

# Decision following the hearing of a Proposed Plan Change under the Resource Management Act 1991



Proposed change to the part operative Auckland Unitary Plan (2016) (**AUP**) to amend Chapters D18 and E38 to:

- (a) Ensure that the AUP appropriately specifies the relationship between the Special Character Areas Overlay and the underlying zone provisions; and
- (b) Ensure that the development standards that apply to sites in the SCA overlay are most appropriately targeted to managing the special character values of the areas to which they relate.

The plan change is **APPROVED IN PART WITH MODIFICATIONS**. The reasons of the Commissioners are set out below.

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| <b>Plan Change No:</b>      | 26  |
| <b>Site address:</b>        | N/A – applies extensively   |
| <b>Type of Plan Change:</b> | Auckland Council initiated  |
| <b>Hearing:</b>             | 24 and 28 July 2020   |
| <b>Hearing panel:</b>       | Kitt Littlejohn (Chair)<br>Ian Munro<br>Trevor Mackie   |
| <b>Appearances:</b>         | <p><u>For the Auckland Council:</u><br/>Tony Reidy, Principal Planner<br/>Ciaran Power, Reporting Officer<br/>Teuila Young, Planner<br/>Rebecca Fogel, Planner<br/>Eryn Sheilds, Team Leader</p> <p><u>Submitters:</u><br/>David Wren, Planner representing C &amp; J Weatherall, J Dillon, P &amp; S Wren and P Ng.<br/>Philip Brown, Planner representing Michael Snowden and the Roman Catholic Bishop of Diocese of Auckland<br/>Michael Snowden<br/>Tane Snowden<br/>Margot McRae representing Devonport Heritage<br/>Trish Deans representing Devonport Heritage and Lyndsay Brock.<br/>A R Bellamy representing South Epsom Planning Group</p> |

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|---------------------------|---|
|                           | <p>Tania Mace and Graeme Burgess representing Grey Lynn Residents Association</p> <p>Craig Moriarty, Planner representing Somersby Trust</p> <p>David Haines, Planner representing Somersby Trust</p> <p>John Childs</p> <p>David Abbott representing St Mary's Bay Association</p> <p>Dirk Hudig representing Herne Bay residents Association</p> <p>Brian Putt representing St Mary's Bay Association and Herne Bay residents Association</p> <p>Anthony Blomfield representing Ascot Hospital</p> <p>Dr Claire Kirman, legal Counsel representing Kainga Ora</p> <p>Brendan Liggett, Planning Manager representing Kainga Ora</p> <p>Amelia Linzey, Planner representing Kainga Ora</p> <p>Brendan Kell</p> <p>Jeff Brown representing Samson Corporation, Galatea trust, R &amp; M Donaldson</p> <p>Janet Dickson</p> <p>Matthew Braikovich</p> <p><u>Other:</u></p> <p>Sidra Khan (hearings advisor)</p> |
| <b>Hearing adjourned:</b> | 28 July 2020  |
| <b>Hearing closed:</b>    | 24 August 2020  |

## INTRODUCTION

1. Proposed Plan Change 26 (**PC26**) is an Auckland Council-initiated change to the operative in part Auckland Unitary Plan (2016) (**AUP**) under cl 2 of Part 1 of Schedule 1 of the Resource Management Act 1991 (**Act**).<sup>1</sup> Its primary purpose is stated to be to clarify the interrelationship between the Special Character Area (**SCA**) overlay and its underlying zones.<sup>2</sup>
2. The plan change was approved for notification by the Auckland Council's Planning Committee on 6 November 2018 and subsequently notified on 30 May 2019. The closing date for submissions was extended to 12 July 2019, by which time 274 submissions had been received. A summary of submissions was notified on 5 September 2019 and further submissions sought. 23 were received.
3. As required by cl 8B, a hearing into PC26 and the submissions and further submissions received on it was held on 24 and 28 July 2020. The hearing was conducted by

<sup>1</sup> All references to sections, subsections, clauses, parts and schedules in this decision are references to sections, subsections, clauses, parts and schedules of the Resource Management Act 1991, unless otherwise stated.

<sup>2</sup> Section 32 Evaluation Report (**s32 Report**), p12.

Independent Commissioners Kitt Littlejohn (Chair), Ian Munro and Trevor Mackie by authority delegated to them for that purpose by the Council under s34A.

4. This decision is also made pursuant to the delegation given to the Independent Commissioners by the Council.

## **SUBMISSIONS**

5. A detailed summary of the 274 submissions and 23 further submissions made on PC26 was provided to us (as Appendices 4 and 5) with the s42A Hearing Report (**s42A Report**). Helpfully, Council officers analysed the issues and topics raised in the submissions into 34 specific themes.<sup>3</sup>
6. Council officers described themes 1 to 4 as comprising submissions addressing PC26 as a whole (i.e., accept; accept with amendment; decline if not amended; and decline). The other 30 themes were described as “more specific”.<sup>4</sup>
7. Fourteen submitters appeared and presented evidence to us at the hearing.

## **SITE VISIT**

8. We were invited by several submitters to undertake site specific visits to assist us in our deliberations on PC26. Council officers also recommended various locations around Auckland that we may wish to visit to understand the role of the SCA overlay and the potential effects of PC26.
9. During deliberations, the Commissioners determined that the issues raised by PC26 for consideration and determination would not be assisted by undertaking site visits, either generally or of specific sites. We were satisfied that our experience of and familiarity with the various special character areas across Auckland, gained from both our private professional practices and our commissioner delegations, provided a more than adequate information base and context to inform our assessment of PC26.

## **STATUTORY FRAMEWORK**

10. Sections 72 to 77D set out the matters that we (as the delegate of the Council) must have regard to when considering PC26. In combination, these provisions create a complex statutory framework for evaluation of a plan change, which in turn, invariably lead to the exercise of a “planning judgement” after hearing and considering all the evidence.<sup>5</sup>
11. In summary, PC26 must be in accordance with:
  - (a) the Council’s functions under s31 (s74(1)(a));

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<sup>3</sup> S42A Report, Table 1, p27.

<sup>4</sup> s42A Report, paras 1.5 – 1.6.

<sup>5</sup> *Gock v Auckland Council* [2019] NZHC 1603, at [29].

- (b) the provisions of Part 2 (s74(1)(b));
  - (c) the obligation to prepare and have particular regard to an evaluation report prepared under s32 (s74(1)(d) & (e));
  - (d) any relevant national policy statement, the NZCPS and any national planning standard (s74(1)(ea));
12. In addition, with respect to PC26, regard must be had to:
- (e) the Auckland Plan (as a management plan or strategy prepared under another act whose content potentially has a bearing on PC26) (s74(2)(b)(i));
  - (f) The regional policy statement for Auckland (Chapter B of the AUP) (**RPS**), being the ‘highest-order’ document of relevance to proposed changes to the AUP;
  - (g) The requirement that a district plan must give effect to the NPS:UDC and RPS (s75(3)(a) and (c)) and not be inconsistent with a regional plan (s75(4)(b)); and
  - (h) The actual or potential effects on the environment, including adverse effects, arising from any rules (s76(3)).
13. As the overall scope and purpose of PC26 is relatively confined, a number of these statutory requirements are not relevant to PC26 or, on the evidence, are not in contention. We discuss these below at the outset so that our assessment of PC26 can be focussed on the key statutory matters to be considered.

### **Statutory requirements not in issue**

#### Part 2

14. Consideration of Part 2 in a plan change process is only appropriate where there is invalidity, incompleteness or uncertainty in relation to the statutory planning instrument being applied.<sup>6</sup> Absent those features, the only “higher order” principles, objectives and policies that have to be considered on a plan change are those in the operative plan being changed.<sup>7</sup> We would add to this list any “higher order” principles etc set out in a relevant national policy statement, because of the requirements of s75(3)(a)).

#### National Policy Statements

15. When PC26 was notified five national policy statements were in effect, but the only one of potential relevance to PC26 was the NPS on Urban Development Capacity 2016 (**NPS-UDC**). The s32 Report considers that PC26 has limited implications for the NPS-UDC as neither the underlying zones nor the extent of the SCA overlay were being altered by the plan change. The report went on to note that the amendment proposed by PC26 to E38 Subdivision – Urban, Table E38.8.2.6.1 would result in a marginal

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<sup>6</sup> *Environmental Defence Society v New Zealand King Salmon* [2014] NZSC 38, [2014] NZLR 593, at [85] and [88]; *Royal Forest & Bird Protection Society of New Zealand Inc v Whakatane District Council* [2017] NZEnvC 51, at [34] and [35].

<sup>7</sup> *Appealing Wanaka Inc v Queenstown Lakes DC* [2015] NZEnvC 139.

increase in development capacity by confirming the smaller SCA overlay lot sizes as the sole minimum lot size. This outcome, again, was considered not to conflict with the directions of the NPS-UDC. We agree with this analysis.

16. On 20 August 2020, during the processing of PC26, the NPS-UDC was replaced with a new NPS, simply entitled “Development Capacity” (**NPS-UD**). Although the theme of the NPS-UDC and the NPS-UD is similar, there are some significant differences between them in terms of the nature and scale of the directions they give to local authorities and consent authorities dealing with Tier 1 urban environments such as Auckland. In their Closing Statement,<sup>8</sup> Council officers advised that the NPS-UD contained objectives and policies considered to be particularly relevant to our decision-making<sup>9</sup>, but provided no further assistance or advice as to whether or not PC26 gave effect to the NPS-UD.
17. PC26 was developed and notified well before the gazetting of the NPS-UD. Accordingly, none of the far-reaching directions to the Council as to the management of the urban land resource of Auckland (which in time will require the Council to establish whether the features protected by the SCA overlay are a qualifying matter exempting urban land from intensification), have been incorporated within it. This makes it difficult for us to reasonably evaluate PC26 alongside this NPS. Furthermore, the ‘reach’ of PC26 is fairly limited to the approach to be taken to the consenting of specific land use activities on existing sites in certain areas of Auckland, and has no significant implications for urban land intensification. Put another way, we have no scope at this stage of PC26 to modify it to achieve the intensification directions of the NPS-UD.
18. Despite those limitations, we confirm that we have undertaken our analysis of PC26 keeping in mind the NPS-UD requirement that our decision contribute to a well-functioning urban environment (Policy 1).

*NZCPS (and Hauraki Gulf Marine Park Act 2000)*

19. We find that neither the NZCPS nor those sections of the Hauraki Gulf Marine Park Act 2000 to be treated as a coastal policy statement are engaged for consideration by PC26.

*National Planning Standards*

20. The National Planning Standards (**Standards**) adopted<sup>10</sup> earlier this year set mandatory requirements for district plans including standardised zones and zone descriptions. The obligation to implement the Standards rests on the Council, and to do so within 10 years. The purpose of the Standards is to achieve national consistency for the structure, format, and content of plans. As far as we can tell, there is no duty on us to implement the Standards while determining PC26.

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<sup>8</sup> Closing Statement from Council officers, 7 August 2020.

<sup>9</sup> NPS-UD Objectives 1, 2, 4 and 5, Policies 1, 2, 3(d), 4, 6 and 9. Our attention was also drawn to sub-parts 3-11, 3-31, 3-32 and 3-33.

<sup>10</sup> The National Planning Standards were gazetted on the 5th of April 2019.

### Auckland Plan

21. Prepared under s79 of the Local Government (Auckland Council) Act 2009, the Auckland Plan is potentially a relevant strategy document. However, we agree with the s32 report that the amendments proposed to the AUP are generally technical in nature and do not change the way in which the AUP implements the strategic direction of the Auckland Plan (2012 or 2050). We consider it no further.

### Regional Plan

22. PC26 does not propose any changes to the regional plan provisions in the AUP and nor did we receive any evidence that the regional plan provisions of the AUP were incomplete or inadequate with respect to the control of the actual and potential effects of development that would be enabled by PC26 (if approved), which might have raised a concern for us with respect to s75(4)(b). We have therefore not considered PC26 in relation to any regional plan provisions.

### **Decision requirements**

23. A decision on the provisions of a plan change and the matters raised in submissions must be prepared in accordance with cl10. In considering PC26 we have taken into account:
  - (a) the plan change request and supporting s32 Report;
  - (b) the s42A Report;
  - (c) the submissions and further submissions made on PC26; and
  - (d) the submissions, statements and evidence presented by Auckland Council officers and the submitters who appeared at the hearing.
24. Our decision includes our findings about PC26 and its provisions, and on the submissions made on the proposed change.

### **SUBMISSION JURISDICTION AND RELIEF-SCOPE ISSUES**

25. Unsurprisingly for a proposed change to an operative plan, issues of submission jurisdiction and relief-scope arose with PC26. Our findings on these issues are set out below.
26. Under schedule 1 the potential outcomes from the submission and appeal process in relation to a plan change are limited by two important constraints.

### **Submissions must be “on” the plan change**

27. Under cl6(1) any submission lodged by a person must be “on” the plan change, with the effect that submissions made in breach of this requirement are not able to be

considered.<sup>11</sup> In *Motor Machinists* the High Court confirmed that a two-limbed test must be satisfied:

- (a) for a submission to be on a plan change it must address the proposed plan change itself, that is it must address the alteration of the status quo brought about by that change; and
- (b) the submission must also be considered from the perspective of whether there is a real risk that persons directly or potentially directly affected by the additional changes proposed in the submission have been denied an effective response to those additional changes in the plan change process.

28. In *Motor Machinists* the High Court described the first limb as the “dominant consideration”, involving consideration of both “*the breadth of alteration to the status quo entailed in the proposed plan change, and whether the submission then addresses that alteration.*” The Court noted two potential ways of analysing this. One way is to ask whether the submission raises matters that should have been addressed in the s32 evaluation and report. If so, the submission is unlikely to fall within the ambit of the plan change. Another way is to ask whether the management regime for a particular resource is altered by the plan change. If it is not, then a submission seeking a new management regime for that resource is unlikely to be “on” the plan change.

29. In relation to the second limb, the Court noted that overriding the reasonable interests of people and communities “*by a submissional side-wind would not be robust, sustainable management*”. Given the other options available, which include seeking resource consent, seeking a further public plan change, or seeking a private plan change, the Court determined that “a precautionary approach to jurisdiction imposes no unreasonable hardship.” However, the Court noted that there is less risk of offending the second limb if a change is merely consequential or incidental, and adequately assessed in the existing s32 report.

30. The s42A Report set out Council officers’ assessment of the submissions made to PC26 in relation to this primary jurisdictional threshold. Officers considered that submissions seeking:

- Alterations to the extent of the SCA overlay (including submissions seeking application of the SCA overlay to areas not presently subject to it (e.g., Howick));
- Modifications to the thresholds of the standards;
- Creation of a new zone;
- Rezoning of land; and

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<sup>11</sup> *Clearwater Resort Ltd v Christchurch City Council* HC Christchurch AP34/02, 14 March 2003 and *Palmerston North City Council v Motor Machinists Ltd* [2014] NZRMA 519.

- Amendments to resource consent processes, including notification,

were not 'on' PC26 and were therefore beyond scope.

31. We have reviewed the submissions identified by Council as falling into these categories and considered them by reference to the specific changes sought (and not sought) by PC26. We do not agree that submissions seeking modification to the upper or lower thresholds of the development standards proposed to be "refined" by PC26 are not "on" the plan change. To the extent that each of the standards in this category represent the 'status quo' for that development control, PC26's proposal to amend them (by way of "refinement") creates sufficient scope for submissions seeking alternative amendments to them to be legitimately "on" the plan change and within scope.
32. However, in all other respects we agree that submissions to PC26 seeking relief of the kind described in paragraph 28 above are not "on" PC 26 and we have no jurisdiction to consider them. This is because PC26 does not propose any amendments to the provisions of any underlying zone subject to the SCA overlay, or to the mapped extent of the SCA overlay in the AUP planning maps.<sup>12</sup> Nor does it propose any amendments to the following provisions of Chapter D18:
  - D18.2 Objectives.
  - D18.3 Policies.
  - Table D18.4.2 Activity table – Special Character Areas Overlay – Business.
  - D18.5 Notification.
  - D18.6.2 Standards for buildings in the Special Character Areas Overlay – Business.
  - D18.7 Assessment – controlled activities.
  - D18.9 Special Information Requirements.

### **Relief must be fairly and reasonably raised**

33. A submission having been determined as "on" a plan change, the second 'scope' threshold that arises for assessment is whether relief sought by a submitter is raised by, and within, the ambit of what was reasonably and fairly raised in submissions.<sup>13</sup> It is trite that this assessment should be approached in a realistic workable fashion rather than from the perspective of legal nicety.<sup>14</sup> This "*will usually be a question of degree to be judged by the terms of the proposed change and the content of the submissions*".<sup>15</sup>

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<sup>12</sup> Attachment 2 to the s32 Report identified 11 sites to be removed from the SCA overlay, but this proposal was not carried forward to notification and is therefore not an aspect of PC26 to be considered.

<sup>13</sup> *Vernon v Thames-Coromandel District Council* [2017] NZEnvC 2, at [11].

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*



34. The limitations on the scope to modify a plan change after it has been notified are also designed to ensure that, procedurally, there is an opportunity for the matter to be addressed in a further s 32 evaluation, and that there has been an opportunity for those potentially affected by the change to participate.<sup>16</sup>
35. It is not necessary for the submission “matter” in question to be identified as a form of relief in the submission for it to be able to provide scope to amend the planning document on which the submission was made. Provided a submission, read as a whole, effectively raises the issue in substance,<sup>17</sup> and the proposed modification in response does not go beyond what was fairly and reasonably raised in the submissions,<sup>18</sup> then the decision maker will have scope to entertain it, subject to the further obligation to comply with s 32AA.
36. We will apply these principles later in this decision to:
- (a) any specific relief sought by submitters since the making of their submissions, but not explicitly sought in their written submission; and
  - (b) any further amendments proposed to PC26 by Council officers following the consideration of the submitters’ presentations,

where we are persuaded that the relief or further amendment is appropriate for inclusion in PC26, to determine whether accepting it is a lawful exercise of our decision-making powers.

## PROPOSED PLAN CHANGE 26

### Background

37. PC26 has been initiated by Auckland Council (**Council**) following a declaration made by the Environment Court in 2018 in the following terms:<sup>19</sup>

*Where a proposed activity:*

- (a) *is on a site located within both the Residential - Single House zone (“SHZ”) and the Special Character Areas Overlay - Residential (“SCAR”) of the partly operative [AUP]; and*
- (b) *is classed as a restricted discretionary activity either under Activity Table D18.4.1 or, due to its non-compliance with a SHZ or SCAR development standard, under Rule C1.9(2)-*

*then the relevant SHZ, SCAR and General Rules (and any relevant objectives and policies) apply, in the processing and determination of any resource consent application for the proposed activity, without the SCAR rules prevailing over or cancelling out other rules.*

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<sup>16</sup> Ibid.

<sup>17</sup> See *Johnston v Bay of Plenty RC* EnvC A106/03.

<sup>18</sup> Eg *Atkinson v Wellington RC* EnvC W013/99.

<sup>19</sup> *Auckland Council v Budden* [2018] NZEnvC 30, at [53].

(our emphasis)

38. Prior to the *Budden* proceedings, Council consents' processing officers had treated the development standards in the SCA overlay as effectively replacing the equivalent standards in the underlying zone, even where the former standards were more enabling than the latter (e.g., height in relation to boundary).
39. The Council's rationale for this was its view that the relationship between the provisions was unclear and as it had sought precedence for the SCA overlay provisions during the AUP IHP hearings, that was the approach it would take. As emphasised in the quote above, the *Budden* declaration rejected this practice, finding instead that properly interpreted, the AUP was clear in how the SCA overlay and underlying zone provisions were to be applied.
40. Although Council officers preferred to describe PC26 as 'clarifying' the position following the *Budden* declaration, the effect of PC26 is to amend the consenting and assessment approach to be taken under the AUP for certain activities on sites where the SCA overlay applies. Broadly, it does this by amending the provisions of Chapters D18 and E39 to ensure that the development standards for certain activities in the SCA Overlay – Residential and SCA Overlay – General (with a residential zoning) prevail over the equivalent standards for those activities in the underlying zones.
41. Council officers maintain the view that the 'SCA overlay has precedence' approach was always intended. They consider that the current 'equal relevance' approach results in unnecessary complexities and time costs for plan users, particularly with respect to the processing of resource consent applications. This, it is said, is because there is no clarity over which metric or activity status should take precedence for certain development applications on land within the SCA overlay.

### **Purpose of PC26**

42. Understanding the purpose of any proposed plan change that does not contain or state objectives is an important first step to considering it under the Act. This is because the s32 evaluation of such a plan change requires examination of the extent to which that purpose<sup>20</sup> is the most appropriate way to achieve the purpose of the Act (s32(1)(a)); and whether the provisions of the plan change are the most appropriate way to achieve that purpose (by identifying other reasonably practicable options and assessing the efficiency and effectiveness of the provisions (s32(1)(b)).
43. The purpose of PC26 for the purposes of s32 is:<sup>21</sup>

*... to amend Chapters D18 and E38 in order to:*

- (a) ensure that the AUP appropriately specifies the relationship between the Special Character Areas Overlay and the underlying zone provisions; and*

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<sup>20</sup> s32(6).

<sup>21</sup> s32 Report, p15.

