2024 of the submitter and the relevant submission point. The Hearings Advisor will then advise those submitters of Council's intent to file evidence on their submission point.

3 As the Council previously advised in its memorandum dated 10 September 2024, there are submission points allocated to other hearing topics which also seek to amend heights in the Metropolitan Centre zone. The Panel has requested that the Council advise the Panel where it is planning on providing evidence on submission points not allocated to Hearing Topic 016B in order that submitters can be advised of this.

4 We are advised that in its evidence for Hearing Topic 016B Metropolitan Centre zone provisions, the Council intends to provide evidence on seven submission points that have been allocated to Hearing Topic 014 concerning height. Details of these submission points, the relevant submitter and a summary of the decisions requested are outlined in Table 1 attached to this memorandum.

Date: 3 October 2024

A handwritten signature in blue ink, appearing to read 'DK Hartley'.

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D K Hartley / A F Buchanan
Counsel for Auckland Council for
PC78

Table 1 – Submission points not allocated to Hearing Topic 016B being addressed in the Council's evidence

Sub#/ Point	Submitter Name	Summary of Decisions Requested	FINAL Topic	FINAL Subtopic	IHP Topic Numbers
870.38 (Duplicates 870.21)	Auckland International Airport Limited ("Auckland Airport")	Retain Metropolitan Zone policies 2, 12A and 14 which are supported. Amend policy (13) and new policy (15A) to reflect any necessary qualifying matters which would justify lower heights or density within the zone: Add to (13) (zaa) "is consistent with a qualifying matter that requires reduced height and/or density"; amend (15A) "Enable greater building heights and density of urban form in metropolitan centres, than in town, local or neighbourhood centres, to reinforce their role as regional focal points (unless a qualifying matter applies which requires reduced heights and/or density)."	Height	Metropolitan Centre WC Intensification response	014F

Sub#/Point	Submitter Name	Summary of Decisions Requested	FINAL Topic	FINAL Subtopic	IHP Topic Numbers
873.22	Kāinga Ora	Amend the Business - Metropolitan Centre Zone to allow unlimited building height except where qualifying matters apply. Refer to Appendices 2 and 3 of the submission for building height. Retain, amend or delete H9 provisions as set out in Appendix 1, Table 1, Rows of 85, 86, 87, of the submission.	Height	Metropolitan Centre WC Intensification response	014F
941.50	Foodstuffs North Island Limited	Amend the height standard for the Takapuna Metropolitan Centre to 72m. [Refer to Attachment 2, Map 21 of the submission for further details]	Height	Business Height - Policy Principles (NPS UD Policy 3b and 3c - at least 6 storeys)	014A
Sub#/Point	Submitter Name	Summary of Decisions Requested	FINAL Topic	FINAL Subtopic	IHP Topic Numbers

1083.39	Board of Airline Representatives New Zealand Inc	Retain Metropolitan Zone policies 2, 12A and 14 which are supported. Amend policy (13) and new policy (15A) to reflect any necessary qualifying matters which would justify lower heights or density within the zone: Add to (13) (zaa) " <u>is consistent with a qualifying matter that requires reduced height and/or density</u> "; amend (15A) "Enable greater building heights and density of urban form in metropolitan centres, than in town, local or neighbourhood centres, to reinforce their role as regional focal points (<u>unless a qualifying matter applies which requires reduced heights and/or density</u>)."	Height	Metropolitan Centre WC Intensification response	014F
Sub#/ Point	Submitter Name	Summary of Decisions Requested	FINAL Topic	FINAL Subtopic	IHP Topic Numbers

2041.148	Neilston Homes	Amend H9.6.1. Building height to provide for unlimited height within the Metropolitan Centre Zone.	Height	Business Height - Policy Principles (NPS UD Policy 3b and 3c - at least 6 storeys)	014A
2226.4 (Duplicates 2226.3)	Scentre (New Zealand) Limited ("Scentre")	Increase the maximum building height in the Metropolitan Centre Zone to 100m to be consistent with Takapuna's Metropolitan Centre Zone.	Height	Metropolitan Centre WC Intensification response	014F
Sub#/ Point	Submitter Name	Summary of Decisions Requested	FINAL Topic	FINAL Subtopic	IHP Topic Numbers

2269.2	Ms Amy Margaret Parlane and Mr Leslie James Parlane	New standards to ensure a smooth transition between the interface of various zones (including the City Centre Zone, Metropolitan Centre Zone, the Single House Zone and the Low Density Residential Zone), and also areas subject to the MDRS and Special Character Areas Overlay. Refer to the diagrams page 21 and 22 of Submission 2270.	Height	Special Character Residential - transitions/height next to SCAR	014L
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