

In the Matter

of the Resource Management Act 1991 as amended by the Local Government (Auckland Transitional Provisions) Amendment Act 2010

**And
In the Matter**

of a submission lodged by Auckland 2040 (1473) on the Proposed Auckland Unitary Plan

**Memorandum for Auckland 2040 requesting interim guidance on
Residential Zone provisions
Topics 059-063**

26 November 2015

Richard Brabant
Barrister

Level 2, Broker House, 14 Vulcan Lane
PO Box 1502, Shortland St
Auckland City

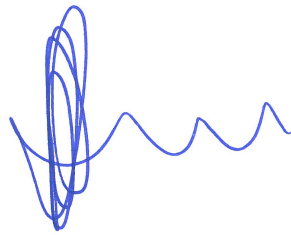
Email: richard@brabant.co.nz

Request for Interim Guidance

1. Auckland 2040 (Inc) requests that the Independent Hearing Panel (IHP) issue **interim guidance** in relation to the following matters which were the subject of submissions and evidence to the IHP on the proposed plan text for the Residential zones:
 - a. the proposed modifications to the Residential zones as requested in the Joint Statement and specifically the proposal for a relaxation or removal of density controls in the MHS and MHU zones;
 - b. the (contested) changes to the Single House Zone Description, Objectives and policies as proposed by the Auckland Council.
2. Auckland 2040 is aware that the Auckland Council is presently intending to produce as part of its evidence on residential zoning, amended zoning maps for the Residential zones in which there will be significant changes to the extent of zoning provision for the Single House Zone, based on the Council's proposed changes to the Objectives and Policies for that zone.
3. In my submission, given the time frames available for evidence preparation by submitters, interim guidance on whether these changes are appropriate would enable submitters opposing those changes (or property owners in the Single House zone who might otherwise consider a request to join the proceedings late as a party) to determine whether evidence is required and if so to what extent. This is because if the radical changes to the Objectives and Policies as notified are considered appropriate, that will make wholesale re-zoning an inevitable consequence. If on the other hand the Objectives, Policies and zone Description as notified are preferred, the opportunity for considering re-zoning is far more limited, if it is available at all.
4. Interim Guidance about the proposal to relax or remove density controls in the MHS and MHU zones would also assist in preparation for the zoning hearings. If this change to the zone controls is supported, it has a significant

effect on the intensification opportunities in the 2 zones in question. This in turn affects the modelling that has been done (and is still ongoing) of residential unit yield in relation to the “intensification target”. There is a consequential effect too in respect of the necessity for making changes to the Single House Zone by reducing the extent of that zone in order to achieve more intensification.

Dated this 26th day of November 2015

A handwritten signature in blue ink, consisting of a series of loops and a wavy line extending to the right.

Richard Brabant

Counsel for Auckland 2040