- (b) *ensure that the development standards that apply to sites in the SCA overlay are most appropriately targeted to managing the special character values of the areas to which they relate.*

44. The first purpose - (a), is to 'appropriately specify' the relationship between the provisions in the SCA overlay and the equivalent provisions that apply in the underlying zone. By reference to PC26, the provisions in question appear to be confined to the rules and their associated standards that apply to the land use (development) activities set out in Table D18.4.1 and standard E38.8.2.6 Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business.
45. On the face of the s32 report the relationship between this purpose and the second one – (b) - is unclear: are they linked, or stand-alone? That is, does the need for the second purpose - to ensure the development standards appropriately manage the special character values of the areas to which they relate - arise because they would become the only development standards for activities in the SCA overlay if the primary purpose of PC26 is accepted and, as the s32 Report notes,<sup>22</sup> they are "too general" for that purpose? Or is the second purpose intended as a separate review and refinement of the SCA overlay standards generally? Notably, the only SCA overlay standards that PC26 proposes substantive alterations to are those relating to height in relation to boundary, rear yards and fencing.
46. Some aspects of PC26 do not appear to have a link to either of its two expressed purposes. We refer here to the proposal to add 'purpose statements' to each of the SCA overlay development standards and to introduce a matter of discretion and assessment criterion referring back to the relevant matters of discretion/assessment criteria for the standard (or equivalent standard) in the underlying zone. We have assumed that the drafters of PC26 have considered the reference to 'development standards' in the second purpose as encompassing the matters of discretion and assessment criteria that would be engaged in considering an application which engaged those standards.
47. We will return to these issues later in this decision following our analysis of the s32 report and the evidence proffered in support of PC26 by Council officers.
48. The amendments proposed by PC26 to achieve the first purpose of PC26 are:

### **Chapter D18**

1. *Amend the introductory text preceding Activity Table D18.4.1 Special Character Areas Overlay – Residential to state:*
  - a) *That Activity Table D18.4.1 does not apply to land use activities;*
  - b) *That the activity status of activities in Activity Table D18.4.1 takes precedence over the activity status of that activity in the underlying zone;*
  - c) *That the activity status in the relevant zone applies to land use activities and to development activities that are not specified in Table D18.4.1; and*

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<sup>22</sup> S32 Report, p19.

- d) *That all other relevant overlay, precinct and Auckland-wide rules apply unless otherwise specified.*
2. *Amend D18.6.1 Standards for buildings in the Special Character Areas Overlay – Residential to:*
- a) *Clarify that the development standards listed within D18.6.1 apply to all activities undertaken in the Special Character Areas Overlay – Residential, whether they are listed in Activity Table D18.4.1 or in the relevant zone; and*
- b) *State that the following development standards in D18.6.1 prevail over the equivalent development standards in the underlying zone (except where otherwise specified):*
- *building height*
  - *height in relation to boundary*
  - *yards*
  - *building coverage*
  - *maximum impervious area*
  - *landscaped area*
  - *fences and walls*

#### **Chapter E38: Subdivision - Urban**

3. *Amend Standard E38.8.2.6 to state that the minimum net site area standards in Table E38.8.2.6.1 prevail over the zone-specific standards in Table E38.8.2.3.1.*
49. The amendments proposed by PC26 to achieve the second purpose are:

#### **Chapter D18**

4. *Amend Activity Table D18.4.1 Special Character Areas Overlay – Residential to:*
- a) *Insert a new activity rule to provide for the construction of new fences and walls, and alterations to fences and walls that comply with Standard D18.6.1.7(1) as a permitted activity; and*
- b) *Insert a new activity rule to state that the construction of new fences and walls, or alterations to fences and walls, that do not comply with Standard D18.6.1.7(1) is a restricted discretionary activity.*
5. *Include a purpose statement for the following development standards:*
- a) *building height*
- b) *height in relation to boundary*
- c) *yards*
- d) *building coverage*
- e) *landscaped area*
- f) *maximum impervious area*

- g) fences and walls
6. Amend Standard D18.6.1.2 Height in relation to boundary to specify that:
    - a) The control (3m + 45 degree recession plane) only applies to sites with a frontage length of less than 15m;
    - b) The underlying zone height in relation to boundary standard applies:
      - To sites that have a frontage length of 15m or greater; or
      - Rear sites.
    - c) Standard D18.6.1.2 only applies to side and rear boundaries (not front boundaries)
    - d) Standard D18.6.1.2 does not apply to site boundaries with an existing common wall between two buildings on adjacent sites or where a common wall is proposed;
    - e) Standard D18.6.1.2 applies from the farthest boundary of legal rights of way, entrance strips, access sites or pedestrian access ways; and
    - f) That gable ends, dormers or roofs may project beyond the recession plane in certain circumstances.
  7. Delete the rear yard requirement from D18.6.1.3; and state that the underlying zone yard standards apply for all other yards.
  8. Amend the reference to 'maximum paved area' in D18.6.1.6 to 'maximum impervious area'; along with associated amendments to the maximum levels in Table D18.6.1.6.1.
  9. Amend the standard that relates to fences and walls in D18.6.1.7 to the effect that fences constructed between the front facades of houses and the street are limited to 1.2m in height, but can be up to 2m in height elsewhere on a site.
  10. Amend D18.8 to require an assessment of resource consents against the matters of discretion and assessment criteria set out in D18.8 as well as the matters of discretion and assessment criteria in the underlying zone (for infringements to equivalent standards only).

50. We now turn to evaluate these purposes of PC26 in light of the materials and evidence we have been presented.

## **CONSIDERATION OF PC26 – PURPOSE 1 – APPROPRIATE SPECIFICATION OF RELATIONSHIP BETWEEN SCA OVERLAY AND UNDERLYING ZONE**

### **Background**

51. The background to this purpose of PC26 is helpfully set out in “*Auckland Unitary Plan Overlays Analysis Working Paper*” prepared by Kath Coombes and Miriam Williams published after the final decision in the *Budden* proceedings.<sup>23</sup> The authors note:

*The SCAR overlay seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive*

<sup>23</sup> December 2018, ISBN 978-1-98-856471-5 (PDF), pp8-9.

values, importance, relevance and interest to the communities within the locality and wider Auckland region. The overlay applies to 50 different areas of Auckland. The SCAR provisions focus on external building works, not on the use of those buildings. The SCAR seeks to retain and manage the character of traditional town centres and residential neighbourhoods by enhancing existing traditional buildings, retaining intact groups of character buildings, and designing compatible new building infill and additions that do not replicate older styles and construction methods, but reinforce the predominant streetscape character.

The SHZ and SCAR have several provisions which overlap, including the activity status for various works relating to buildings (e.g. construction, alteration, demolition, relocation), and the related standards (e.g. building height, yards, height in relation to boundary, building coverage and fences). The SCAR requires resource consent for some activities (e.g. demolition or construction of a new dwelling) that would be a permitted activity in the SHZ if it complied with the relevant standards. Some standards in the SCAR are more permissive compared to the corresponding standard in the SHZ, while others are more restrictive. The SCAR provisions provide for a larger building envelope than the SHZ (through the height in relation to boundary and front yard standards), but also requires a wider rear and side yard than the SHZ, reflecting the historical built form in some of the older residential areas of Auckland. These areas often have small narrow sites with development closer to front boundaries than what generally occurs in more recent suburbs. Each special character area has a 'character statement' summarising the particular values and qualities of that area.

There are extensive areas of SHZ in the Auckland Region, including areas of more recent development. Only part of the SHZ is also subject to the SCAR overlay. A key difference between the SCAR and SHZ is that one of the matters of discretion for the SHZ relates to managing effects on the amenity values of neighbouring sites. There is no equivalent matter of discretion for the SCAR.

52. In *Budden* the Court examined the application of AUP General rules C1.6 and C1.8(1) and how they applied to the SCA overlay relationship with the underlying zone. The rules state:

**C1.6. Overall activity status**

(1) The overall activity status of a proposal will be determined on the basis of all rules which apply to the proposal, including any rule which creates a relevant exception to other rules.

(2) Subject to Rule C1.6(4), the overall activity status of a proposal is that of the most restrictive rule which applies to the proposal.

(3) The activity status of an activity in an overlay takes precedence over the activity status of that activity in a precinct, unless otherwise specified by a rule in the precinct applying to the particular activity.

(4) Where an activity is subject to a precinct rule and the activity status of that activity in the precinct is different to the activity status in the zone or in the Auckland-wide rules, then the activity status in the precinct takes precedence over the activity status in the zone or Auckland-wide rules, whether that activity status is more or less restrictive.

### **C1.8 Assessment of restricted discretionary, discretionary and non-complying activities**

*(1) When considering an application for resource consent for an activity that is classed as a restricted discretionary, discretionary or non-complying activity, the Council will consider all relevant overlay, zone, Auckland-wide and precinct objectives and policies that apply to the activity or to the site or sites where that activity will occur.*

53. In relation to these rules, the Working Paper notes:<sup>24</sup>

*The general rule C1.6 refers to only 'activity status' and it is not explicit whether the same approach applies to standards where there are equivalent standards applying to a proposal (e.g. two 'height in relation to boundary' standards). The council had an internal practice notice that considered that the SCAR had a complete set of development standards which represent a 'replacement package' for the corresponding set of development standards in the SHZ. As a result, construction of new buildings and additions to existing buildings in the SCAR required consent as a restricted discretionary activity, with the larger building envelope provided for in the SCAR standards, and the consent assessment did not include an assessment of effects on the amenity values of neighbouring sites (which was in the SHZ provisions). The consent process considered the effects on the streetscape and character of the area, but not the full range of matters which would have been considered under the SHZ provisions if a zone standard had been infringed.*

54. A consequence of the *Budden* declaration (set out at paragraph 33 above) is that rules that provide for development within overlays, zones or Auckland-wide provisions do not prevail over (or cancel out) other rules applying to that activity in the underlying zone: all applicable rules must be considered. Furthermore, the most restrictive activity status arising from the rules must be applied to the proposal (unless a rule creates a relevant exception to other rules). As observed in the Working Paper:<sup>25</sup>

*Applying all the relevant rules means that the activity status of an activity is taken from all the relevant activity tables, and that all the applicable standards apply to an activity. Where the activity status from two relevant provisions (under an overlay and a zone) is the same, all the standards relating to the relevant rules apply. The most constraining standard will limit the application of an equivalent standard from another provision. For example, a height limit of 10m in an overlay will restrict the height of a proposed building, even though the underlying zone provides for a 15m height limit, as all relevant rules must be applied.*

*The result of the decisions is that consent applications must be considered against the provisions of both the SCAR and the SHZ. As a consequence, it appears that the SCAR provisions that are 'more enabling' than a zone provision may not function as they were intended. For example, the standard setting a relatively narrow front yard (where the adjacent dwellings are close to the street) may not be applied if the zone requires a wider front yard and is therefore a 'more restrictive' provision in determining the appropriate building envelope.*

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<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

55. The starting point for PC26 therefore is a desire ensure that more enabling SCA overlay provisions apply despite more restrictive underlying zone provisions, and that more restrictive SCA overlay provisions apply despite more enabling underlying zone provisions (such that the provisions in the SCA overlay always prevail). The issue for us to determine is whether this specification of the relationship<sup>26</sup> in the manner proposed by PC26 is appropriate. This requires an understanding of the reasons put forward by Council for its 'SCA overlay has precedence' approach.

### **The section 32 report**

56. In formulating the approach to be taken to achieving its primary purpose the s32 Report for PC26 started with three 'high-level' options:

- Option 1: Retain the status quo.
- Option 2: Amend the AUP to stipulate that SCA overlay provisions take precedence (with four sub-options identified to achieve that).
- Option 3: Undertake a wider review of the entire SCA overlay and the management of the resources it applies to.<sup>27</sup>

57. In rejecting Option 1, the s32 Report cites three disadvantages with the current position under the AUP:

- (a) It does not allow the SCA overlay to function as intended, because of "conflicts" between provisions;
- (b) These conflicts create complexity in consent assessment;
- (c) This complexity results in inefficiency.

58. As advantages of implementing its preferred Option 2, the s32 Report cites:

- (a) The removal of the "conflicts" will allow the SCA overlay to function as intended;
- (b) Greater clarity and certainty will be given to plan users, thus reducing consent requirements and assessment, and compliance costs.

59. The disadvantages of Option 1 and the advantages of Option 2 are relied on extensively in the s32 Report as the rationale for PC26. They also permeated the s42A Report and were the consistent answer given by Council officers to our questions about the basis for PC26 at the hearing. In a written response to the direct question: "Is there a problem that requires fixing?" they were again repeated.<sup>28</sup> In their Closing Statement, Council

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<sup>26</sup> s32 Report, Purpose 1.

<sup>27</sup> This option is rejected in the s32 Report on the grounds of insufficient resources to complete, delay in providing a solution to the problem identified by Council, unnecessary to achieve a simple solution and cost.

<sup>28</sup> Closing Statement, 7 August 2020.



officers further advised that:<sup>29</sup> *“the Auckland Council’s Regulatory Services team confirms that having two metrics for many standards (e.g. height in relation to boundary) is problematic. If one or more of the standards is encroached, applicants will require a restricted discretionary resource consent which may be subject to limited notification.”*

60. As the rationale for PC26 is fundamentally based on the premises of unintended outcome and perceived problems, we have found it necessary to undertake a detailed assessment of each.

*SCA overlay – what was intended?*

61. The s 32 report advises that during the AUP IHP Hearings, Council’s intention was that the SCA Residential overlay provisions would take precedence over the underlying zone provisions, in instances where both the SCA Residential overlay and the underlying zone contain a rule relating to the same issue (e.g. a height in relation to boundary control). This was because the standards differed for special character areas to reflect (and maintain) the character values that were evident in these areas. We were told that this was reflected in the Council’s closing position through the IHP Hearings process.<sup>30</sup>
62. The s32 Report lays the blame for Council’s intention not being manifested in the final recommended provisions of the AUP at the feet of the IHP. It notes that *“Council’s tailored approach was amended through the IHP recommendations, and the standards were generalised across the SCA Residential; particularly the HIRB control for example. Ultimately, there was a lack of clarity about the status of the overlay and chapter C generally, and how the corresponding underlying zone standards should apply.”*<sup>31</sup>
63. We were not directed to any report of the IHP that supported the s32 Report’s assertion that the provisions of the SCA overlay were intended to prevail over the equivalent underlying zone provisions. On the face of the AUP, overlay provisions only take precedence over precinct provisions (unless a precinct rule says otherwise) (General rule C1.6(3)). Notwithstanding the view of the s32 Report as to what the Council intended, as far as we know, the current relationship between the SCA overlay and the underlying zones represents an implicit rejection of Council’s preference and an approach, preferred by the IHP, that best integrates the objective of maintaining and enhancing special character while also maintaining and enhancing residential amenity. We note that the Council accepted the IHP’s recommendations as to the relationship between overlays and underlying zone in its 2016 decision.
64. Nor were we presented with any detailed ‘higher order’ policy analysis that supported the ‘SCA overlay takes precedence’ approach. The s32 Report confined its assessment to a summary of the objective and policies in RPS B5.3 Special character and the statement that the “largely technical nature” of the changes proposed by PC26 will not change the policy direction of the AUP or result in any inconsistencies with the RPS.<sup>32</sup>

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<sup>29</sup> Ibid, paragraph 11.

<sup>30</sup> s32 Report, pp8-9.

<sup>31</sup> Ibid.

<sup>32</sup> s32 Report, pp26-27.

While that may be true with respect to the SCA overlay provisions, the implications for the balance of the RPS or the environmental outcomes sought to be achieved in the underlying zones are not considered at all. In fact, from our review of the relevant provisions of the RPS there is no indication that the maintenance and enhancement of special character values<sup>33</sup> is to be given more weight than ensuring a high quality urban environment.<sup>34</sup> Rather, at B11.1, the RPS records:

*The objectives and policies in each section of the regional policy statement, together with these environmental results anticipated, should be read as a whole. Where resource management issues in different sections are related and overlap, those sections should also be read together so that all relevant objectives, policies and environmental results anticipated are considered in respect of each issue. In this way, the complexity of the environment and its many parts (including people, communities and ecosystems) can be assessed in an integrated way.*

65. In the result, we do not accept the assertion that in failing to adopt Council's position at the IHP hearings the AUP is somehow in error in its approach to development on land within the SCA overlay and needs rectification. On the face of it, the AUP is operating entirely as intended – with the SCA overlay and the underlying zone provisions working together in an integrated manner to achieve multiple development outcomes and aspirations. Nor do we accept that in seeking to make the SCA overlay provisions prevail over the equivalent underlying zone provisions, PC26 is fixing a failing by the AUP to comply with the requirements of s75(3)(c).
66. These findings are sufficient in our view to lead to the rejection of PC26. However, because clarity and administrative efficiency are important features of integrated management, we have decided to investigate in further detail the other implementation issues identified by the s32 Report to ascertain whether amendments are reasonably required in order to ensure the AUP is user-friendly. It may be, as well, that changes could reasonably be made to ensure that the district plan gives better effect to the RPS, if we are satisfied that the current regime of provisions is resulting in outcomes that are in conflict with the relevant provisions of that policy statement.

*Conflict, complexity, confusion, and cost?*

67. Our analysis of these supporting reasons for PC26 focuses on the SCA overlay provisions and the SHZ (as the most extensive zone underlying the SCA overlay) and has involved looking in detail at the areas where the provisions in D18 intersect with equivalent and applicable provisions in the underlying zones and considering how the Act, the General rules in the AUP, and planning caselaw inform the approach to be taken to their interpretation and application.

Purpose, objectives and policies

68. The SCA overlay seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values,

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<sup>33</sup> See B5.3(2).

<sup>34</sup> See B2.2.1(1)(a).

importance, relevance and interest to the communities within the locality and wider Auckland region.<sup>35</sup> The purpose of the SHZ is to maintain and enhance the amenity values of established residential neighbourhoods in a number of locations. The amenity values of a neighbourhood may be based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.<sup>36</sup>

69. The SCA overlay and SHZ objectives focus on these respective purposes and represent the 'statements of intent' for how development within the overlay area and SHZ will be managed. There is no obvious conflict between these provisions in our view: no objective in the SCA overlay expressly contradicts an SHZ objective, or vice versa. In fact, there is a significant degree of overlap.
70. However, as these provisions are expressed at a general level it is necessary to consider closely the resource management provisions that are tasked with achieving them: policies and methods (including rules).
71. Like their founding objectives, the SCA overlay and SHZ policies are also concerned with different tasks, albeit in relation to the same physical resources (land and buildings), and in areas that overlap.
72. Looking at the SCA overlay residential policies relating to development (D18.3(1), (2), (6) and (7)) alongside those of the SHZ (H3.3(1), (2), (3) and (4)), it is possible to imagine situations where development seeking to achieve the policies in the SCA overlay might conflict with an SHZ policy.
73. For example, where redevelopment of a site aims to achieve a streetscape focussed built form consistent with the special character values of the immediate locality, which happens to result in adverse privacy or visual dominance effects on adjoining sites. The risk of conflict arising in such scenarios would be high if the development activities in both the overlay and the zone were permitted, but subject to development standards that required different outcomes. However, the AUP avoids such potential conflict by requiring all development in the SCA overlay to obtain resource consent as a restricted discretionary (**RD**) activity,<sup>37</sup> regardless of the status of that activity in the underlying zone. This method ensures that no actual conflict can arise in practice and that the outcomes sought by the policies and objectives can be achieved on a case by case basis in the context of a resource consent application.
74. We acknowledge that such a case by case assessment approach within the framework of an RD consent application does not deliver the 'tick-box' type of certainty that users of the AUP might prefer. However, this is the approach universally adopted by the AUP

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<sup>35</sup> D18.1 Background.

<sup>36</sup> H3.1 Zone description.

<sup>37</sup> Together, the effect of s87A(3)(a) and s104C, is that when considering whether to decline a 'restricted discretionary' resource consent, or to grant the consent and impose conditions, the consent authority must consider only the matters over which it has restricted the exercise of its discretion in its plan or proposed plan.

to manage competing resource management issues in an integrated way. The appropriate process to revisit that approach is the review of the AUP, not by way of plan changes seeking piecemeal revisions to specific provisions.

### Rules

75. In the SCA overlay, development that involves external alterations or additions to an existing building,<sup>38</sup> construction of a new building, or relocation of a building onto a site<sup>39</sup> require an RD resource consent under Table D18.4.1. For the most part, those same activities are classified as permitted in the underlying zones.<sup>40</sup> On the face of it therefore there is a difference of activity status for the same activity. However, s9 states that no person may use land in a manner that contravenes a district rule unless, *inter alia*, a resource consent is obtained. This means that the district rule specifying permitted activity status for external additions and alterations and new dwellings etc in the underlying zones is effectively 'overruled' by the district rule requiring resource consent for the same activities if the site is within the SCA overlay.
76. This position is confirmed by General rule C1.6 which states that "*the overall activity status of a proposal is that of the most restrictive rule which applies to the proposal*". This means that in the case of the development activities in question (RD in the SCA overlay and permitted in the underlying zone), the RD consent status applies. There is therefore no activity status 'conflict' between the SCA overlay and the underlying zone – the activities are all wholly RD; and the matters of discretion are confined to those in D18.8.1.1(2).
77. The need for the development activity to obtain resource consent also engages General rule C1.8(1) which confirms (for the purposes of s104(1)(b)), that all relevant zone, Auckland-wide and precinct objectives and policies that apply to the activity or to the site or sites where that activity will occur will be considered. In this way, the objectives and policies of the underlying zone become matters for consideration on an RD application under the SCA overlay, even though the activity would be permitted if the site in question was not within the SCA overlay.
78. RD development activities in the SCA overlay, as well as permitted development activities in the underlying zones, are required to achieve certain "standards". AUP A1.6.6 Standards notes that permitted, controlled or RD classified activities are "*normally subject to standards*". Standards "*set limits on the extent to which an activity is permitted or may be assessed as a controlled or restricted discretionary activity*" and exceedance of a standard "*normally results in the activity being considered as a more restrictive class of activity*". For the purpose of considering any conflict between rules, the 'rule' encompasses the activity, the activity status given to it in the activity table, and any standards that apply to the activity in order for it to rely on the listed activity status. These features can be distinguished from matters for control or discretion, and

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<sup>38</sup> Table D18.4.1 Rule (A4).

<sup>39</sup> Table D18.4.1 Rule (A5).

<sup>40</sup> See for example Table H4.4.1 (A32) and (A34); Table H3.4.1 (A35) and (A36).

assessment criteria, which are provisions of the plan that are directed at the consideration of the activity upon lodgement of a resource consent application.

79. Together, Table D18.4.1 and D18.6.1 classify building works in the SCA overlay that comply with standards D18.6.1.1 to D18.6.1.7 as RD.
80. A similar method applies to activities in the SHZ. Together, Table H3.4.1 and H3.6.1 classify building works as permitted provided they “*comply with the standards listed in the column in Table H3.4.1 Activity table called Standards to be complied with*”.
81. If a development proposal in the SCA overlay does not comply with one or more of the standards listed in D18.6.1, the status of the application does not become more restrictive (i.e., discretionary or non-complying). Rather, by operation of General rule C1.9(2) the non-compliance with the standard(s) simply requires an additional RD consent, and the matters for discretion in relation to that consent requirement listed at C1.9(3) apply in addition to those set out within the SCA overlay (D18.8.2.1(4)) and the SHZ (H3.8.1(2)). In this scenario, the overall (i.e., “bundled”) activity status remains the same (RD), but the range of matters of discretion is enlarged.
82. A similar consenting framework applies when it comes to development in the underlying zones. The development activities covered by SCA overlay rules A4 and A5 are permitted provided they comply with the standards in H3.6, which cover the same building ‘metrics’ as in the SCA overlay (albeit expressed slightly differently). For a site in the SHZ not affected by the SCA overlay, where the proposed development works in this zone do not comply with one or more of the permitted activity standards, an RD consent requirement is triggered (per the operation of General rule C1.9(2)) and the matters for discretion in relation to that consent requirement listed at C1.9(3) apply in addition to those set out within the SHZ (H3.8.1(2)). In this scenario, again, the overall (i.e., “bundled”) activity status remains the same (RD), but the range of matters of discretion is enlarged.
83. As an aside, we consider it relevant to note that in the case of development proposals in the SCA overlay (as opposed to RD applications in the SHZ not subject to the SCA overlay), there is no ability for an applicant to assert a permitted baseline of adverse effect in reliance on s104(2). This is because development within the SCA overlay is not permitted and all relevant rules must be considered in determining whether the plan permits the activity for the purposes of s104(2).<sup>41</sup> It follows that the permitted activity development standards of the SHZ have no substantive effects assessment role to play for applications within the SCA overlay, although they can still be considered (if relevant) in the overall assessment of the application (s104(1)(b)(iv)).
84. The ‘conflict’ of concern described in the s32 Report is said to arise in situations where different standards in D18 and the underlying zone both apply to the same development activity. Using the SHZ as the underlying zone, we can envisage the following scenarios:

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<sup>41</sup> See for example *Panuku Development Auckland Limited v Auckland Council* [2020] NZEnvC 024, at [70].

- A** New development achieving all SCA overlay and SHZ standards. This assumes that the development does not take advantage of the more permissive SCA overlay standards and complies with the more stringent ones (and thus complies with the SHZ equivalent standards).
- B** New development using all SCA overlay standards and in doing so infringing equivalent SHZ standards.
- C** New development infringing SCA overlay standards but complying with SHZ standards.
- D** New development infringing SCA overlay standards and equivalent SHZ standards.

85. The four possible situations are shown in the following table:

|          | STANDARDS INFRINGED |                                 | ACTIVITY STATUS |              |              |
|----------|---------------------|---------------------------------|-----------------|--------------|--------------|
|          | SCA OVERLAY         | SHZ                             | SCA OVERLAY     | SHZ          | OVERALL      |
| <b>A</b> | Nil                 | Nil                             | RD              | P            | RD (C1.6(1)) |
| <b>B</b> | Nil                 | Yes – eg HIRB, Yard or Coverage | RD              | RD (C1.9(2)) | RD (C1.6(1)) |
| <b>C</b> | Yes (eg fencing)    | Nil                             | RD (C1.9(2))    | P            | RD (C1.6(1)) |
| <b>D</b> | Yes                 | Yes                             | RD (C1.9(2))    | RD (C1.9(2)) | RD (C1.6(1)) |

86. In all of the possible development scenarios involving the SCA overlay and the SHZ, a number of RD consent applications will need to be made, with the overall application status being RD.

87. Notably, compliance or not with the standards in either the SCA overlay, or the SHZ, or both, makes no difference to activity status. The only provisions which change, depending on the scenario involved, are the matters for discretion and assessment criteria, as set out in the following table:

|          | RELEVANT OBS & POLS |                                | MATTERS FOR DISCRETION         |                           | ASSESSMENT CRITERIA   |                               |
|----------|---------------------|--------------------------------|--------------------------------|---------------------------|-----------------------|-------------------------------|
|          | SCA OVERLAY         | SHZ                            | SCA OVERLAY                    | SHZ                       | SCA OVERLAY           | SHZ                           |
| <b>A</b> | D18.2<br>D18.3      | H3.2<br>H3.3<br>(Rule C1.8(1)) | D18.8.1.1(2)                   | Nil                       | D18.8.2.1(2)<br>& (3) | Nil                           |
| <b>B</b> | D18.2<br>D18.3      | H3.2<br>H3.3                   | D18.8.1.1(2)                   | H3.8.1(2)<br>&<br>C1.9(3) | D18.8.2.1(2)<br>& (3) | H3.8.2(3),<br>(4), (6)        |
| <b>C</b> | D18.2<br>D18.3      | H3.2<br>H3.3<br>(Rule C1.8(1)) | D18.8.1.1(2),<br>(3) & C1.9(3) | Nil                       | D18.8.2.1(2)<br>& (3) | Nil                           |
| <b>D</b> | D18.2<br>D18.3      | H3.2<br>H3.3                   | D18.8.1.1(2),<br>(3) & C1.9(3) | H3.8.1(2)<br>&<br>C1.9(3) | D18.8.2.1(2)<br>& (3) | H3.8.2(3),<br>(4), (6)<br>etc |

*Summary of issue and assessment*

88. Against this background it appears to us that the ‘conflict’ that PC26 is concerned with is the situation where, in the context of a wholly RD application, different standards for the same development activity in the SCA overlay and the underlying zone have to be considered. As noted, some of the applicable standards in the SCA overlay are more restrictive than their equivalent in the underlying zone, while others are more enabling. These differences are summarised in Attachment 4 to the s32 Report.
89. We accept that such a situation (different development standards for the same activity) is likely to be confusing to plan users because it is unclear which standard should be given the most weight. This in turn makes assessing the application against the building metrics comprising the standards difficult and open to debate. In this regard we acknowledge the general theme of much of the evidence we heard in support of PC26 was that clarifying the position to remove this confusion would be helpful to applicants. However, we have not been persuaded that the structural changes proposed to the AUP by PC26, specifically the “replace” and “do not apply” construct, are appropriate or necessary to address this issue. In our view, much of the confusion arises from a misunderstanding as to the role that the development standards play in the case of an activity that is classified, overall, as RD, and a failure to appreciate the role of s104C in the assessment and determination process.
90. As noted earlier, for development applications in the SCA overlay there is no “permitted baseline” under s104(2). Therefore, neither the SCA overlay nor underlying zone standards have any substantive role in the assessment of effects process; their role is limited to triggering which restrictions of discretion apply. Any difference between them therefore is inconsequential. It follows, assuming they are relevant, that for the purposes of the assessment of the application under the Act, the standards are simply “provisions of a plan” (s104(1)(b)(vi)), to which regard must be had, along with the other s104(1) matters. As the established caselaw is that the directive “must have regard to” simply requires decision-makers to give genuine attention and thought to the matters set out, but not “give effect to them”, it means that the weight to be given to the standards will vary according to the circumstances of the case.
91. It is for this reason that we respectively disagree with the authors of the Working Paper where they say: *The most constraining standard will limit the application of an equivalent standard from another provision.*<sup>42</sup> We find there to be no legal or plan interpretation basis for this conclusion. In an RD application in which both sets of standards are engaged for consideration both are prima facie relevant (as the ‘triggers’ that gave rise to the need for an RD consent), with the circumstances of the application providing the context for an assessment of weight. The complexity of this situation is overstated in our view.
92. More relevantly, s104C creates the situation whereby it is the restricted matters of discretion that are the ‘engine room’ for RD applications. With a simple RD application

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<sup>42</sup> fn 25.

(e.g., scenarios A or C above), the matters for discretion are set out in D18.8.1.1(2) and (3). No SHZ or general matters of discretion are engaged. But even when they are, (i.e., in scenarios B and D where multiple RD consents may be needed for the same proposal), there should be no cause for alarm. The matters from all relevant rules are to be read as a composite, conjunctive list of matters of discretion, including those within C1.9(3) of the AUP where one or more standards is infringed.<sup>43</sup> Any one of the matters can lawfully be used as a basis to refuse the consent, or to grant it and impose conditions. Situations could exist where, despite a proposal's compliance with the SCA overlay standards, its adverse effects on the residential amenity of a neighbouring site were significant enough to warrant refusal.

93. We have carefully reviewed the matters for discretion that would be engaged (as a composite list) in scenarios B and D, and cannot envisage a situation of conflict that would frustrate the completion of the processing of a resource consent application. We accept that there will be applications when the SCA overlay matters may seem to pull in different directions to the underlying zone matters,<sup>44</sup> but we consider that by paying "close attention" to the language, as suggested by the Supreme Court,<sup>45</sup> the solution to reconciling both will become obvious. Sustainable resource management requires effort, and the prospect of applications raising potentially competing considerations that require finely-balanced or otherwise nuanced decision-making is neither novel nor unusual.
94. Allegations of inefficiencies leading to excessive costs as a result of this complexity were another factor that Council officers relied on to support PC26, with one of the plan change's advantages stated to be the reduction in these inefficiencies and costs. However, we were provided with no probative evidence to support either proposition. No comparative cost study of "simple" non-SCA overlay, and "complex" SCA overlay applications was provided to us. We have no basis to find that the cost of obtaining a resource consent for additions or alterations, or a new building, in the SCA overlay would reduce if we amended the AUP as proposed by PC26. We accept that the Council incurred costs in the aftermath of the *Budden* decision and as a result of a 'squaring-up' process of the consents it had granted prior to that decision being released. But we do not regard those costs as relating to the stated purpose of PC26.
95. We are left therefore with only two possible reasons to amend the AUP to revisit the relationship between the SCA overlay and the underlying zone provisions: to provide clarity and make life easier for plan users; or because a change is needed to ensure the policy outcomes desired by the AUP for the SCA overlay are achieved.
96. The second of these two reasons does not provide a sound basis to change the AUP in our view. It is premised on an assumption that the current relationship is failing to maintain or enhance the special character values of special character areas. However,

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<sup>43</sup> See *Panuku Development Auckland Limited v Auckland Council* [2020] NZEnvC 024, at [149].

<sup>44</sup> A similar observation was made by the Environment Court in *Panuku Development Auckland Limited v Auckland Council* [2020] NZEnvC 024, at [68].

<sup>45</sup> *Environmental Defence Society Inc v New Zealand King Salmon Co Ltd* [2014] NZSC 38, at [129].



we are not satisfied from the evidence presented to us by Council officers and submitters that this is a significant problem throughout the SCA overlay areas. While there will always be site specific examples of architectural forms that are not favoured by those who view the world through a heritage lens, we are not in a position to 'second-guess' the assessment and consenting process of those outcomes. In the absence of evidence of widespread diminution of special character values caused by the different standards that apply between the SCA overlay and its underlying zones, there is no logical basis to recraft the provisions of the AUP in the manner proposed by Purpose 1 of PC26. Indeed, our collective experience is that in any 'contest' between the SCA overlay provisions and those of the underlying zone, the former invariably attract the greatest weight in the assessment process, because they enjoy the most specific and directive wording compared to the more general zone ones.

97. We acknowledge the s32 Report's insistence that PC26 is necessary to ensure that the SCA overlay provisions function as intended. However, we consider this to be a statement that describes the Council's mindset, rather than the reality of the AUP.
98. By the narrowest of margins though, we have decided that providing some clarity to plan users in relation to the standards is appropriate and that we should use the opportunity provided by PC26 to do that. We are not satisfied that PC26's approach of, effectively, making the SCA overlay function as a zone is appropriate (i.e., the "replace" and "do not apply" construct). In this regard, we agree with the submissions presented by counsel for Kainga Ora. The issue that we have identified does not warrant the structural change to the relationship between the SCA overlay and the underlying zones proposed by PC26. We are also concerned that making this change would have a variety of other structural and practical implications across Auckland's 'newly minted' unitary plan.
99. The alternative that we consider to be suitable to assist plan users is a simple statement inserted in D18.6. as follows:

*The following standards take precedence over the standards in the underlying zone for Building height, Height in relation to boundary, Yards, Building coverage, Maximum impervious area, Landscaped area or Landscaping, and Fences and walls.*

100. This insertion mirrors the structure and language of similar General rules in C1.6, albeit crafted to sit within D18, and acknowledges the fact that the standards in D18 are not expressed in precisely the same language as they are in the underlying zones. This statement would be relevant in all of the four consent scenarios set out above and would make it clear that in the course of considering all of the relevant standards relevant to an application under s104(1)(b)(iv), the plan is indicating that those within the SCA overlay are to be given precedence (or greater weight). But it does not go so far as to delete or set aside the underlying zone provisions (and the outcomes they envisage) and any need for consent that may be required as a result of responding to the SCA overlay on that land.

## Conclusions on s32 report – Purpose 1

101. Under s74(1)(e) we are required to “have particular regard” to the s32 Report prepared for PC26. The direction to “have regard to” means to give “material consideration”<sup>46</sup>, or “genuine attention and thought” to the matters set out.<sup>47</sup> The addition of the adjective “particular” has been said to indicate a difference in emphasis rather than one of substance (when compared to the phrase “have regard to”<sup>48</sup>), and in the case of s74(1), that the s32 evaluation report must be given a higher weighting than the other matters listed.<sup>49</sup>
102. We have undertaken a detailed review of the s32 Report prepared for PC26 (as supplemented by the additional evidence presented by Council officers at the hearing) and have concluded that the primary purpose of PC26 as proposed, to “appropriately clarify” the relationship between the SCA overlay and the underlying zones, is:
- (a) premised on a Council mindset that the AUP is not written the way sought by Council at the IHP hearings and ought to be changed to match its original intention, rather than on evidence that the relationship between the SCA overlay and the underlying zones conflicts with the IHPs recommendations;
  - (b) based on a misunderstanding as to the role and relevance of the development standards in the situation of an RD application to undertake development activities in the SCA overlay;
  - (c) is not based on any probative evidence of, inter alia, the current situation giving rise to concerns as to the integrity of the SCA overlay.
103. As drafted, we are also concerned that Purpose 1 of PC26 will result in more implementation and application issues than it claims it will solve.
104. However, we have determined that, for the benefit of plan users, a simple provision identifying that in cases of different development standards applying to the same activity, those in the SCA overlay take precedence over those in the underlying zone in terms of assessments under s104(1)(b), is appropriate.

## CONSIDERATION OF PC26 – PURPOSE 2 – OTHER AND CONSEQUENTIAL AMMENDMENTS TO AUP

105. We have considered in detail the first purpose of PC26 (to ‘appropriately specify’ the relationship between the provisions in the SCA overlay and the equivalent provisions that apply in the underlying zone) and set out our conclusions and findings above. We now turn to the various other changes proposed by PC26 to D18 and E38 that we described as falling within the ‘second purpose’.

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<sup>46</sup> *Winstone Aggregates Ltd v Papakura DC EnvC* A096/98.

<sup>47</sup> *Foodstuffs (South Island) Ltd v Christchurch CC* (1999) 5 ELRNZ 308; [1999] NZRMA 481 (HC).

<sup>48</sup> *Marlborough Ridge Ltd v Marlborough DC* [1998] NZRMA 73.

<sup>49</sup> Brookers Resource Management Commentary, A74.03.

106. Earlier we queried the relationship between the first purpose of PC26 and the second one – (b): are they linked, or stand-alone? After considering each of the changes in detail we have come to the view that some are proposed as a consequence of Council’s proposed restructuring of D18 into a de-facto zone, some are a substantive stand-alone review of the SCA overlay provisions, and the balance are grammatical or cross referencing ‘tidy-ups’ with no substantive implications.
107. By way of summary, as we have decided not to accept the structural changes proposed by PC26 to achieve its first purpose, the consequential changes to D18 are generally no longer appropriate or necessary. In relation to the other two classes of proposed change (provisions review and tidy-up), we have decided to accept some of the former, and all of the latter. We set out our analysis and findings on these aspects below.

### **Consequential changes no longer required**

#### *Purpose statements*

108. Unlike its underlying zones the D18 Standards do not include purpose statements. In the context of a resource consent application purpose statements operate as a further matter of discretion in situations where the standard they relate to is infringed, triggering an additional RD consent requirement under General rule C1.9(2). C1.9(3)(b) lists: “*the purpose (if stated) of the standard and whether that purpose will still be achieved if consent is granted*”.
109. The purpose statements proposed by PC26 to the D18.6 Standards have been crafted to effectively provide a dual purpose for the standards: one relating to the purpose of the standard in the context of the SCA overlay generally; the other to state certain, non-SCA overlay, residential amenity purposes (e.g., “*maintain a reasonable level of sunlight access to minimise visual dominance effects*”).
110. We find that there is no need for the proposed purpose statements. The matters for discretion identified for applications in the SCA overlay are myriad and we see little being gained by specifying more. Moreover, we find that the purpose statements are mostly designed as a consequential change to ensure appropriate residential amenity outcomes are still ‘in the frame’ within the Council’s proposed ‘de facto’ SCA overlay zone. As we have rejected that re-structuring proposal, it follows that the purpose statements serve no useful purpose.

#### *Matters of discretion and assessment criteria*

111. The insertion of a cross reference to the matters of discretion and assessment criteria in the underlying zone were intended in our view to ensure that relevant underlying zone considerations that are currently engaged on applications for development in the SCA overlay would continue to be engaged despite the de-coupling of the SCA overlay provisions from those of the underlying zone. These changes are no longer necessary as we have decided not to accept that part of PC26.

## Review of SCA overlay standards

### *Height in relation to boundary*

112. PC26 proposes a number of amendments to D18.6.1.2 Height in relation to boundary (**HIRB**) as follows:
- (a) Addition of a purpose statement;
  - (b) Remove its applicability to the front boundary of sites; and
  - (c) Clarifications as to how the standard will be applied in relation to:
    - corner sites
    - sites with street frontages less than 15m in length
    - rear sites
    - common wall boundaries
    - access ways
    - rights of way
    - entrance strips
    - access sites
    - pedestrian accessways
    - gable ends, dormer and roof projections.
113. We have addressed the proposed addition of purpose statements generally earlier in this decision and do not repeat our reasons for rejecting such statements again here.
114. In relation to the other proposed amendments, the s32 Report focusses its assessment exclusively on the proposal to limit use of the SCA overlay HIRB standard (3m + 45°) to sites that have a frontage of less than 15m. No assessment of any of the other proposed clarifications is provided. From the analysis of submissions in the s42A Report though, it can be discerned that the rationale for most of them is to ensure that the standard can apply as the sole applicable HIRB standard for sites in the SCA overlay, given the intention of PC26 to replace the underlying zone HIRB standard. This is why rules specifying the application of the HIRB standard for sites in the underlying zones, that are not included in D18.6.1.2, are 'imported' into the D18 standard by PC26.
115. Proposed new standards D18.6.1.2(3), (4), (5) and (6) are the simplest examples of imported provisions that fall into this category. However, it is unclear to us whether the inclusion of these additional application criteria in D18.6.1.2 is strictly necessary. This is because they already exist in the equivalent underlying zone standard and any application to rely on the SCA overlay HIRB would trigger an RD consent requirement

to infringe the equivalent underlying zone standard in any event, thereby bringing them into consideration. Equally, it might be argued that their absence from D18.6.1.2 means that they are not applicable to the application of the SCA overlay HIRB. For this reason, we find that their inclusion in D18.6.1.2 would clarify this issue and potentially avoid unnecessary disputes.

116. The three remaining qualifications to the application of the SCA overlay HIRB are potentially more substantive in their reach, however. We refer here to the exclusion of the HIRB standard from applying to rear sites, front boundaries, and sites with a frontage greater than 15m in length. Of these, the proposed change that was subjected to the most s32 assessment, raised the most submission points, and was the subject of significant evidence to us, was the last of the three.
117. In relation to the first of these three proposed additions to the standard, in response to various submissions, the s42A Report notes: *“Development on rear sites may only be partially visible to streetscapes by elevated height or through side yards of front sites so their contribution to streetscapes are minimal compared to that of development on front sites. The underlying zone version of the standard is more appropriate to rear sites as it manages the inter-site amenity effects. Furthermore, the coverage standards will be the same for front and rear sites therefore any additional bulk generated by the additional 500mm in height to the standard on front sites, would be commensurate with the Special character values of the area.”*<sup>50</sup>
118. In relation to the second exclusion, we observe that excluding application of the HIRB standard from front boundaries would serve to bring the SCA overlay HIRB standard into line with its equivalent in the underlying zones, which apply solely to side and rear boundaries.
119. Beyond these observations, and a plethora of general submissions in support and opposition, we have been left to consider these two matters with limited evidence. Accordingly, we have taken guidance from the purposes of PC26 and our other statutory obligations to reach a view as to their appropriateness. Because:
  - (a) they provide clarity to plan users as to the application of the specific SCA overlay HIRB standard;
  - (b) do not threaten the objectives and policies of the SCA overlay; and
  - (c) would operate in tandem with the HIRB standards in the underlying zones,we have decided to accept them as appropriate amendments to D18 via PC26.
120. We have reached a different outcome though with respect to the third exclusion – for sites with a frontage greater than 15m. From our review of the s32 Report and other materials provided in support, it is clear that this exclusion is considered necessary because PC26’s notified purpose is to replace the underlying zone HIRB with a bespoke

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<sup>50</sup> S42A report, p140; see also p130.

set of standards and the 3m + 45° standard is considered too general (or liberal) to apply throughout the entire SCA overlay. This concern implicitly acknowledges how the dual requirements of the underlying zone and SCA overlay HIRB standards play an important role in achieving an acceptable development outcome on a case by case basis. As we have decided not to accept the “replace” aspect of PC26, there is no need to address this concern by way of segregating sites into those that are able to rely on the 3m + 45° standard and those that are not. Both standards will continue to apply to all sites in the manner that we have discussed at length earlier in this decision.

121. Furthermore, the evidence presented by submitters persuaded us that a 15m site frontage threshold for application of the more permissive HIRB standard would be an arbitrary and blunt technique, given the range of site sizes throughout the SCA overlay. We accept that the current standard could be criticised on similar grounds; but we do not think that introducing further arbitrariness into it, revising a long-standing standard as a result, is a better or more appropriate outcome.

### *Yards*

122. PC26 does not propose amending the minimum front and side yard depths set out in Table D18.6.1.3.1, only the rear yard standard. It also proposes two specific rules to clarify where the yards do not apply (i.e., where common boundary walls exist or are proposed), and when the underlying zone yard applies. Submitters sought amendments to the depths of the front and side yards (generally to align them with the underlying zone yards), as well as the retention of the rear yard. One submitter (The Somersby Trust) also sought an increase of the depth of the rear yard where the site affected by the SCA overlay was adjacent to Cornwall Park.
123. As we have rejected that aspect of PC26 that sought to recraft the SCA overlay as a de facto zone, we do not consider it necessary to revise the existing front or side yard depths within D18. We fully expect that there will be cases where, based on historic site circumstances, or adjacent site development, front and side yard depths that do not comply with the D18.6 standards may be appropriate and better serve the objectives and policies of the SCA overlay. We find that the current situation, whereby such issues are dealt with on a case by case basis, is to be preferred to a ‘one size fits all’ approach.
124. The issue with the rear yard is somewhat more vexed. There is no dispute that the core focus of the SCA overlay is streetscape character and we have found no reference to the role of rear yards in contributing to that streetscape character in any of the Special Character Area Statements in the AUP. However, we accept that, depending on topography, landscaped rear yards may occasionally contribute to streetscape character. It is also plausible that historically, rear yard requirements contributed to the streetscape by pushing the house closer to the street frontage and provided an opportunity for larger trees to develop and open space to be retained. As was depicted in the aerial photographic studies provided to us in evidence, this has undoubtedly led to areas in the city where, absent infill housing, adjacent rear yards combine to provide a passive space and setback area on either side of the rear boundary that is likely prized by residents for its neighbourhood amenity value.

125. The s32 Report considers that the yard control “*seeks to retain the relationship of built form to the street in special character areas*”.<sup>51</sup> In response to submissions seeking retention of the 3m rear yard, the s42A Report notes that the SCA overlay: “*is concerned only with those features which contribute to the streetscape appearance of the area; or the relationship of a building with the streetscape*”.<sup>52</sup> Based on these statements, it appears incongruous that the rear yard amenity that is evident in some special character areas is maintained by a standard the focus of which is only the streetscape. However, when questioned about this the author of the s42A Report agreed that relationship of built form to open space was a part of special character.
126. We have carefully reviewed the objectives, policies, matters of discretion and assessment criteria to ascertain whether this is a simple case of a standard remaining in the SCA overlay serving a purpose that is no longer a focus of that overlay, such that it is an anomaly that ought to be removed to avoid confusion. We are not satisfied that we can make that finding. This is because we are not persuaded that ‘streetscape’ is the singular focus of the SCA overlay. Although effects on streetscape character are a specific consideration for development activities in the SCA overlay, so is consideration of special character context, as described in the applicable Special Character Area Statements. Importantly, objective D18.2(2)(c) seeks retention of the “*physical attributes that define, contribute to, or support the special character of the area*” including “*the relationship of built form to landscape qualities and/or natural features including topography, vegetation, trees, and open spaces*”. We find that the 3m rear yard setback provided for in the SCA overlay is more likely than not to play a role in achieving that objective.
127. We conclude therefore that the 3m rear yard standard in the SCA overlay is not an anomaly and should be retained. Where the circumstances of a specific proposal are such that a development outcome can be achieved that does not imperil the special character qualities of an area, despite not providing for a 3m rear yard, we expect it will be approved without demur.
128. Finally, we are satisfied that the proposed rules clarifying that the side yard does not apply where there is an existing or proposed common boundary wall, and that the underlying zone standards apply for yards not specified in the table, are appropriate and will provide clarity to plan users.

#### *Building coverage, Landscaped and Maximum paved area*

129. The s32 Report notes that standards D18.6.1.4 Building coverage, D18.6.1.5 Landscaped area and D18.6.1.6 Maximum paved area “*seek to retain the physical attributes that define, contribute and support the special character of areas, including the relationship of built form to landscape qualities and open space*”.<sup>53</sup>

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<sup>51</sup> S32 Report, p49.

<sup>52</sup> S42A Report, p163

<sup>53</sup> S32 report, p52.

130. Two substantive changes are proposed to these standards. First, for all three standards, it is proposed to include a qualification to the effect that for sites within the Rural and Coastal Settlement Zone (**RCSZ**), the SCA overlay building coverage, landscaped and maximum paved area standards do not apply. Sites in this zone would simply have to comply with standard H2.6.9 Building coverage. Second, for D18.6.1.6 it is proposed to change the standard to apply to “impervious area” (rather than “paved area”), consequentially to amend the percentages in the second column of Table D18.6.1.6.1, and to change the reference in that table from “net site area” to “site area”.
131. The reasoning for the first proposed change is that the RCSZ *“is considered to be significantly different in character to the other residential zones and it has significantly lower coverage controls due to larger lot sizes”*. Excluding application of the SCA overlay standards for these matters to the RCSZ is therefore argued as being “more appropriate”.<sup>54</sup>
132. Neither the s32 Report nor the s42A Report provide any further analysis of the ‘different character’ basis relied on to support this change. Regardless, it appears that this aspect of the changes to these standards is consequential on the s32 Report’s preferred changes being made to ensure that the D18 standards prevail over the underlying zone standards, and this is a case where the SCA standards would be more enabling than the underlying zone standards. As we have rejected that aspect of PC26, preferring to retain the current structural relationship between the SCA overlay and the underlying zones, we do not find it necessary to be concerned with this issue. It appears that an application in the RCSZ relying on the more generous SCA overlay standards for building coverage, landscaped and maximum paved area standards will require RD consent under the underlying zone for infringement of standard H2.6.9. In this way, the competing issues will be assessed in relation to the specific circumstances and context of that site. This addition to the standards in question is therefore unnecessary.
133. The reasoning in support of the other changes to standard D18.6.1.6 is also relatively lean. The s32 Report asserts that the changes will assist in either providing greater clarity or consistency with the underlying zone terminology. In analysing (and eventually rejecting) certain submissions, the s42A Report notes that all three of these standards: *“are intended to work together on individual sites to manage building bulk, impervious areas and pervious/landscaped areas. The coverage minimums and maximums in the special character overlay differ from the underlying zone versions because they need to be reflective of the traditional building bulk and locations of special character area developments. A key feature of the special character areas is that on smaller sites, there will be smaller areas of landscaping and impervious areas while buildings tend to be larger, relative to the size of site.”*
134. This analysis tends to support retention of the existing “package” of the SCA overlay building coverage, landscaped and maximum building area standards as being crafted to the circumstances of historic built development in the SCA overlay areas. While making these aspects of the standards consistent with how they are expressed in the

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<sup>54</sup> S32 report, p54.



underlying zones is no doubt a worthy objective, we are not persuaded on the evidence that these amendments are needed to ensure that the SCA overlay is functioning as intended. In the result, we prefer retaining the standards as currently drafted in the AUP with any site-specific issues to be addressed on a case by case basis.

### *Boundary fences and walls*

135. The changes proposed for the rules applying to boundary fences and walls in the SCA overlay comprise, first, an addition to Table D18.4.1 Activity table – Special Character Areas Overlay – Residential, to include ‘New fences and walls, and alterations to existing fences and walls’ as a permitted activity and, second, a standard for such fences and walls to meet. Notably, the standard represents a substantive review of the current boundary fencing and wall standard in the SCA overlay, which limits such structures on all boundaries to 1.2m in height.

136. The rationale for this change is expressed in the s32 Report as follows:<sup>55</sup>

*While inappropriate fencing can have adverse effects on the special character values of an area, the particular focus relates to walls and fences on the front boundary of a site, and side boundaries where they are adjacent to the street.*

*The application of the 1.2m height limit on all fences and walls is triggering unnecessary consent requirements. Fencing of up to 2m in height on the rear and side boundary (where it is not adjacent to the street) is not considered to adversely affect special character values, in particular the streetscape values of an area.*

137. The evidence to us at the hearing supported this aspect of PC26.<sup>56</sup> Submitters considered that the 1.2m fencing standard on every boundary in the SCA overlay was unnecessary and frustrated the ability for landowners to provide for the security of occupants and their property, contrary to s5. With the focus of the SCA overlay said to be streetscape character, a standard for fences on boundaries that were generally not visible from the street, was submitted to be anomalous and inappropriate.

138. Of all of the non-consequential yet substantive standards reviewed by PC26, the boundary fencing standard appeared to us to be the worthiest of review. No doubt the SCA overlay fencing standard served a purpose in some earlier legacy rule from which it was derived, but in our view the standard is no longer appropriate for general application to every site in the SCA overlay. It needs to be reviewed to ensure it assists in achieving the objectives and policies of the SCA overlay as well as broader AUP policies in relation to quality urban environments that enable people and communities to provide for their health and well-being.

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<sup>55</sup> S32 report, p56

<sup>56</sup> See evidence from Jeanette Heilbronn 254.2 (lay presentation on security); Philip Brown for Roman Catholic Bishop of the Diocese of Auckland 220.3 and Michael Snowden 182.3; and David Wren for Colin and Jocelyn Weatherall 96.6, John Dillon 127.7, Peter and Sarah Wren 128.7, and Peter Ng 97.6.

139. We have considered in detail the Council's proposed revisions to D18.6.1.7 and have accepted most of them. However, based on the evidence we heard, we find that a different approach to that proposed is warranted for front fences for corner sites. This is because such sites have two front boundaries presenting two façades to the adjacent streets. One of these is generally a principal façade facing the more significant of the two streets and contains the front entrance door. It has a traditional fence to the street, low and/or visually permeable, to present the house features. The other, the secondary façade, generally faces the less significant of the two streets. Consequently, we consider that when not directly in front of the principal façade, the fence or hedge may be taller, to 2.0m or so, providing privacy and security to the 'back yard' without preventing presentation of the house to the street frontage.
140. Therefore, we are satisfied that the fencing standard should be further amended to allow that type and scale of fencing on the secondary frontage, along those parts of the front boundary that are not directly in front of the house.
141. Finally, we have not acceded to the request of the Herne Bay Residents Association and others, to reinstate reference to "other structures" into the standard. Rather, we have clarified that the standard applies to 'boundary' fences and walls. Any structure proposed to be erected on the boundary that does not solely serve that purpose will be caught by other rules in D18 that will require compliance with the various other building related standards.

### **Special Purpose – Healthcare Facility and Hospital Zone**

142. This proposed change, to include a new rule in D18.6.1 specifying that the SCA overlay standards do not apply to land with an underlying Special Purpose – Healthcare Facility and Hospital Zone (**HFHZ**), was not part of PC26 when notified and nor was it evaluated in the s32 Report. Rather, the change arises from a submission by The Ascot Hospital and Clinics Limited, owner of Mercy Hospital in Epsom. The submitter sought exclusion from the SCA overlay standards on the grounds, generally, that the HFHZ was an important zone for an important purpose and thus ought not to be subject to the character and place based building standards of the SCA overlay. It appears that parts of the submitter's land is zoned HFHZ and subject to the SCA overlay, and this creates a conflict for future development of the hospital in those intersecting locations in its view.
143. Although the s42A Report for the hearing supported the relief sought in this submission (essentially adopting its reasoning), no further evaluation report as required by s32AA was included. Mr Blomfield, consultant planner representing the submitter at the hearing, provided a brief of evidence in support of the submission, but also omitted to assist us with a further evaluation report under s32AA.
144. The relief sought in the submission stops short of seeking that this specific HFHZ zone be relieved of the SCA overlay partially mapped over it. However, we are not entirely satisfied that in doing so, the submission avoids falling foul of the obligation that it must be 'on' the plan change. In effect, the submission seeks to exclude the application of the SCA overlay standards from development activities on all land zoned HFHZ

throughout Auckland, where that land is subject to the SCA overlay. PC26 as notified did not propose that the provisions of the SCA overlay be excluded from applying to any specific underlying zones: simply that the SCA overlay become a bespoke set of provisions for all of the underlying zones. No evaluation of such an exclusionary proposal was undertaken as part of the s32 evaluation of PC26, and none has been provided.

145. We have reflected on our earlier legal analysis in relation to submission scope and find that the relief sought by this submitter is not properly 'on' PC26. This is not to say that addressing the relationship between the SCA overlay and the HFHZ might not have planning merit, for all the reasons put forward by Mr Blomfield, and that this objective could be achieved in a number of ways. However, we do not consider that PC26 is the appropriate vehicle for this task, especially as it affects a zone that exists in other locations throughout the city and because we have had no evidence as to what the effects on the environment of such a proposal would be at each of these locations.
146. Even if we are wrong in that conclusion, and notwithstanding the evidence we heard, we would still not have acceded to the relief request. The premise of the submission is that there is a conflict between the SCA overlay provisions and the HFHZ provisions. We have undertaken a detailed analysis of this claim of conflict in the case of the SCA overlay and its underlying residential zones and consider that our reasoning and findings in that regard apply equally to the case of the SCA overlay and the HFHZ. In essence, a case by case assessment is required.

#### *Subdivision*

147. For the same reasons that we have set out above in relation to D18, we consider it appropriate, for the purpose of providing clarity to plan users, to include a similar rule within E38.8.2.6 Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business, specifying that on an application to subdivide, the subdivision controls in Table E38.8.2.6.1 take precedence.

#### **Drafting tidy-ups**

148. We have highlighted in our PC26 Commissioners' Decision Version the D18 drafting tidy-ups that we find to be appropriate. These changes do not affect the substantive reach of D18 or alter its relationship with the underlying zones and will assist plan users to navigate through the provisions in D18 with better clarity.

#### **OTHER STATUTORY MATTERS**

##### **Actual and potential effects of activities on the environment**

149. We have had regard to the actual and potential effects on the environment of the changes we have proposed to the rules in D18 and E38 and consider them to be appropriate and in accordance with s5(2)(c).

##### **Council's functions under s 31 of the RMA**

150. We are satisfied that the changes we have proposed to PC26 accord with and will assist the Council to carry out its functions so as to achieve the purpose of the Act,<sup>57</sup> namely those set out in s 31(1)(a) and (b).

### **Section 75(3)**

151. We are satisfied that the changes we have proposed to PC26 will ensure that the relevant provisions of the district plan (in the case, D18 and E38) will continue to “give effect to” the RPS. As the current relationship between the SCA overlay and underlying zones is assumed to “give effect to” the RPS, and we propose only to modify D18 to provide clarity for plan users without changing the current relationship in a substantive way (as was sought by PC26 as notified), we find this statutory obligation is met.

### **Scope**

152. We consider that all of the changes we have proposed to PC26 as notified are within scope (by reference to our earlier analysis).

### **Section 32AA**

153. Our detailed analysis of the s32 report and reasoning set out above comprises our s32AA assessment of the modifications we have proposed to PC26.

### **DECISION ON SUBMISSIONS**

154. For the reasons set out above we have decided to approve PC26 with the modifications shown in Schedule 1.

155. The submissions on PC26 are accepted and rejected in part in accordance with the reasons set out above. Our decision on each of the submissions made on PC26 is included in Schedule 2.



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**Commissioner K Littlejohn (Chair)**



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**Commissioner T Mackie**



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**Commissioner I Munro**

**Date: 17 December 2020**

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<sup>57</sup> *Colonial Vineyards Ltd v Marlborough DC* [2014] NZEnvC 55.

**SCHEDULE 1 – COMMISSIONERS’ REVISED PC26 PROVISIONS**

## Explanatory note

This appendix sets out the amendments to D18. Special Character Areas Overlay – Residential and Business and E38. Subdivision – Urban made by the Commissioners following their evaluation of and findings on Plan Change 26 – Clarifying the relationship Between the Special Character Areas Overlay and underlying Zone Provisions Within the Auckland Unitary Plan (Operative in part).

Amendments are shown in black text in underline and ~~striketrough~~. The use of ‘...’ indicates that there is more text, but it is not being changed.

Amendments further **highlighted** are amendments accepted by the Commissioners as ‘tidy-ups’.

## **D18. Special Character Areas Overlay – Residential and Business**

### **D18.1 Background**

The Special Character Areas Overlay – Residential and Business seeks to retain and manage the special character values of specific residential and business areas identified as having collective and cohesive values, importance, relevance and interest to the communities within the locality and wider Auckland region.

Each special character area, other than Howick, is supported by a Special character area statement identifying the key special character values of the area. Assessment of proposals for development and modifications to buildings within special character areas will be considered against the relevant policies and the special character area statements and the special character values that are identified in those statements. These values set out and identify the overall notable or distinctive aesthetic, physical and visual qualities of the area and community associations.

Standards have been placed on the use, development and demolition of buildings to manage change in these areas.

Special character areas are provided for as follows:

- (1) Special Character Areas - Business; and
- (2) Special Character Areas – Residential; and
- (3) Special Character Areas - General (both residential and business).

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential provisions will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business provisions will apply.

The following areas...

### **D18.2 Objectives**

- (1) The special character values of the area, as identified in the special character area statement are maintained and enhanced.
- (2) .....

### **D18.3 Policies**

#### *Special Character Areas Overlay - Residential*

- (1) Require all development and redevelopment to have regard and respond positively to the identified special character values and context of the area as identified in the special character area statement.
- (2)....

## D18.4 Activity table

Table D18.4.1 Activity table Special Character Areas Overlay – Residential specifies the activity status of **land use and development for** activities in the Special Character Area Overlay – Residential pursuant to section 9(3) of the Resource Management Act 1991.

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply.

Rules for network utilities and electricity generation in the Special Character Areas Overlay – Residential and Business are located in E26 Infrastructure.

**Table D18.4.1 Activity table – Special Character Areas Overlay - Residential**

| Activity           |  | Activity status |
|--------------------|--|-----------------|
| <b>Development</b> |  |                 |
| (A1)               | Restoration and repair to a building on all sites in the Special Character Areas Overlay–Residential or the Special Character Areas Overlay - General (with a residential zoning)  | P               |
| (A2)               | Minor alterations to the rear of a building on all sites in the Special Character Area Overlay – Residential or Special Character Areas Overlay - General (with a residential zoning) where works to the building use the same design and materials to the existing building   | P               |
| (A3)               | Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of wall elevations and roof areas) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within the site on: <ul style="list-style-type: none"> <li>(a) all sites in all the following Special Character Areas Overlay - Residential: <ul style="list-style-type: none"> <li>(i) Special Character Area Overlay – Residential: Isthmus A;</li> <li>(ii) Special Character Areas Overlay – Residential: Pukehana Avenue;</li> <li>(iii) Special Character Area Overlay – General: Hill Park (those sites with a residential zone); and</li> <li>(iv) Special Character Area Overlay – General: Puhoi (those sites with a residential zone); and</li> </ul> </li> <li>(b) all other sites identified as subject to demolition, removal or relocation rules as shown in the maps in the Special Character Areas Overlay Statements.</li> </ul> | RD              |



|       |   |          |
|-------|---|----------|
| (A4)  | External alterations or additions to a building on all sites in the Special Character Areas Overlay–Residential or Special Character Areas Overlay - General (with a residential zoning), <b>except as provided for by Activity (A2).</b> | RD       |
| (A5)  | Construction of a new building or relocation of a building onto a site on all sites in the Special Character Area Overlay–Residential or Special Character Areas Overlay - General (those sites with a residential zone)                  | RD       |
| (A5A) | <u>New boundary fences and walls, and alterations to existing boundary fences and walls</u>   | <u>P</u> |

Table D18.4.2 Activity table – Special Character Area – Business specifies the activity status of land use and development for activities in the Special Character Area Overlay – Business pursuant to section 9(3) of the Resource Management Act 1991.

Areas in the Special Character Areas Overlay - General may contain a mix of sites zoned residential or business. In such cases, for any site/s in a residential zone, the Special Character Areas Overlay - Residential rules in Table D18.4.1 Activity table will apply and for any site/s in a business zone, the Special Character Areas Overlay - Business rules in Table D18.4.2 Activity table will apply.

**Table D18.4.2 Activity table – Special Character Areas Overlay – Business**

| Activity   |  | Activity status |
|--|--|-----------------|
| <b>Development</b>   |  |                 |
| Special Character Areas Overlay – Business with identified character defining buildings  |  |                 |
| (A6)   | External redecoration and repair to a character defining building  | P               |
| (A7)   | ....   |                 |
| Special Character Areas Overlay – Business with no identified character defining or character supporting buildings <b>and Special Character Areas Overlay – General (with a business zoning)</b> |  |                 |
| (A8)   | External redecoration and repair of a building in the Special Character Areas Overlay – Business with no identified character defining or character-supporting buildings | P               |
| (A9)   | ....   |                 |

**D18.5 Notification**

(1) Any application for resource consent for an activity listed in Table D18.4.1 or Table D18.4.2 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

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

## D18.6 Standards

### D18.6.1 Standards for buildings in the Special Character Areas Overlay - Residential **and in the Special Character Areas Overlay – General (with a residential zoning)**

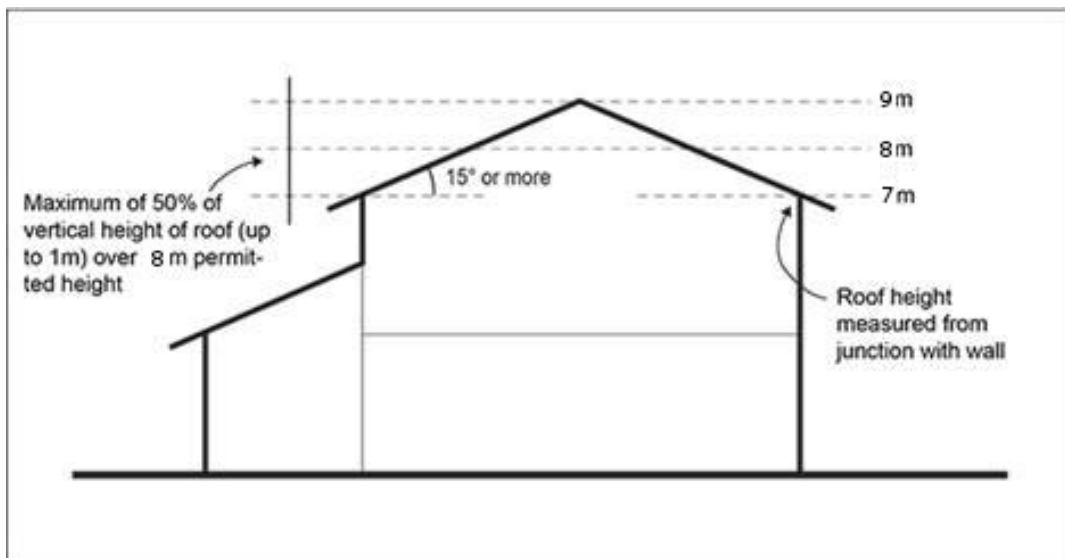
All activities listed in Table D18.4.1 Activity table – undertaken within the Special Character Areas Overlay – Residential or Special Character Areas Overlay – General (with a residential zoning), whether they are listed in Table D18.4.1 or in the underlying zone, must comply with the following standards.

The following standards take precedence over the standards in the underlying zone for Building height, Height in relation to boundary, Yards, Building coverage, Maximum impervious area, Landscaped area or Landscaping, and Fences and walls.

#### D18.6.1.1 Building height

- (1) Buildings in the Special Character Areas Overlay – Residential must not exceed 8m in height except that 50 per cent of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15 degrees or more. This is shown in Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay – Residential.

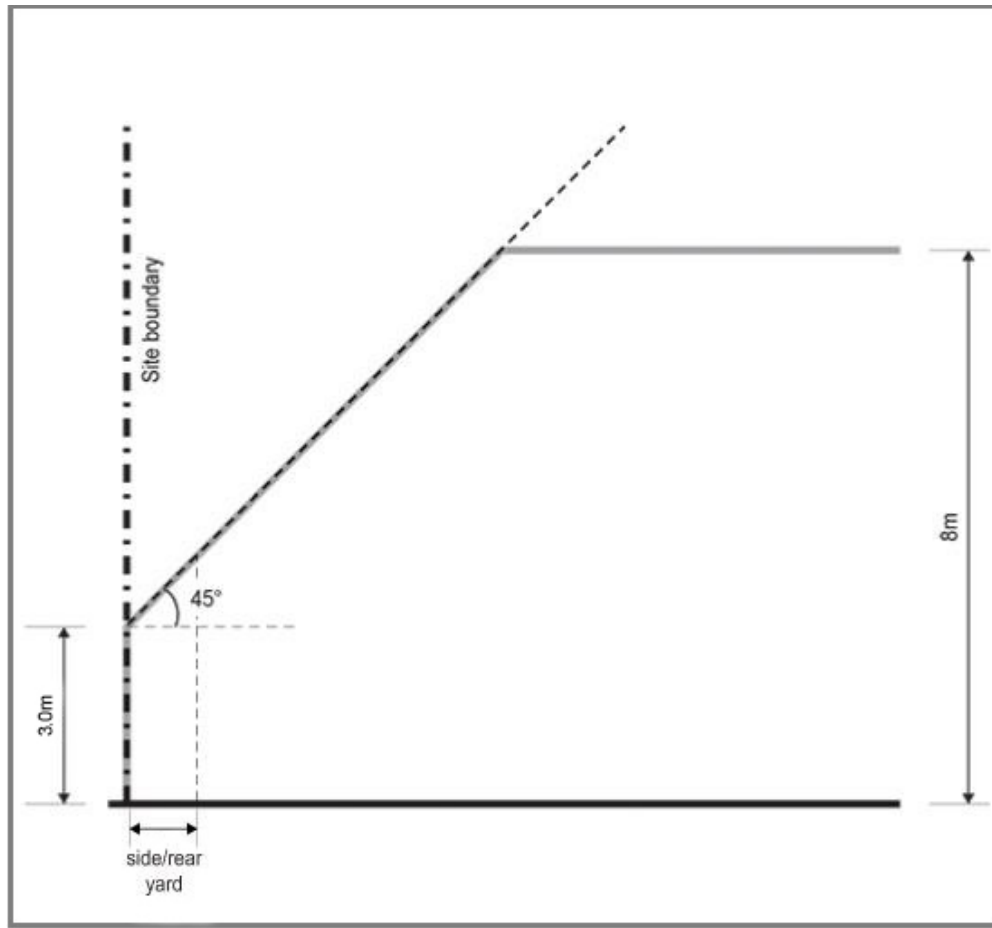
**Figure D18.6.1.1.1 Building height in the Special Character Areas Overlay - Residential**



### D18.6.1.2 Height in relation to boundary

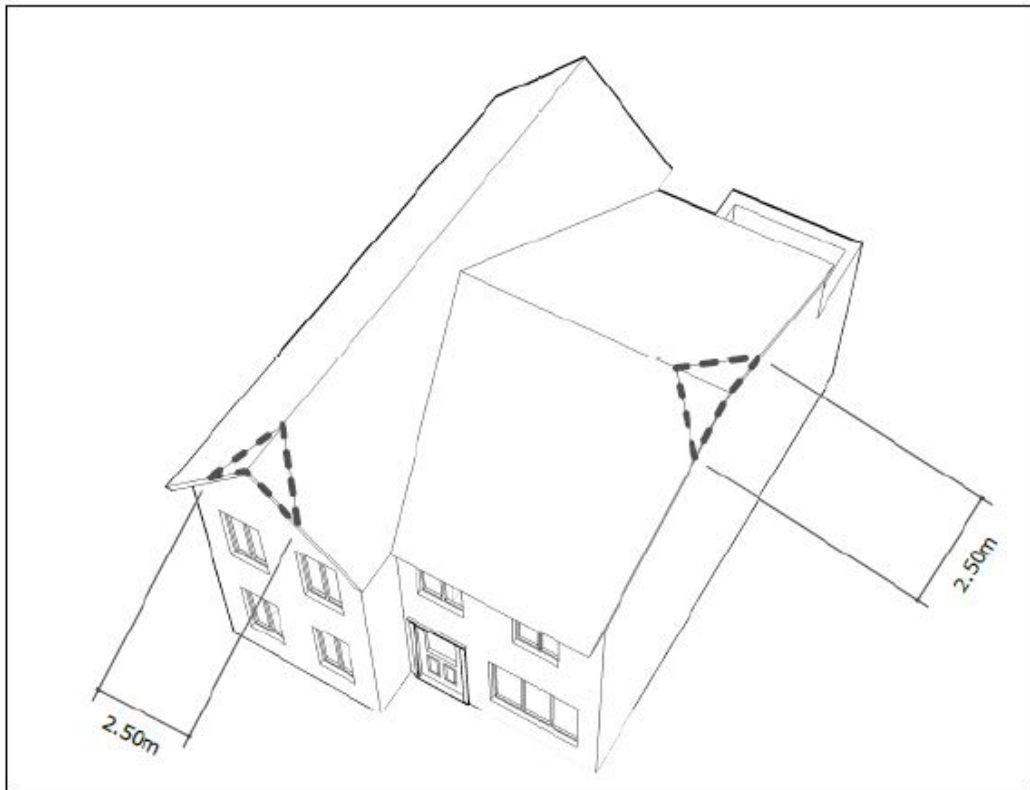
- (1) Buildings in the Special Character Areas Overlay – Residential must not project above a 45-degree recession plane measured from a point 3m above the ground level along any side and rear boundaries of the site.

**Figure D18.6.1.2.1 Height in relation to boundary**



- (2) The underlying zone height in relation to boundary standard applies where the site is a rear site.
- (3) Standard D18.6.1.2(1) above does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.
- (4) Where the boundary forms part of a legal right of way, entrance strip, or access site, Standard D18.6.1.2(1) applies from the farthest boundary of the legal right of way, entrance strip, access site or pedestrian accessway.
- (5) A gable end, dormer or roof may project beyond the recession plane where that portion beyond the recession plane is:
- (a) no greater than 1.5m<sup>2</sup> in area and no greater than 1m in height; and
  - (b) no greater than 2.5m cumulatively in length measured along the edge of the roof.

**Figure D18.6.1.2.2 Exceptions for gable ends and dormers and roof projections**



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

**D18.6.1.3 Yards**

(1) A building or parts of a building in the Special Character Overlay – Residential must be set back from the relevant boundary by the minimum depth listed in Table D18.6.1.3.1 Yards below:

**Table D18.6.1.3.1 Yards**

| Yard  | Minimum depth  |
|-------|--|
| Front | The average of existing setbacks of dwellings on adjacent sites, being the three sites on either side of the subject site or six sites on one side of the subject site |
| Side  | 1.2m   |
| Rear  | 3m   |

(2) Standard D18.6.1.3.1 does not apply to site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

(3) The underlying zone yard standards apply for all other yards not specified within Table D18.6.1.3.1.

#### **D18.6.1.4 Building coverage**

(1) The maximum building coverage for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential below:

**Table D18.6.1.4.1 Building coverage in the Special Character Areas Overlay – Residential**

| Site area                               | Building coverage                |
|---|----------------------------------|
| Up to 200m <sup>2</sup>                 | 55 per cent of the net site area |
| 200m <sup>2</sup> – 300m <sup>2</sup>   | 45 per cent of the net site area |
| 300m <sup>2</sup> – 500m <sup>2</sup>   | 40 per cent of the net site area |
| 500m <sup>2</sup> – 1,000m <sup>2</sup> | 35 per cent of the net site area |
| Greater than 1,000m <sup>2</sup>        | 25 per cent of the net site area |

#### **D18.6.1.5 Landscaped area**

(1) The minimum landscaped area for sites in the Special Character Areas Overlay – Residential is the percentage of net site area listed in Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential below:

**Table D18.6.1.5.1 Landscaped area in the Special Character Areas Overlay – Residential**

| Site area                               | Landscaped area                  |
|---|----------------------------------|
| Up to 200m <sup>2</sup>                 | 28 per cent of the net site area |
| 200m <sup>2</sup> – 500m <sup>2</sup>   | 33 per cent of the net site area |
| 500m <sup>2</sup> – 1,000m <sup>2</sup> | 40 per cent of the net site area |
| Greater than 1,000m <sup>2</sup>        | 50 per cent of the net site area |

(2) The front yard must comprise at least 50 per cent landscaped area.

### D18.6.1.6 Maximum paved area

- (1) The maximum paved area for sites in the Special Character Areas Overlay – Residential must not exceed the percentage of net site area listed in Table D18.6.1.6.1 Maximum paved area in the Special Character Areas Overlay – Residential below:

**Table D18.6.1.6.1 Maximum paved area in the Special Character Areas Overlay – Residential**

| Site area                               | Paved area                       |
|---|----------------------------------|
| Up to 200m <sup>2</sup>                 | 17 per cent of the net site area |
| 200m <sup>2</sup> – 500m <sup>2</sup>   | 20 per cent of the net site area |
| 500m <sup>2</sup> – 1,000m <sup>2</sup> | 25 per cent of the net site area |
| Greater than 1,000m <sup>2</sup>        | 25 per cent of the net site area |

### D18.6.1.7 Boundary Fences and walls and other structures

- (1) Boundary Fences and walls and other structures, or any combination of these, in the Special Character Areas Overlay - Residential must not exceed a the height specified below, measured from of 1.2m above ground level:

(a) On the front boundary or between the front façade of the house and the front boundary, 1.2m in height.

(b) On the side boundary of the front yard, or between the house and the side boundary, where the fence or wall is located forward of the front façade of the house, 1.2m in height.

(d) On any other boundary or within any other yard not described above, 2m in height.

- (2) For the purposes of this standard, the front façade of the house means the front wall of the main portion of the house facing a street, and shall exclude bay windows, verandahs, stairs, attached garages and similar projecting features.

- (3) For houses on corner sites, D18.6.1.7(1)(a) applies to the boundary adjacent to the principal façade of the house facing the more significant street and containing the front entrance door, and to the part of the secondary front boundary which is directly in front of the secondary façade. D18.6.1.7(d) applies to the remainder of the secondary front boundary, which is not directly in front of the secondary façade.

**D18.6.2 Standards for buildings in the Special Character Areas Overlay – Business and in the Special Character Areas Overlay – General (with a business zoning)**

.....

**D18.7 Assessment – controlled activities**

.....

**D18.8 Assessment – Restricted discretionary activities**

.....

**D18.9 Special information requirements**

.....

**E38. Subdivision - Urban**

**E38.1. Introduction**

Subdivision is the process of dividing a site or a building into one or more additional sites or units, or changing an existing boundary location.

Objectives, policies and rules in this section apply to subdivision in all zones except for the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone, Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural - Waitākere Foothills Zone, Rural - Waitākere Ranges Zone, Future Urban Zone, and Special Purpose – Quarry Zone which are located in E39 Subdivision – Rural.

...

**E38.8. Standards for subdivisions in residential zones**

Subdivision listed in Table E38.4.2 Subdivision in residential zones must comply with the applicable standards for the proposed subdivision in E38.6 General standards for subdivision and E38.8.1 General standards in residential zones.

...

**E38.8.2.6. Subdivision of sites identified in the Special Character Areas Overlay – Residential and Business**

- (1) Proposed sites identified in the Special Character Areas Overlay – Residential and Business must comply with the minimum net site area in Table E38.8.2.6.1 Special Character Overlay – Residential and Business subdivision controls.
- (2) Proposed sites identified in the Special Character Areas Overlay – Residential and Business that are not listed in Table E38.8.2.6.1 must comply with the relevant minimum net site area for that site's zone in Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.
- (3) The minimum net site area controls within Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls take precedence over those

within Table E38.8.2.3.1 Minimum net site area for subdivisions involving parent sites of less than 1 hectare.

**Table E38.8.2.6.1 Special Character Areas Overlay – Residential and Business subdivision controls**

| <b>Special Character Areas Overlay – Residential and Business – Sub area</b> | <b>Minimum net site area</b>  |
|--|---|
| Isthmus A  | 400m <sup>2</sup> or 500m <sup>2</sup> where the site does not comply with the shape factor |
| Isthmus B1 and B3  | 1,000m <sup>2</sup>   |
| Isthmus B2   | 600m <sup>2</sup>   |
| Isthmus C1   | 400m <sup>2</sup> or 500m <sup>2</sup> where the site does not comply with the shape factor |
| Isthmus C2   | 600m <sup>2</sup>   |
| Isthmus C2a (refer to Figure E38.8.2.6 below)                                | 1,000m <sup>2</sup> on sites identified in Figure E38.8.2.6 below                           |
| North Shore Area A*  | 450m <sup>2</sup>   |
| North Shore Area B*  | 500m <sup>2</sup>   |
| North Shore Area C*  | 600m <sup>2</sup>   |

\*The maps showing North Shore Area A, North Shore Area B, and North Shore Area C can be found in Schedule 15 Special Character Schedule, Statements and Maps.

**GIS viewer (i.e planning maps)**

**Amend the GIS viewer so that the business zoned sites within the Overlay – Residential: North Shore – Devonport and Stanly Point refer to:**

- **Special Character Areas Overlay - General**



## **SCHEDULE 2 – SPECIFIC DECISIONS ON SUBMISSIONS**

| <b>Theme 1: Submissions seeking that PC26 be accepted</b> |   |   |  |                  |
|---|---|---|--|------------------|
| <b>Sub. No.</b>   | <b>Name of Submitter</b>  | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>                             | <b>Decision</b>  |
| 2.1   | Louise Anne Malone  | Accept the plan modification  |  | Accepted in part |
| 5.1   | Camly Sun   | Accept the plan modification  |  | Accepted in part |
| 9.1   | Raymond John Turner and Robin Anne Turner                       | Accept the plan modification  |  | Accepted in part |
| 14.1  | Yanping Hu and Zhijian Li                                       | Accept the plan modification  |  | Accepted in part |
| 15.1  | Steven Colson   | Accept the plan modification with amendments  |  | Accepted in part |
| 18.1  | Tony Batterton  | Accept the plan modification  |  | Accepted in part |
| 19.1  | Zhiming Yang  | Accept the plan modification  | FS1 Zhiming Yang - Support                             | Accepted in part |
| 28.1  | Katrina King  | Accept the plan modification  |  | Accepted in part |
| 32.1  | Colin Lucas   | Accept the plan modification  |  | Accepted in part |
| 33.1  | Peter Antony Radich   | Accept the plan modification  |  | Accepted in part |
| 40.1  | Andrew Cox  | Accept the plan modification  |  | Accepted in part |
| 47.2  | Jamie Ward  | Support amendments that provide simplification, clarification and greater certainty to the current process  | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 53.1  | Gerard Robert Murphy  | Accept the proposed plan change   |  | Accepted in part |
| 54.1  | Freemans Bay Residents Association<br>David Alexander<br>Alison | Accept the proposed plan change   |  | Accepted in part |
| 55.1  | Wong Liu Shueng   | Retain the special character of Freemans Bay  |  | Accepted         |
| 58.1  | Peter Ronald Harrison   | Accept the proposed plan change   |  | Accepted in part |
| 59.1  | Wayne Alexander Edward Knight                                   | Accept the proposed plan change   |  | Accepted in part |
| 60.1  | William Andrew Tipping  | Accept the proposed plan change   |  | Accepted in part |
| 61.1  | Mary Peters   | Accept the proposed plan change   |  | Accepted in part |
| 64.1  | Ross Thorby   | Accept the proposed plan change   |  | Accepted in part |
| 65.1  | Lesley Christiansen-Yule  | Accept the proposed plan change   |  | Accepted in part |
| 66.1  | Philip Yule   | Accept the proposed plan change   |  | Accepted in part |
| 82.1  | Stephen Hudson  | Support the objective of the change in clarifying the interaction of rules relating to Special Character Area Overlay and those zoned residential |  | Accepted in part |
| 83.1  | David Roberton  | Support the objective of the change in clarifying the interaction of rules relating to Special Character Area Overlay and those zoned residential |  | Accepted in part |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions            | Decision         |
|----------|---|---|--------------------------------|------------------|
| 85.1     | Joanna Keane  | Accept the proposed plan change   |                                | Accepted in part |
| 87.1     | Maria Poynter   | Accept the plan modification  |                                | Accepted in part |
| 92.1     | Jenny Granville   | Accept the proposed plan change   |                                | Accepted in part |
| 98.1     | Mary Helen Hare   | Accept the proposed plan change   |                                | Accepted in part |
| 101.1    | Keen Trusts Partnership   | Accept the plan change  |                                | Accepted in part |
| 112.1    | Peter Desmond Withell   | Accept the plan change  |                                | Accepted in part |
| 113.1    | Sheng Yun Nie   | Accept the plan change  |                                | Accepted in part |
| 116.1    | Tricia Reade  | Accept the Plan Change  |                                | Accepted in part |
| 118.1    | Joanne Riha Crowley   | Accept the plan change  |                                | Accepted in part |
| 119.1    | Melanie Abernethy   | Accept the plan change  |                                | Accepted in part |
| 120.1    | Ken Chang   | Accept the plan change  |                                | Accepted in part |
| 123.1    | V H Bull c/- Gael McKitterick 4Sight Consulting Limited   | Accept the plan change  |                                | Accepted in part |
| 125.1    | David Duncan  | Accept the plan change  |                                | Accepted in part |
| 126.1    | Graham Campbell Wall  | Accept the plan change  |                                | Accepted in part |
| 127.1    | John Dillon c/- David Wren  | Accept the plan change  | FS12 K Vernon – Oppose in part | Accepted in part |
| 135.1    | Dr Rachel Harry   | Accept the plan change  |                                | Accepted in part |
| 138.1    | Lynne Butler and Trevor Lund  | Accept the plan change  |                                | Accepted in part |
| 140.1    | Amit Sood   | Accept the plan change  |                                | Accepted in part |
| 143.1    | Nicola Campbell   | Accept the plan change  |                                | Accepted in part |
| 144.1    | Wendy Alison Harrex   | Accept the plan change  |                                | Accepted in part |
| 145.1    | Patrick Reddington and Letitia Reddington   | Accept the plan change  |                                | Accepted in part |
| 146.1    | Z Energy Limited<br>BP Oil NZ Limited<br>Mobil Oil NZ Limited<br>c/- Gael McKitterick - 4Sight Consulting Limited | Accept the plan change  |                                | Accepted in part |
| 147.1    | Annette Mason   | Support special consideration for historical character areas such as Ponsonby - important to ensure there is ongoing guidelines to retain the |                                | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>   | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>                             | <b>Decision</b>  |
|-----------------|--|--|--|------------------|
|                 |  | integrity of history into the future   |  |                  |
| 148.1           | Roger Henstock   | Accept the plan change   |  | Accepted in part |
| 163.1           | Rosemay Brown  | Accept the plan change   |  | Accepted in part |
| 167.1           | Beryl Jack   | Accept the plan change   |  | Accepted in part |
| 168.1           | Janelle Costley  | Accept the plan change   |  | Accepted in part |
| 174.1           | Kevin Bligh  | Accept the whole plan change   |  | Accepted in part |
| 185.1           | Sonya Marx   | Accept the plan modification   |  | Accepted in part |
| 187.1           | Michael Craddock   | Accept the plan change   |  | Accepted in part |
| 193.1           | Jackie Daw   | Accept the plan modification   |  | Accepted in part |
| 194.1           | Jim Donald   | Accept the plan change   |  | Accepted in part |
| 202.1           | Sue Cooper, Remuera Heritage   | Support the intention to clarify the difficulty and confusion that exists around having two sets of standards, activities and provisions applying where there is both the Special Character Areas Residential Overlay and an underlying zone | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 203.1           | Sally Hughes, Character Coalition  | Support the intention to clarify the difficulty and confusion that exists around having two sets of standards, activities and provisions applying where there is both the Special Character Areas Residential Overlay and an underlying zone | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 204.1           | Mount St Johns Residents' Group Inc c/- Catherine Peters                   | Supportive of Plan Change 26.  |  | Accepted in part |
| 210.1           | Heritage New Zealand Pouhere Taonga c/- Susan Andrews                      | Accept the plan modification   | FS12 K Vernon – Oppose in part                         | Accepted in part |
| 212.1           | Julia Foster   | Accept the plan modification   |  | Accepted in part |
| 213.1           | Grey Power Howick Pakuranga & Districts Association Inc c/- Peters Bankers | Accept the proposed Plan Change with the amendments outlined   |  | Accepted in part |
| 232.1           | Carolyn French Blaker  | Accept the plan modification   |  | Accepted in part |
| 245.1           | R & M Donaldson c/- J A Brown  | Accept the proposed plan change  |  | Accepted in part |
| 262.1           | Simon Nicolaas Peter ONNEWEER  | Accept the plan modification   |  | Accepted in part |
| 270.1           | Adele Joanne White   | Accept the proposed plan change  |  | Accepted in part |

| Sub. No. | Name of Submitter       | Summary of the Relief Sought by the Submitter | Further Submissions | Decision         |
|----------|-------------------------|---|---------------------|------------------|
| 271.1    | John Ross Spiller       | Accept the proposed plan change               |                     | Accepted in part |
| 274.1    | Sarah Elizabeth Withell | Accept the plan change                        |                     | Accepted in part |

### Theme 2: Submissions seeking that PC26 be accepted with amendments

| Sub. No. | Name of Submitter                              | Summary of the Relief Sought by the Submitter  | Further Submissions                                    | Decision         |
|----------|--|--|--|------------------|
| 17.1     | Kimberley McLean                               | Accept the plan modification with amendments   |  | Accepted in part |
| 20.1     | Amrit Jagayat                                  | Accept the plan modification with amendments   |  | Accepted in part |
| 24.1     | Steven Lloyd Francis                           | Accept the plan modification with amendments   |  | Accepted in part |
| 26.1     | Elisabeth Sullivan                             | Accept the plan modification with amendments   |  | Accepted in part |
| 35.1     | Heritage Landscapes<br>Attn : Amanda McMullin  | Accept the plan modification with amendments   |  | Accepted in part |
| 37.1     | Sheryll Diane Mitchell                         | Modify the proposed change so that it only applies to dwellings that are of special character within the affected zone | FS15 Housing New Zealand Corporation – Support in part | Rejected         |
| 43.1     | Frank William Frazer and Mary Catherine Frazer | Accept the plan modification with amendments   |  | Accepted in part |
| 44.1     | Jennifer Anne Clark                            | Accept the plan modification with amendments   |  | Accepted in part |
| 45.1     | Peter Stone                                    | Accept the plan modification with amendments   |  | Accepted in part |
| 46.1     | Vinod Vyas                                     | Accept the plan modification with amendments   |  | Accepted in part |
| 47.1     | Jamie Ward                                     | Accept the plan modification with amendments   |  | Accepted in part |
| 52.1     | Christina Chua                                 | Accept the plan modification with amendments   |  | Accepted in part |
| 57.1     | Jae Ellis                                      | Accept the plan modification with amendments   |  | Accepted in part |
| 63.1     | Teresa Lyndsay Marene Davis                    | Accept the plan modification with amendments   |  | Accepted in part |
| 71.1     | Shamal Charan                                  | Accept the plan change with amendments   |  | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>   | <b>Summary of the Relief Sought by the Submitter</b> | <b>Further Submissions</b>        | <b>Decision</b>  |
|-----------------|--|--|-----------------------------------|------------------|
| 74.1            | Dean Tony Turner   | Accept the plan modification with amendments         |                                   | Accepted in part |
| 79.1            | Janet Dickson  | Accept the plan modification with amendments         |                                   | Accepted in part |
| 84.1            | Lambert Hoogeveen  | Accept the plan modification with amendments         |                                   | Accepted in part |
| 91.1            | Raymond Johnston   | Accept the plan modification with amendments         |                                   | Accepted in part |
| 93.1            | Donald James Lyon Catherine Elizabeth Lyon and Professional Trustee Services Ltd | Accept the plan modification with amendments         |                                   | Accepted in part |
| 94.1            | Stephen A Nielsen  | Accept the plan modification with amendments         |                                   | Accepted in part |
| 96.1            | Colin and Jocelyn Weatherall<br>Attn: David Wren                                 | Accept the plan modification with amendments         | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 97.1            | Peter Ng<br>Attn: David Wren   | Accept the plan modification with amendments         | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 104.1           | Praveen Bondili  | Accept the plan change                               |                                   | Accepted in part |
| 108.1           | Gull NZ Ltd C/- Tracy Hayson, Hayson Knell Ltd                                   | Accept the plan change with amendments               |                                   | Accepted in part |
| 110.1           | KTW Systems LP<br>c/- Rachel Dimery  | Accept the plan change with amendments               |                                   | Accepted in part |
| 115.1           | David Barber   | Accept the Plan Change with amendments               |                                   | Accepted in part |
| 128.1           | Peter and Sarah Wren c/- David Wren  | Accept the plan change with amendments               | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 132.1           | Michael and Jennifer Ballantyne  | Accept the plan change with amendments               |                                   | Accepted in part |
| 137.1           | Robyn Gandell  | Accept the plan change with amendments               |                                   | Accepted in part |
| 139.1           | Anna Dales   | Accept the plan change with amendments               |                                   | Accepted in part |
| 142.1           | Somersby Trust C/- Craig Moriarity - Haines Planning Consultants Limited         | Accept the plan modification with amendments         |                                   | Accepted in part |
| 150.1           | B Dayal<br>c/- Vijay Lala - Tattico Limited                                      | Accept the plan change with amendments               | FS12 K Vernon<br>– Oppose in part | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>   | <b>Summary of the Relief Sought by the Submitter</b>              | <b>Further Submissions</b>     | <b>Decision</b>  |
|-----------------|--|---|--------------------------------|------------------|
| 155.1           | Alan Stokes  | Accept the plan change with amendments                            |                                | Accepted in part |
| 156.1           | Brent Swain  | Accept the plan change with amendments                            |                                | Accepted in part |
| 157.1           | Roy Koshy  | Accept the plan change with amendments                            |                                | Accepted in part |
| 158.1           | Robert G Felix   | Accept the plan change with amendments                            |                                | Accepted in part |
| 161.1           | Anthony Chapman  | Accept the plan change with amendments                            |                                | Accepted in part |
| 169.1           | Mary and Jonathan Mason  | Accept the plan change with amendments                            |                                | Accepted in part |
| 173.1           | John Childs c/- John Childs Consultants Limited                                | Accept the plan change with amendments                            | FS3 Colin Hardacre - Support   | Accepted in part |
| 176.1           | Margot Jane McRae  | Accept the plan modification with amendments                      |                                | Accepted in part |
| 178.1           | KCH Trust and Ifwersen Family Trust c/- Bianca Tree, Minter Ellison Rudd Watts | Accept with amendments and conditions                             | FS12 K Vernon – Oppose in part | Accepted in part |
| 180.1           | Glen Frost, Hillpark Resident's Association                                    | Accept the plan change with amendments                            |                                | Accepted in part |
| 182.1           | Michael Snowden c/- Philip Brown - Campbell Brown Planning                     | Accept the plan modification with amendments                      | FS12 K Vernon – Oppose in part | Accepted in part |
| 186.1           | Tom Ang  | Accept the plan modification with amendments                      |                                | Accepted in part |
| 190.1           | Mari Petterson   | Accept the plan modification with amendments                      |                                | Accepted in part |
| 195.1           | Sally Cooper   | Accept the plan modification with amendments                      |                                | Accepted in part |
| 196.1           | Grace Hood-Edwards   | Accept the plan modification with amendments                      |                                | Accepted in part |
| 198.1           | Naomi Maureen Forrester  | Accept the plan modification with amendments                      |                                | Accepted in part |
| 199.1           | Western Bays Community Group Inc c/- Bryan Bates                               | Accept the plan modification with amendments                      |                                | Accepted in part |
| 200.1           | Wendy Gray   | Accept the proposed plan change with amendments as outlined below |                                | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>  | <b>Summary of the Relief Sought by the Submitter</b>                                  | <b>Further Submissions</b>                         | <b>Decision</b>  |
|-----------------|---|---|--|------------------|
| 211.1           | Stephanie Jane Barnett  | Accept the plan modification with amendments  |  | Accepted in part |
| 215.1           | Catherine Linton  | Accept the proposed Plan Change with amendments as outlined                           |  | Accepted in part |
| 216.1           | Don Huse  | Support PC26 on conditions  |  | Accepted in part |
| 219.1           | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                          | Accept with amendments  | FS12 K Vernon – Oppose in part                     | Accepted in part |
| 220.1           | Roman Catholic Bishop of the Diocese of Auckland c/- Michael Campbell         | Supports the amended provisions, but seeks some amendments to the following standards | FS12 K Vernon – Oppose in part                     | Accepted in part |
| 221.1           | Auckland Grammar School (AGS) c/- Sarah Burgess                               | Accept with amendments  | FS12 K Vernon – Oppose in part                     | Accepted in part |
| 222.1           | Rachael and Jonathan Sinclair   | Accept the plan modification with amendments  | FS12 K Vernon – Oppose in part and Support in part | Accepted in part |
| 223.1           | Grant Dickson   | Accept the plan change with amendments  |  | Accepted in part |
| 226.1           | Herne Bay Residents Association Incorporated c/- Dirk Hudig and Don Mathieson | Accept the plan change with amendments  |  | Accepted in part |
| 227.1           | Eden Park Neighbours' Assoc c/- Mark Donnelly                                 | Accept the plan modification with amendments  |  | Accepted in part |
| 228.1           | The University of Auckland c/- Sarah Burgess                                  | Accept with amendments  | FS12 K Vernon – Oppose in part                     | Accepted in part |
| 229.1           | Laurence Slee   | Accept the plan modification with amendments  |  | Accepted in part |
| 230.1           | Natasha Markham   | Accept the plan modification with amendments  |  | Accepted in part |
| 231.1           | Tom Rowe  | Accept the plan change with amendments  |  | Accepted in part |
| 233.1           | Birkenhead Residents Associations   | Accept the plan change with modifications   |  | Accepted in part |
| 235.1           | Megan Reeves  | Accept the plan modification with amendments  |  | Accepted in part |
| 236.1           | Samson Corporation Ltd and Sterling Nominees Ltd                              | Accept the plan change with amendments  |  | Accepted in part |



| Sub. No. | Name of Submitter                                      | Summary of the Relief Sought by the Submitter  | Further Submissions                                | Decision         |
|----------|--|--|--|------------------|
|          | (Samson) c/- J A Brown                                 |  |  |                  |
| 238.1    | Andrew Body and Karen Paterson (Galatea) c/- J A Brown | Accept the proposed plan change with amendments  |  | Accepted in part |
| 239.1    | Marian Kohler  | Accept the proposed plan change with amendments  |  | Accepted in part |
| 240.1    | The St Mary's Bay Association Inc c/- David Abbott     | Accept the proposed plan change with amendments  | FS12 K Vernon – Oppose in part and Support in part | Accepted in part |
| 243.1    | Michael Fitzpatrick                                    | Accept the plan modification with amendments   |  | Accepted in part |
| 244.1    | Julie Raddon Raddon                                    | Accept the plan modification with amendments   |  | Accepted in part |
| 247.1    | Grey Lynn Residents Association c/- Tania Fleur Mace   | Accept the proposed plan change/variation with amendments as outlined in the submission  | FS2 BA Trusties Limited – Oppose                   | Accepted in part |
| 253.1    | Barbara Cuthbert and Michael Ashmore                   | Accept the plan modification with amendments   |  | Accepted in part |
| 256.1    | Bruce Lotter   | Accept the proposed Plan Change with the amendments  |  | Accepted in part |
| 259.1    | Matthew Stephen John Brajkovich                        | Accept the proposed Plan Change with the amendments  |  | Accepted in part |
| 260.1    | Yolande Wong   | Accept the plan modification with amendments   |  | Accepted in part |
| 261.1    | Friends of Cockle Bay Domain                           | Accept the proposed Plan Change with the amendments outlined   |  | Accepted in part |
| 266.1    | Iain Rea   | Accept the plan modification with amendments   |  | Accepted in part |
| 267.1    | Civic Trust Auckland c/- Audrey van Ryn                | Supports in principle the intention of clarifying the relationship between the Special Character Area (SCA) Overlay and the underlying Zoning provisions in so far as that may help achieve the purpose of the SCA overlay | FS15 Housing New Zealand Corporation - Support     | Accepted in part |
| 273.1    | Robin Rive   | Accept the proposed plan change with amendments  |  | Accepted in part |

| <b>Theme 3: Submissions seeking to decline PC26 if not amended</b> |  |   |  |                  |
|--|--|---|--|------------------|
| <b>Sub. No.</b>  | <b>Name of Submitter</b>                                     | <b>Summary of the Relief Sought by the Submitter</b>                  | <b>Further Submissions</b>                         | <b>Decision</b>  |
| 11.2   | Sherrie Ann Wallace  | Amend the plan change if it is not declined                           |  | Accepted in part |
| 21.1   | Martin Evans   | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 38.1   | Peter Lucas  | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 49.1   | Wing Cheuk Chan  | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 73.1   | Catherine Spencer  | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 105.1  | Neil Harnisch  | Amend the plan change if it is not declined                           |  | Accepted in part |
| 106.1  | Dougall Kraayvanger  | Amend the plan change if it is not declined                           |  | Accepted in part |
| 133.1  | Steve Gareth Lewis   | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 134.1  | Ting Kwok Cheung and Man Ngo Johnson Cheung and Suet Fan Ma  | Amend the plan change if it is not declined                           |  | Accepted in part |
| 162.1  | Kirsty Gillon, Buchanan House Trust c/- Grant Gillon         | Amend the plan change if it is not declined                           |  | Accepted in part |
| 164.1  | Alex Findlay, Expanse Ltd                                    | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 166.1  | John Andrew Silva  | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 170.1  | Joe Martin   | Amend the plan change if it is not declined                           |  | Accepted in part |
| 191.1  | Catherine Wade   | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 207.1  | South Epsom Planning Group Inc c/- Alfred Richard Bellamy    | Amend the plan change with suggested amendments if it is not declined | FS12 K Vernon – Support in part and Oppose in part | Accepted in part |
| 209.1  | John and Sarah Walker  | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 217.1  | Melissa Pearce   | Amend the plan modification if it is not declined                     |  | Accepted in part |
| 234.1  | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | Amend the plan modification if it is not declined                     |  | Accepted in part |

| Sub. No. | Name of Submitter                      | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision         |
|----------|--|--|---|------------------|
| 237.1    | Matthew Douglas Easton                 | Amend the plan change if not declined  |   | Accepted in part |
| 242.1    | Carolyn Fay Martin                     | Amend the plan modification if it is not declined  |   | Accepted in part |
| 246.1    | Nyo Ban Liong & Henny Widijanti Sawang | If the plan change is not declined, then amend it as per submission  |   | Accepted in part |
| 254.1    | Jeanette Heilbronn                     | Amend the plan modification if it is not declined  |   | Accepted in part |
| 257.2    | Housing New Zealand c/- Alex Devine    | If the Plan Change is not declined, that the proposed provisions of the Plan Change be deleted or amended to address the matters raised in this submission | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc – Oppose     | Accepted in part |
| 258.1    | Parnell Heritage Inc c/- Julie M Hill  | Amend the plan modification if it is not declined  | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Accepted in part |
| 264.1    | Debbie Holdsworth                      | Amend the plan modification if it is not declined  |   | Accepted in part |

| <b>Theme 4: Submissions seeking to decline PC26</b> |                           |   |                                    |                  |
|---|---------------------------|---|------------------------------------|------------------|
| Sub. No.  | Name of Submitter         | Summary of the Relief Sought by the Submitter | Further Submissions                | Decision         |
| 1.1   | Mei Zheng and Xiaoyu Wang | Decline the plan modification                 | FS15 Housing New Zealand - Support | Accepted in part |
| 4.1   | Eldon Roberts             | Decline the plan modification                 |                                    | Accepted in part |
| 6.1   | Neale Jackson             | Decline the plan modification                 |                                    | Accepted in part |
| 10.1  | John Mark Jones           | Decline the plan modification                 |                                    | Accepted in part |
| 11.1  | Sherrie Ann Wallace       | Oppose the plan change                        |                                    | Accepted in part |
| 12.1  | Yuan Cheng                | Decline the plan change                       |                                    | Accepted in part |
| 13.1  | Sue Elgar                 | Decline the plan modification                 |                                    | Accepted in part |
| 22.1  | Rodger Anderson           | Oppose the plan change                        |                                    | Accepted in part |
| 23.1  | Bakers Delight New        | Decline the plan modification                 |                                    | Accepted in part |

| Sub. No. | Name of Submitter                | Summary of the Relief Sought by the Submitter  | Further Submissions | Decision         |
|----------|----------------------------------|--|---------------------|------------------|
|          | Lynn Shuangqian Huang            |  |                     |                  |
| 25.1     | Johan Willem Barend van der Maas | Decline the plan modification  |                     | Accepted in part |
| 27.1     | Ross George Stanley              | Decline the plan modification  |                     | Accepted in part |
| 29.1     | Liza Roberta Clark               | Decline the plan modification  |                     | Accepted in part |
| 30.1     | Weimin Tan                       | Decline the plan modification  |                     | Accepted in part |
| 31.1     | Robert Begg                      | Decline the proposed plan change   |                     | Accepted in part |
| 34.1     | William Wu                       | Decline the plan modification  |                     | Accepted in part |
| 39.1     | Simon Angelo                     | Decline the plan modification  |                     | Accepted in part |
| 42.1     | Ui Young Byun                    | Decline the plan modification  |                     | Accepted in part |
| 48.1     | Melissa Anne Brown               | Decline the plan modification  |                     | Accepted in part |
| 48.2     | Melissa Anne Brown               | Oppose the changes to the plan as they are unclear and would severely penalise us financially in the future  |                     | Accepted in part |
| 50.1     | Dr.Ralf Schnabel                 | Decline the proposed plan change   |                     | Accepted in part |
| 51.1     | Janet Digby                      | Decline the plan modification  |                     | Accepted in part |
| 56.1     | Charles Laurence Digby           | Oppose the specific provisions identified  |                     | Accepted in part |
| 62.1     | Hui Chen                         | Decline the plan modification  |                     | Accepted in part |
| 67.1     | Brendan Christopher Kell         | Decline the plan modification  |                     | Accepted in part |
| 68.1     | Darren Pang                      | Decline the plan modification  |                     | Accepted in part |
| 69.1     | Ying Chen                        | Decline the plan modification  |                     | Accepted in part |
| 70.1     | Lyndsay and Lianne Brock         | Do not support the provisions of PC 26 as it applies to yards, building coverage, height in relation to boundary, maximum impervious area & landscaped area or landscaping |                     | Accepted in part |
| 70.9     | Lyndsay and Lianne Brock         | Request that Plan Change 26 be withdrawn and the Special Character Overlay be retained in its current form   |                     | Accepted in part |
| 72.1     | Fred Koke                        | Decline the plan modification  |                     | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>         | <b>Summary of the Relief Sought by the Submitter</b> | <b>Further Submissions</b>                             | <b>Decision</b>  |
|-----------------|----------------------------------|--|--|------------------|
| 76.1            | Dame Denise L'Estrange-Corbet    | Decline the plan modification                        |  | Accepted in part |
| 77.1            | Christopher and Louise Johnstone | Decline the plan modification                        |  | Accepted in part |
| 78.1            | Lim Che Cheung Chan              | Decline the plan modification                        |  | Accepted in part |
| 80.1            | Philip Wood                      | Decline the plan modification                        |  | Accepted in part |
| 81.1            | Nicole Helen Joyce               | Decline the plan modification                        |  | Accepted in part |
| 86.1            | Patrick Noel Joseph Griffin      | Decline the plan modification                        |  | Accepted in part |
| 89.1            | Kathy Prentice                   | Decline the plan modification                        |  | Accepted in part |
| 99.1            | Isabella Huihana Tedcastle       | Decline the proposed plan change                     |  | Accepted in part |
| 100.1           | Xiaoli Jing                      | Decline the plan modification                        |  | Accepted in part |
| 102.1           | M.Carol Scott                    | Decline the plan modification                        |  | Accepted in part |
| 107.1           | Robyn Rosemary Cameron           | Decline the plan change                              |  | Accepted in part |
| 114.1           | Graeme Cummings                  | Decline the plan change                              |  | Accepted in part |
| 117.1           | Victoria Toon                    | Decline the plan change                              |  | Accepted in part |
| 121.1           | Darcy McNicoll                   | Decline the plan modification                        |  | Accepted in part |
| 122.1           | Robyn McNicoll                   | Decline the plan modification                        |  | Accepted in part |
| 124.1           | Stephen John Mills               | Decline the Plan Change                              |  | Accepted in part |
| 130.1           | Ross William Macdonald           | Decline the plan change                              |  | Accepted in part |
| 131.1           | Alastair George McInnes Fletcher | Decline the Plan Change                              |  | Accepted in part |
| 136.1           | Kah Keng Low                     | Decline the plan change                              |  | Accepted in part |
| 141.1           | Susan and John Moody             | Decline the plan change                              |  | Accepted in part |
| 149.1           | Philip John Mayo                 | Decline the plan change                              |  | Accepted in part |
| 151.1           | Bronwyn Hayes                    | Decline the plan change                              | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>                       | <b>Summary of the Relief Sought by the Submitter</b>                  | <b>Further Submissions</b>        | <b>Decision</b>  |
|-----------------|--|---|-----------------------------------|------------------|
| 153.1           | Michael Neil Hayes                             | Decline the plan change   |                                   | Accepted in part |
| 160.1           | Helen Louise Phillips-Hill                     | Decline the plan change   |                                   | Accepted in part |
| 165.1           | Margaret Mary Neill                            | Decline the Plan Change   |                                   | Accepted in part |
| 171.1           | Linda Whitcombe<br>Devonport Heritage          | Decline the plan change   |                                   | Accepted in part |
| 172.1           | Sam and Rhonda Mojel                           | Opposed to the proposed changes to the Unitary Plan                   |                                   | Accepted in part |
| 175.1           | Coralie Ann van Camp                           | Decline the plan change   |                                   | Accepted in part |
| 177.1           | Francesca Wilson and William Porter            | Decline the plan change   |                                   | Accepted in part |
| 179.1           | Rachel Scott Wilson                            | Decline the plan change   |                                   | Accepted in part |
| 181.1           | Alison McMinn                                  | Decline the plan change   |                                   | Accepted in part |
| 183.1           | Stephanie Mary May                             | Decline the plan change   |                                   | Accepted in part |
| 188.1           | Rhys Armstrong                                 | Decline the plan change   |                                   | Accepted in part |
| 189.1           | Andrea Lee Blondel                             | Decline the plan modification   |                                   | Accepted in part |
| 192.1           | Shona Stilwell                                 | Decline the plan modification   |                                   | Accepted in part |
| 197.1           | Jennifer Ivy Helander                          | Decline the plan modification   |                                   | Accepted in part |
| 201.1           | Jesma Leigh Magill                             | Decline the plan modification   |                                   | Accepted in part |
| 205.1           | Richard Graham Poole                           | Decline the plan modification   |                                   | Accepted in part |
| 208.1           | Frank and Celia Visser,<br>Celia Visser Design | Decline the plan modification   |                                   | Accepted in part |
| 214.1           | John O'Grady<br>c/- Ashleigh O'Grady           | Decline the plan modification   |                                   | Accepted in part |
| 218.1           | Leighton Haliday                               | Oppose to proposed changes (inferred from comments but not specified) |                                   | Accepted in part |
| 224.1           | Hume Architects Ltd<br>c/ - Chris Hume         | Oppose the plan change  | FS12 K Vernon –<br>Oppose in part | Accepted in part |
| 225.1           | Dirk Hudig                                     | Decline the plan modification   |                                   | Accepted in part |

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter | Further Submissions   | Decision         |
|----------|-------------------------------------|---|---|------------------|
| 241.1    | Patricia Grinlinton                 | Decline the proposed plan change              |   | Accepted in part |
| 248.1    | Jacqui Goldingham                   | Decline the plan modification                 |   | Accepted in part |
| 251.1    | Jean Dorothy Day                    | Decline the plan modification                 |   | Accepted in part |
| 252.1    | Brendan Kell                        | Decline the plan modification                 |   | Accepted in part |
| 257.1    | Housing New Zealand c/- Alex Devine | Decline the plan change                       | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Accepted in part |
| 263.1    | Fiona Bower                         | Decline the plan modification                 |   | Accepted in part |
| 265.1    | Jennifer Anne Strange               | Decline the plan modification                 |   | Accepted in part |

#### Theme 5: Submissions on the plan change process

##### Sub-theme: Section 32 report

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter  | Further Submissions                                | Decision         |
|----------|---|--|--|------------------|
| 70.8     | Lyndsay and Lianne Brock                                  | Full assessment of the effects of the policies contained in the Plan Change  |  | Accepted         |
| 207.4    | South Epsom Planning Group Inc c/- Alfred Richard Bellamy | S.32 report not fully considered plan change against objectives and policies & proposed amendments to obs and pols | FS12 K Vernon – Support in part and Oppose in part | Accepted in part |

#### Theme 5: Submissions on the plan change process

##### Sub-theme: Existing consents

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter                                 | Further Submissions | Decision         |
|----------|-------------------|---|---------------------|------------------|
| 82.2     | Stephen Hudson    | Proper consultation with those landowners who have existing resource consents |                     | Accepted in part |
| 83.2     | David Roberton    | Proper consultation with those landowners who have existing resource consents |                     | Accepted in part |

| <b>Theme 5: Submissions on the plan change process</b> |  |  |  |                 |
|--|--|--|--|-----------------|
| <b>Sub-theme: Submission process and documentation</b> |  |  |  |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b>                             | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>                             | <b>Decision</b> |
| 159.1  | Dinah Holman   | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available |  | Accepted        |
| 159.6  | Dinah Holman   | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available |  | Accepted        |
| 186.6  | Tom Ang  | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available |  | Accepted        |
| 200.6  | Wendy Gray   | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available |  | Accepted        |
| 233.8  | Birkenhead Residents Associations                    | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available |  | Accepted        |
| 233.9  | Birkenhead Residents Associations                    | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available |  | Accepted        |
| 247.7  | Grey Lynn Residents Association c/- Tania Fleur Mace | Information associated with the plan change (and future plan changes) to be comprehensible and sufficient to adequately inform potential submitters and sufficient time be available | FS15 Housing New Zealand Corporation – Support in part | Accepted        |

| <b>Theme 6: Submissions on the SCA Overlay and Zone Relationship</b> |                                  |   |  |                  |
|--|----------------------------------|---|--|------------------|
| <b>Sub. No.</b>  | <b>Name of Submitter</b>         | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>                             | <b>Decision</b>  |
| 25.2   | Johan Willem Barend van der Maas | Oppose the change that the 'special character area' overlay prevails over corresponding other provisions in the underlying zone   | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 90.2   | Sharyn Qu                        | Council should put greater focus on the existing character of the individual houses and the immediate affected neighbours to determine which provisions of the SCA Overlay would prevail. This shouldn't be a one rule for all approach because every site and proposal are different | FS4 Sharyn Qu – Support                                | Accepted in part |
| 109.1  | Abbie Blacktopp                  | Provide further clarity, guidance and allowances are provided for properties that are not currently (and never have been) in line with the special character of the area that you (Council) are trying to preserve  | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 169.4  | Mary and Jonathan Mason          | Support that the Special Character Area Overlay should prevail over   | FS15 Housing New Zealand                               | Accepted in part |



| <b>Sub. No.</b> | <b>Name of Submitter</b>                | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>                             | <b>Decision</b>  |
|-----------------|---|---|--|------------------|
|                 |   | corresponding provisions but do not relax any of the SCAR provisions  | Corporation – Oppose                                   |                  |
| 184.1           | Denny Boothe                            | The Special Character overlay provisions should remain but be considered with all the provisions of the Single House zone provisions  |  | Accepted in part |
| 184.6           | Denny Boothe                            | Where there are corresponding provisions, such as site coverage, heights, maximum impervious areas, the most restrictive individual conditions on building should prevail in order to protect the natural and built heritage of the area and amenity values of immediate neighbours |  | Accepted in part |
| 202.6           | Sue Cooper, Remuera Heritage            | The more restrictive requirements should apply regarding rules, standards and provisions which affect these environmental factors in our communities  |  | Accepted in part |
| 202.7           | Sue Cooper, Remuera Heritage            | Do not support anything which will make special character and heritage buildings more easily able to be demolished and special character areas to be eroded   |  | Accepted         |
| 203.5           | Sally Hughes, Character Coalition       | The more restrictive requirements should apply regarding rules, standards and provisions which affect these environmental factors in our communities  |  | Accepted in part |
| 203.6           | Sally Hughes, Character Coalition       | Do not support anything which will make special character and heritage buildings more easily able to be demolished and special character areas to be eroded   |  | Accepted         |
| 214.2           | John O'Grady c/- Ashleigh O'Grady       | The current equal weighting of the special character areas and the provisions of the underlying residential zone need to be maintained with each property/development assessed on its merits.   |  | Accepted in part |
| 265.2           | Jennifer Anne Strange                   | The Special Character Areas Overlay should not prevail over the corresponding provisions of the Single House zone provisions, which should remain, and applications should consider all the provisions of both the underlying zone and the SCA overlay provisions                   |  | Accepted in part |
| 267.2           | Civic Trust Auckland c/- Audrey van Ryn | That Council specify elsewhere in the chapter, the areas in Auckland with comparative design parameters for SAR overlay and underlying Zoning (where relevant), and further include a rule that states the more restrictive standard will apply                                     | FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 272.2           | Diana Renker                            | That the heritage provisions take precedence wherever the special character area interfaces with the single house zone, at 70, 76, 80, 90 & 92 Stanley Point Road   |  | Rejected         |

### Theme 7: Submissions on the Mapping of the Special Character Area Overlay

| Sub. No. | Name of Submitter                              | Summary of the Relief Sought by the Submitter  | Further Submissions                           | Decision |
|----------|--|--|---|----------|
| 13.2     | Sue Elgar                                      | Marama Avenue and Cecil Road should remain Residential 1-Heritage- Special character   |   | Accepted |
| 14.2     | Yanping Hu and Zhijian Li                      | St Andrews Road does not have any special character  |   | Rejected |
| 15.2     | Steven Colson                                  | Retain special character for Normans Hill Road (between 26-32 Normans Hill Road)   |   | Accepted |
| 49.3     | Wing Cheuk Chan                                | Special character zone (overlay) should not be applied to 26 St Andrews Road   | FS21 Lim Che Cheung Chan – Support            | Rejected |
| 49.4     | Wing Cheuk Chan                                | 21 & 21A St Andrews Road do not have historical or special character   |   | Rejected |
| 49.5     | Wing Cheuk Chan                                | 19 & 19A and 17 7 17A St Andrews Road would not meet the minimum net site area of 600sqm   |   | Rejected |
| 49.6     | Wing Cheuk Chan                                | 22A St Andrews Road is a property that was built in the 1990's and again does not have any historical special character  | FS21 Lim Che Cheung Chan – Support            | Rejected |
| 49.8     | Wing Cheuk Chan                                | Remove the special character zone overlay from 26 St Andrews road, as existing zoning already has more than adequate provision to protect the aesthetic and physical quality of the local area | FS21 Lim Che Cheung Chan – Support            | Rejected |
| 68.5     | Darren Pang                                    | There is a necessity to reduce character protection. Defining Wairiki Road with Special Character Area Overlay was not right   |   | Rejected |
| 78.3     | Lim Che Cheung Chan                            | Special character zone (overlay) should not be applied to 26 St Andrews Road   | FS19 Wing Cheuk Chan - Support                | Rejected |
| 78.4     | Lim Che Cheung Chan                            | 21 & 21A St Andrews Road do not have historical or special character   |   | Rejected |
| 78.5     | Lim Che Cheung Chan                            | 19 & 19A and 17 7 17A St Andrews Road would not meet the minimum net site area of 66 sqm   |   | Rejected |
| 78.6     | Lim Che Cheung Chan                            | 22A St Andrews Road is a property that was built in the 1990's and again does not have any historical special character  |   | Rejected |
| 78.7     | Lim Che Cheung Chan                            | Remove the special character zone overlay from 26 St Andrews Road, as existing zoning already has more than adequate provision to protect the aesthetic and physical quality of the local area | FS19 Wing Cheuk Chan - Support                | Rejected |
| 79.4     | Janet Dickson                                  | Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan  | FS15 Housing New Zealand Corporation – Oppose | Rejected |
| 90.3     | Sharyn Qu                                      | My site (location not specified) should be removed from the overlay map  | FS4 Sharyn Qu – Support                       | Rejected |
| 93.2     | Donald James Lyon Catherine Elizabeth Lyon and | Remove Special Character Area Overlay from 42A Kitenui Avenue as the Overlay is inappropriate for this large rear site which already contains a four unit development                          |   | Rejected |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions                           | Decision   |
|----------|---|---|---|--|
|          | Professional Trustee Services Ltd                           |   |   |  |
| 95.4     | Adam and Sue Berry  | Reconsider not including Herne Bay or this part of Herne Bay into the proposed plan change 26 but keep this area as a unique part of Auckland district                                    | FS15 Housing New Zealand Corporation - Oppose | Rejected   |
| 103.1    | Rosemary McElroy  | The special character of Arney Road continue to be recognized as valuable to Auckland and that the status quo as a Character Area be retained   |   | Accepted   |
| 105.2    | Neil Harnisch   | Mapping to show extent of SCAR overlay  |   | Accepted   |
| 130.2    | Ross William Macdonald                                      | Exempt this part of Remuera Rd (182 Remuera Road) from the overlay as adjoining apartment blocks are not of Special character   |   | Rejected   |
| 133.2    | Steve Gareth Lewis  | Remove overlay from rear site   |   | Rejected   |
| 134.2    | Ting Kwok Cheung and Man Ngo Johnson Cheung and Suet Fan Ma | Remove the SCAR overlay from 56 Epsom Avenue & 90 Owens Road  |   | Rejected   |
| 143.2    | Nicola Campbell   | Would like the Special Character overlay and underlying zone provisions to also influence planning provisions, rules and regulations for future development of the HNZ Bayard St Property | FS15 Housing New Zealand Corporation - Oppose | Rejected   |
| 151.2    | Bronwyn Hayes   | Retain the SCAO in heritage suburbs   |   | Accepted   |
| 165.2    | Margaret Mary Neill   | Remove 11 Dudley Road, Mission Bay from SCAR overlay  |   | Rejected   |
| 177.2    | Francesca Wilson and William Porter                         | Remove property at 16 Dudley Road, Mission Bay from SCAR overlay  |   | Rejected   |
| 206.1    | Johnathan Hardie-Neil                                       | Oppose zoning and overlay on 53 Kelvin Road, Remuera  |   | Rejected   |
| 208.2    | Frank and Celia Visser, Celia Visser Design                 | Protect the special character of cottages on College Hill   |   | Accepted   |
| 233.6    | Birkenhead Residents Associations                           | Request that the zoning of the harbour-side of Tizard Road be included in the Special Character Overlay   |   | Accepted in part<br><br>(to the extent that some of the harbourside properties are already included in the SCAR) |
| 242.2    | Carolyn Fay Martin  | Exclude 18 Massey Avenue, Greenlane, Auckland from the Special Character overlay rules/conditions   |   | Rejected   |
| 247.6    | Grey Lynn Residents Association                             | Commit to conducting a survey of residential streets in Grey Lynn to identify additional areas that are not   | FS15 Housing New Zealand                      | Rejected   |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
|----------|--|---|---|----------|
|          | c/- Tania Fleur Mace   | currently covered by the Special Character overlay but that warrant being included. Then prepare and notify a plan change to add the overlay to these areas   | Corporation – Oppose<br>FS20 Heritage New Zealand Pouhere Taongā  |          |
| 255.1    | Tunncliffe Investment Limited and Tunncliffe Glass Family Trust<br>c/- Kenneth Tunncliffe and Esther Glass | Remove the special character overlay from 62 Onslow Avenue, Epsom   |   | Rejected |
| 257.4    | Housing New Zealand c/- Alex Devine  | Re-apply the SCA Overlay so that it applies to the geographic extent of resource values (rather than being zone specific)   | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Ltd – Oppose | Rejected |
| 257.5    | Housing New Zealand c/- Alex Devine  | Undertake a review, and re-zone the underlying land, in accordance with the maps attached to this submission or in accordance with the proximity criteria presented to the IHP (as outlined above)  | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc – Oppose | Rejected |
| 257.18   | Housing New Zealand c/- Alex Devine  | Consideration needs to be given to applying the spatial extent of the SCA Overlay not just to residential and business zones, but also to aspects of the wider 'streetscape environment' (e.g. such as roads / road reserves and open spaces) | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc – Oppose | Rejected |

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|-------------------------------------|--|---|----------|
| 257.19   | Housing New Zealand c/- Alex Devine | Undertake a full, wider review of the SCA Overlay so that it functions and operates as a 'true' overlay (to manage specifically identified resource values), rather than operating as a 'zone', or 'sub-zone' of the Single House zone | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc – Oppose | Rejected |
| 272.1    | Diana Renker                        | That the ROW portions of 70, 76, 80, 90 & 92 Stanley Point Road be included in the special character area  |   | Rejected |

| <b>Theme 8: Submissions on Howick</b> |                    |   |   |   |
|---------------------------------------|--------------------|---|---|---|
| Sub. No.                              | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions                           | Decision  |
| 79.2                                  | Janet Dickson      | Make provision to include Howick as soon as its Special Character Area Statement has been finalised to the satisfaction of the local people                   |   | Rejected  |
| 79.3                                  | Janet Dickson      | Amend Part D18.1 by removing the words "other than Howick"  |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 79.5                                  | Janet Dickson      | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                       | FS15 Housing New Zealand Corporation – Oppose | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 79.6                                  | Janet Dickson      | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                  | FS15 Housing New Zealand Corporation - Oppose | Rejected  |
| 79.7                                  | Janet Dickson      | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 187.2                                 | Michael Craddock   | Howick's lack of protection and absence of special character area overlay needs to be addressed   |   | Rejected  |
| 188.2                                 | Rhys Armstrong     | Howick needs to be classed as a special character area overlay  |   | Rejected  |
| 189.2                                 | Andrea Lee Blondel | Howick must be included in Plan Change 26   |   | Rejected  |
| 190.2                                 | Mari Pettersson    | Howick must be included in Plan Change 26   |   | Rejected  |
| 191.2                                 | Catherine Wade     | Howick must be included in PC26   |   | Rejected  |
| 193.2                                 | Jackie Daw         | Howick needs to be added to the PC 26   |   | Rejected  |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions                           | Decision  |
|----------|--|---|---|---|
| 194.2    | Jim Donald   | Plan Change 26 must include Howick,   |   | Rejected  |
| 195.2    | Sally Cooper   | That Howick, specifically the area that fully surrounds Stockade Hill, should also be included in Special Character Area overlay                              | FS15 Housing New Zealand Corporation - Oppose | Rejected  |
| 196.2    | Grace Hood-Edwards   | Include Howick and Howick Village in PC26 and grant Howick a Special Character Overlay  |   | Rejected  |
| 198.2    | Naomi Maureen Forrester  | Add Howick (to the Special Character Area overlay)  |   | Rejected  |
| 201.2    | Jesma Leigh Magill   | Howick must be included in Plan Change 26   |   | Rejected  |
| 205.2    | Richard Graham Poole   | Howick must be included in Plan Change 26   |   | Rejected  |
| 211.2    | Stephanie Jane Barnett   | Howick needs to be included as a special character area   |   | Rejected  |
| 212.2    | Julia Foster   | Include Stockade Hill in PC 26 to save the views  |   | Rejected  |
| 213.2    | Grey Power Howick Pakuranga & Districts Association Inc c/- Peters Bankers | Amend Part D18.1 by removing the words "other than Howick".   |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 213.3    | Grey Power Howick Pakuranga & Districts Association Inc c/- Peters Bankers | Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan (Howick)                                      |   | Rejected  |
| 213.4    | Grey Power Howick Pakuranga & Districts Association Inc c/- Peters Bankers | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                       |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 213.5    | Grey Power Howick Pakuranga & Districts Association Inc c/- Peters Bankers | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                  |   | Rejected  |
| 213.6    | Grey Power Howick Pakuranga & Districts Association Inc c/- Peters Bankers | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes |   | Rejected<br><br>(Note: this matter was addressed by PC34) |

| Sub. No. | Name of Submitter     | Summary of the Relief Sought by the Submitter  | Further Submissions                           | Decision  |
|----------|-----------------------|--|---|---|
| 215.2    | Catherine Linton      | Amend Part D18.1 by removing the words "other than Howick  |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 215.3    | Catherine Linton      | Expand the Special Character Area at Howick over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill.                    |   | Rejected  |
| 215.4    | Catherine Linton      | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                        |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 215.5    | Catherine Linton      | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                   |   | Rejected  |
| 215.6    | Catherine Linton      | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes  |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 217.2    | Melissa Pearce        | Add Howick to PC 26  |   | Rejected  |
| 217.3    | Melissa Pearce        | Stockade Hill should not be developed  |   | Rejected  |
| 223.2    | Grant Dickson         | Amend Part D18.1 by removing the words "other than Howick  |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 223.3    | Grant Dickson         | Expand the Special Character Area at Howick over those parts of the adjoining Mixed Housing Urban Zone in close proximity to Stockade Hill                     | FS15 Housing New Zealand Corporation - Oppose | Rejected  |
| 223.4    | Grant Dickson         | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                        |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 223.5    | Grant Dickson         | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes as per submission |   | Rejected  |
| 223.6    | Grant Dickson         | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes  |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 229.2    | Laurence Slee         | Howick should be subject to the same protections as all other special character areas  |   | Rejected  |
| 232.2    | Carolyn French Blaker | Amend Part D18.1 by removing the words "other than Howick"   |   | Rejected<br><br>(Note: this matter was addressed by PC34) |
| 232.3    | Carolyn French Blaker | Expand the Special Character notation on the Planning Maps, to include the areas of Howick identified on the plan in submission                                |   | Rejected  |
| 232.4    | Carolyn French Blaker | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted.                       |   | Rejected<br><br>(Note: this matter was addressed by PC34) |

| <b>Sub. No.</b> | <b>Name of Submitter</b>        | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b>                                       |
|-----------------|---------------------------------|--|----------------------------|---|
| 232.5           | Carolyn French Blaker           | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                   |                            | Rejected  |
| 232.6           | Carolyn French Blaker           | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes. |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 256.2           | Bruce Lotter                    | Amend Part D18.1 by removing the words "other than Howick  |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 256.3           | Bruce Lotter                    | Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan (see submission)                               |                            | Rejected  |
| 256.4           | Bruce Lotter                    | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                        |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 256.5           | Bruce Lotter                    | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                   |                            | Rejected  |
| 256.6           | Bruce Lotter                    | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes  |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 259.2           | Matthew Stephen John Brajkovich | Amend Part D18.1 by removing the words "other than Howick  |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 259.3           | Matthew Stephen John Brajkovich | Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan (see submission)                               |                            | Rejected  |
| 259.4           | Matthew Stephen John Brajkovich | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                        |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 259.5           | Matthew Stephen John Brajkovich | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                   |                            | Rejected  |
| 259.6           | Matthew Stephen John Brajkovich | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes  |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 261.2           | Friends of Cockle Bay Domain    | Amend Part D18.1 by removing the words "other than Howick  |                            | Rejected<br>(Note: this matter was addressed by PC34) |
| 261.3           | Friends of Cockle Bay Domain    | Expand the Special Character notation on the Planning Maps to include the areas identified on the attached plan (see submission)                               |                            | Rejected  |
| 261.4           | Friends of Cockle Bay Domain    | Amend the exception which states – There is no Special Character Overlay – Business: Howick. These words under Note 1 are to be deleted                        |                            | Rejected<br>(Note: this matter was addressed by PC34) |



| Sub. No. | Name of Submitter            | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision  |
|----------|------------------------------|---|---------------------|---|
| 261.5    | Friends of Cockle Bay Domain | Provide an insertion in the tables in Part D18.1 to cover the special character Area Overlay in Howick for Business and Residential purposes                  |                     | Rejected  |
| 261.6    | Friends of Cockle Bay Domain | Provide a clear description in Schedule 15 at Part 15.1.6.1 of the special character values attributable to Howick for both Business and Residential purposes |                     | Rejected<br>(Note: this matter was addressed by PC34) |
| 268.1    | Gail Russell                 | Include Howick in PC26 as a special (character) area  |                     | Rejected  |

| <b>Theme 9: Submissions on a New Zone</b> |  |   |   |          |
|---|--|---|---|----------|
| Sub. No.                                  | Name of Submitter                                | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
| 96.11                                     | Colin and Jocelyn Weatherall<br>Attn: David Wren | Give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination, especially in respect of properties currently zoned residential | FS12 K Vernon – Oppose in part<br>FS15 Housing New Zealand Corporation – Support in part<br>FS20 Heritage New Zealand Pouhere Taongā – Support<br>FS23 Remuera Heritage Inc – Support | Rejected |
| 97.11                                     | Peter Ng<br>Attn: David Wren                     | Give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination, especially in respect of properties currently zoned residential | FS12 K Vernon – Oppose in part<br>FS15 Housing New Zealand Corporation – Support in part<br>FS20 Heritage New Zealand Pouhere Taongā - Support  | Rejected |
| 127.11                                    | John Dillon<br>c/- David Wren                    | Give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination  | FS12 K Vernon – Oppose in part<br>FS20 Heritage New Zealand Pouhere Taongā - Support  | Rejected |
| 128.11                                    | Peter and Sarah Wren<br>c/- David Wren           | Give consideration to inserting the overlay as a new zone rather than continuing with the zone and overlay combination  | FS12 K Vernon – Oppose in part<br>FS20 Heritage New Zealand Pouhere Taongā - Support  | Rejected |
| 209.4                                     | John and Sarah Walker                            | Amend SCAR and make it a different zone   | FS20 Heritage New Zealand Pouhere   | Rejected |

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
|----------|-------------------------------------|---|---|----------|
|          |                                     |   | Taongā - Support  |          |
| 257.20   | Housing New Zealand c/- Alex Devine | De-couple the SCA Overlay from underlying zoning and consider likely re-zoning of the residential land which is currently impacted by the SCA Overlay consistent with Housing New Zealand's submissions put before the Independent Hearings Panel ("IHP") during the proposed Auckland Unitary Plan submissions and hearing process | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Rejected |

#### Theme 10: Submissions on the North Shore Residential 3 Zone

| Sub. No. | Name of Submitter          | Summary of the Relief Sought by the Submitter  | Further Submissions | Decision |
|----------|----------------------------|--|---------------------|----------|
| 160.2    | Helen Louise Phillips-Hill | Retain the rules and policies of the North Shore District Plan Residential 3 zone                          |                     | Rejected |
| 179.2    | Rachel Scott Wilson        | That the rules and policies of the North Shore City District Plan Residential 3 Zone be retained unchanged |                     | Rejected |
| 183.2    | Stephanie Mary May         | That the rules and policies of the North Shore City District Plan Residential 3 Zone be retained unchanged |                     | Rejected |
| 192.2    | Shona Stilwell             | That the rules and policies of the North Shore City District Plan Residential 3 Zone be retained unchanged |                     | Rejected |

#### Theme 11: Submissions on General Zoning Matters

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|-------------------------------------|--|---|----------|
| 19.2     | Zhiming Yang                        | Change the zoning of 89 King George Avenue to Mixed Housing Suburban   | FS2 Zhiming Yang – Support  | Rejected |
| 20.2     | Amrit Jagayat                       | Change zoning of 22 Hill Road, Hill Park to Mixed Housing Suburban or allow multiple lot subdivision   |   | Rejected |
| 100.2    | Xiaoli Jing                         | Change the zoning (of 130 Balmoral Road, Mt Eden) to Mixed Housing Urban and remove special character overlay to enable subdivision  |   | Rejected |
| 257.21   | Housing New Zealand c/- Alex Devine | The underlying residentially zoned land should be re-zoned, consistent with the best practice re-zoning principles which Housing New Zealand's planning experts presented to the IHP during the Topic 080 and 081 hearings or in accordance with the proposed re-zoning maps which were presented to the IHP, on behalf of Housing New Zealand, during Hearing Topic 081 | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Rejected |

| <b>Theme 12: Submissions on D18.1 Background</b> |                          |   |                                 |                  |
|--|--------------------------|---|---------------------------------|------------------|
| <b>Sub. No.</b>                                  | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>      | <b>Decision</b>  |
| 170.2  | Joe Martin               | 170.2 Amend D18.1 - Background so that business zoned sites within the Overlay – Residential : North Shore – Devonport and Stanley Point are treated in the same manner as in the 'General' overlay | FS14 Hayson Knell Ltd – Support | Accepted in part |
| 170.3  | Joe Martin               | 170.3 Amend D18.1 Background by adding text 'General and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point'   | FS14 Hayson Knell Ltd - Support | Accepted in part |

| <b>Theme 13: Submissions on D18.2 &amp; D18.3 Objectives and Policies</b> |                                     |  |                            |                  |
|---|-------------------------------------|--|----------------------------|------------------|
| <b>Sub. No.</b>   | <b>Name of Submitter</b>            | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b>  |
| 110.4   | KTW Systems LP<br>c/- Rachel Dimery | Either include relevant objectives and policies in the overlay to address broader amenity values and other effects; or clarify that the objectives and policies of the underlying zone apply in addition to those in the Special Character Areas Overlay |                            | Accepted in part |

| <b>Theme 14: Submissions on D18.4 Activity Table</b> |  |   |                                |                  |
|--|--|---|--------------------------------|------------------|
| <b>Sub-theme: Support for Changes</b>                |  |   |                                |                  |
| <b>Sub. No.</b>                                      | <b>Name of Submitter</b>   | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>     | <b>Decision</b>  |
| 123.2  | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited   | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18 Activity Table (Explanation) |                                | Accepted in part |
| 146.2  | Z Energy Limited<br>BP Oil NZ Limited<br>Mobil Oil NZ Limited<br>c/- Gael McKitterick -<br>4Sight Consulting Limited | Adopt the amendments to standard D18 Activity Table (Explanation) as notified   |                                | Accepted in part |
| 224.2  | Hume Architects Ltd c/ - Chris Hume  | Supports changes clarification of activity status in activity table D18.4.1   | FS12 K Vernon – Oppose in part | Accepted in part |

| <b>Theme 14: Submissions on D18.4 Activity Table</b> |                                     |  |   |                  |
|--|-------------------------------------|--|---|------------------|
| <b>Sub-theme: Oppose changes</b>                     |                                     |  |   |                  |
| <b>Sub. No.</b>                                      | <b>Name of Submitter</b>            | <b>Summary of the Relief Sought by the Submitter</b>             | <b>Further Submissions</b>  | <b>Decision</b>  |
| 257.9  | Housing New Zealand c/- Alex Devine | Oppose the new text in the introduction to Activity Table D.18.4 | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc – Oppose | Accepted in part |

| <b>Theme 14: Submissions on D18.4 Activity Table</b>              |                          |  |                                  |                  |
|---|--------------------------|--|----------------------------------|------------------|
| <b>Sub-theme: D18.4 Activity table – 1<sup>st</sup> Paragraph</b> |                          |  |                                  |                  |
| <b>Sub. No.</b>   | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>       | <b>Decision</b>  |
| 249.1   | Keith Vernon             | D18.4 Activity Table - Retain the wording “..land use and..” in the first paragraph and amend the activity Table to ensure the following activities that are permitted in the underlying zone (based on the Single House zone “SHZ”) are a Discretionary activity within the SCA overlay - Residential (A4, A10, A12, A14), Commerce (A19), Community (A21, A27) & Rural (A30) | FS2 BA Trusties Limited - Oppose | Accepted in part |

| <b>Theme 14: Submissions on D18.4 Activity Table</b>  |  |   |   |                 |
|---|--|---|---|-----------------|
| <b>Sub-theme: D18.4 Activity table – 2<sup>nd</sup> Paragraph “Takes Precedence v Replaces”</b> |  |   |   |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>                         | <b>Summary of the Relief Sought by the Submitter</b>                              | <b>Further Submissions</b>  | <b>Decision</b> |
| 96.2  | Colin and Jocelyn Weatherall<br>Attn: David Wren | Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support | Rejected        |

|       |  |  |  |          |
|-------|--|--|--|----------|
|       |  |  | FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea – support   |          |
| 97.2  | Peter Ng<br>Attn: David Wren           | Replace the words "takes precedence over" with "replaces" in D18.4 Activity Table                          |  | Rejected |
| 110.6 | KTW Systems LP<br>c/- Rachel Dimery    | Amend the wording of preamble to Activity Table D18.4 (second paragraph) in accordance with the submission | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea – Support<br>FS23 Remuera Heritage Inc - Support | Rejected |
| 127.2 | John Dillon<br>c/- David Wren          | Amend D18.4 Activity table by amending the clause 'take precedence' to 'replace'                           | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea - support      | Rejected |
| 128.2 | Peter and Sarah Wren<br>c/- David Wren | Amend D18.4 Activity table by amending the clause 'take precedence' to 'replace'                           | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea - support      | Rejected |
| 150.2 | B Dayal<br>c/- Vijay Lala -            | Amend preamble to activity table - change wording as per submission  | FS12 K Vernon – Oppose in part   | Rejected |

|  |                 |  |   |  |
|--|-----------------|--|---|--|
|  | Tattico Limited |  | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea - support |  |
|--|-----------------|--|---|--|

**Theme 14: Submissions on D18.4 Activity Table**  
**Sub-theme: Activity Status Legend**

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter                                       | Further Submissions | Decision   |
|----------|-------------------|---|---------------------|--|
| 105.3    | Neil Harnisch     | Add Activity status legend to explain the significance of the letters "P", "RD" etc |                     | Accepted in part (There is already a legend in the Unitary Plan) |

**Theme 14: Submissions on D18.4 Activity Table**  
**Sub-theme: Table D 18.4 – 3rd Paragraph**

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter                       | Further Submissions | Decision |
|----------|-------------------------------------|---|---------------------|----------|
| 110.7    | KTW Systems LP<br>c/- Rachel Dimery | Retain the third paragraph under the heading D18.4 - Activity table |                     | Rejected |

**Theme 14: Submissions on D18.4 Activity Table**  
**Sub-theme: Table D 18.4 Activity A1 Restoration and Repair**

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision |
|----------|-------------------|---|---------------------|----------|
| 94.2     | Stephen A Nielsen | Modify D18.4.1(A1) to say "Restoration and repair (including re-cladding) to a building on all sites in the Special Character Areas Overlay is a permitted activity |                     | Rejected |

**Theme 14: Submissions on D18.4 Activity Table**  
**Sub-theme: Table D 18.4 Activity A2 – Additions and Alterations**

| Sub. No. | Name of Submitter                           | Summary of the Relief Sought by the Submitter  | Further Submissions            | Decision |
|----------|---|--|--------------------------------|----------|
| 150.3    | B Dayal<br>c/- Vijay Lala - Tattico Limited | Amend additions and alterations in D18.4.1 - Activity table - change wording to A2 as per submission:<br><del>Minor</del> Additions and alterations to the rear of a building on all sites in the Special Character Area Overlay – Residential or Special Character Areas Overlay - General (with a residential zoning) <del>where</del> | FS12 K Vernon – Oppose in part | Rejected |

|       |                                     |   |                                |          |
|-------|-------------------------------------|---|--------------------------------|----------|
|       |                                     | <del>works to the building use the same design and materials to the existing building</del>   |                                |          |
| 224.3 | Hume Architects Ltd c/ - Chris Hume | Requests clarification of 'Minor' alterations require definition note 'redecorated' is noted in Special Character Area Business but not defined | FS12 K Vernon – Oppose in part | Rejected |

**Theme 14: Submissions on D18.4 Activity Table**  
**Sub-theme: Table D 18.4 Activity A3 – Demolition**

| Sub. No. | Name of Submitter                                    | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|--|--|---|----------|
| 150.4    | B Dayal c/- Vijay Lala - Tattico Limited             | Amend demolition controls in D18.4.1 - Activity table - change wording as per submission:<br><br>Total demolition or substantial demolition (exceeding 30 per cent or more, by area, of <del>front and side</del> wall elevations <del>and roof areas</del> ) of a building, or the removal of a building (excluding accessory buildings), or the relocation of a building within the site on: (a) ... | FS12 K Vernon – Oppose in part  | Rejected |
| 157.6    | Roy Koshy  | Additional/Alternation and up to 40% demolition is suggested to be a permitted activity  |   | Rejected |
| 157.7    | Roy Koshy  | If the house is damaged and unable to restored to its former glory shall be permitted to be demolished   |   | Rejected |
| 247.2    | Grey Lynn Residents Association c/- Tania Fleur Mace | Tighten the rules relating to demolition within the Special Character overlay and ensure that decision making is robust and includes people with the relevant expertise  | FS2 BA Trusties Limited – Oppose<br>FS15 Housing New Zealand Corporation - Oppose | Rejected |

**Theme 14: Submissions on D18.4 Activity Table**  
**Sub-theme: Table D 18.4 Activity A4 - External Alterations and Additions**

| Sub. No. | Name of Submitter                        | Summary of the Relief Sought by the Submitter  | Further Submissions  | Decision |
|----------|--|--|--|----------|
| 150.5    | B Dayal c/- Vijay Lala - Tattico Limited | Amend additions and alterations in D18.4.1 - Activity table - change wording to A4 as per submission:<br>External alterations or additions to a building on all sites in the Special Character Areas Overlay– Residential or Special Character Areas Overlay - General (with a residential zoning), <u>except as provided for by Standard D18.4.1(A2).</u> | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support<br>FS12 K Vernon – Oppose in part | Accepted |

| <b>Theme 14: Submissions on D18.4 Activity Table</b>                         |  |   |                                |                  |
|--|--|---|--------------------------------|------------------|
| <b>Sub-theme: Table D 18.4 Activity A5A &amp; A5B (new fences and walls)</b> |  |   |                                |                  |
| <b>Sub. No.</b>  | <b>Name of Submitter</b>                                   | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>     | <b>Decision</b>  |
| 110.8  | KTW Systems LP<br>c/- Rachel Dimery                        | Amend Activity Table (A5A) by deleting reference to compliance with Standard D18.6.1.7(1)   |                                | Accepted         |
| 110.9  | KTW Systems LP<br>c/- Rachel Dimery                        | Amend Activity Table (A5B) by deleting A5B in its entirety  |                                | Accepted         |
| 123.3  | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to Table D18.4.1 Activity table   |                                | Accepted in part |
| 221.2  | Auckland Grammar School (AGS) c/- Sarah Burgess            | Supports the proposed inclusion of the activity statuses - (A5A) and (A5B) (Activity statuses – fencing) in Table D18.4.1   | FS12 K Vernon – Oppose in part | Accepted in part |
| 224.4  | Hume Architects Ltd c/ - Chris Hume                        | Opposes A5a & A5b fences and walls  | FS12 K Vernon – Oppose in part | Accepted in part |
| 249.2  | Keith Vernon   | Table D18.4.1 - support the proposed addition of activities (A5A) and (A5B) subject to proposed amendments to standard D18.6.7(1) and changing the description to "Front, side and rear fences and walls" |                                | Accepted in part |

| <b>Theme 14: Submissions on D18.4 Activity Table</b>                      |                                     |  |                                |                 |
|---|-------------------------------------|--|--------------------------------|-----------------|
| <b>Sub-theme: Table D 18.4 Activity A6 &amp; A8 External Redecoration</b> |                                     |  |                                |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>            | <b>Summary of the Relief Sought by the Submitter</b>             | <b>Further Submissions</b>     | <b>Decision</b> |
| 224.5   | Hume Architects Ltd c/ - Chris Hume | Clarification required for (A6) & (A8) - 'External redecoration' | FS12 K Vernon – Oppose in part | Rejected        |

| <b>Theme 14: Submissions on D18.4 Activity Table</b>                                  |                          |  |                                 |                  |
|---|--------------------------|--|---------------------------------|------------------|
| <b>Sub-theme: D18.4.2 Activity Table – Special Character Areas Overlay – Business</b> |                          |  |                                 |                  |
| <b>Sub. No.</b>   | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>      | <b>Decision</b>  |
| 170.4   | Joe Martin               | Amend D18.4.2 - Activity table (Introduction) by adding text 'General and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point' | FS14 Hayson Knell Ltd - Support | Accepted in part |
| 170.5   | Joe Martin               | Amend D18.4.2 Activity table by adding text ' and Special Character Areas Overlay – Residential: North Shore – Devonport and Stanley Point'                          | FS14 Hayson Knell Ltd – Support | Accepted in part |



**Theme 15: Submissions on the Resource Consent Process (D18.5 Notification)**  
**Sub-theme: Notification of neighbours**

| <b>Sub. No.</b> | <b>Name of Submitter</b>          | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b> |
|-----------------|-----------------------------------|--|---|-----------------|
| 88.5            | Passion Fruit Trust               | All neighbours in special character areas to be notified when there is development proposed on their boundary  | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall – Oppose<br>FS15 Housing New Zealand Corporation - Oppose                                  | Rejected        |
| 175.3           | Coralie Ann van Camp              | Oppose a change in the rules for building expansion on a property without notification to neighbours   |   | Rejected        |
| 186.5           | Tom Ang                           | Object to any reduction in the threshold for notifying consents  |   | Rejected        |
| 200.5           | Wendy Gray                        | Object to any reduction in the threshold for notifying consents  |   | Rejected        |
| 202.8           | Sue Cooper, Remuera Heritage      | All neighbours in special character areas to be notified when there is development proposed on their boundary  | FS15 Housing New Zealand Corporation – Oppose<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea – Oppose | Rejected        |
| 203.7           | Sally Hughes, Character Coalition | All neighbours in special character areas to be notified when there is development proposed on their boundary  | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea – Oppose  | Rejected        |
| 216.4           | Don Huse                          | That in any event, no AC consent to proceed with any construction (new or renovation) in the applicable special character area be granted, without reasonable prior advice being given to all the property owners in the immediate | FS15 Housing New Zealand Corporation - Oppose   | Rejected        |

| Sub. No. | Name of Submitter                                       | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision |
|----------|---|---|--|----------|
|          |   | vicinity (or such owners who may be reasonably expected to be affected by or have an interest in such construction) such that they may seek clarification from the AC or lodge an objection with AC, in connection with the proposed construction |  |          |
| 247.3    | Grey Lynn Residents Association<br>c/- Tania Fleur Mace | Notify resource consents in situations where there are any matters that are contentious   | FS2 BA Trusties Limited – Oppose<br>FS15 Housing New Zealand Corporation – Oppose<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea – Oppose  | Rejected |
| 249.7    | Keith Vernon  | Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University Of Auckland – Oppose<br>FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall – Oppose<br>FS15 Housing New Zealand Corporation – Oppose<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose | Rejected |

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter | Further Submissions   | Decision |
|----------|-------------------|---|---|----------|
|          |                   |   | FS18 Andrew Body and Karen Paterson as Trustees of Galatea – Oppose |          |

**Theme 15: Submissions on the Resource Consent Process (D18.5 Notification)**  
**Sub-theme: Other Matters**

| Sub. No. | Name of Submitter      | Summary of the Relief Sought by the Submitter  | Further Submissions | Decision         |
|----------|------------------------|--|---------------------|------------------|
| 237.3    | Matthew Douglas Easton | Want more time to make a detailed submission to a land use application: LUC603033362   |                     | Rejected         |
| 264.3    | Debbie Holdsworth      | Provide some certainty around the costs, timeframes for resource consents for fences and walls in addition to streamlining the process |                     | Accepted in part |

**Theme 16: Submissions on D18.6. Standards**  
**Sub-theme: Support Changes**

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions                                | Decision         |
|----------|--|---|--|------------------|
| 110.10   | KTW Systems LP c/- Rachel Dimery   | Retain D18.6.1 subclauses (a) and (b)   | FS23 Remuera Heritage Inc – Support in part        | Rejected         |
| 123.4    | V H Bull c/- Gael McKitterick 4Sight Consulting Limited  | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1 Standards for Buildings in Special Character Areas Overlay |  | Rejected         |
| 123.12   | V H Bull c/- Gael McKitterick 4Sight Consulting Limited  | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.2 Standards for Buildings                                    |  | Rejected         |
| 146.3    | Z Energy Limited BP Oil NZ Limited Mobil Oil NZ Limited c/- Gael McKitterick - 4Sight Consulting Limited | Adopt the amendments to standard D18.6.1 Standards for Buildings in Special Character Areas Overlay as notified   |  | Rejected         |
| 167.2    | Beryl Jack   | SCAR rules should replace underlying zone rules   |  | Accepted in part |
| 168.2    | Janelle Costley  | SCAR rules should replace underlying zoning rules   |  | Accepted in part |
| 207.5    | South Epsom Planning Group Inc c/- Alfred  | Change text for Standards in accordance with submission<br><br>D18.6 <u>Development</u> Standards   | FS12 K Vernon – Support in part and Oppose in part | Rejected         |

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter          | Further Submissions                 | Decision |
|----------|-------------------|--|-------------------------------------|----------|
|          | Richard Bellamy   | D18.6.1 Development Standards for buildings in the ... | FS23 Remuera Heritage Inc - Support |          |

| <b>Theme 16: Submissions on D18.6. Standards</b> |                                     |  |   |                  |
|--|-------------------------------------|--|---|------------------|
| <b>Sub-theme: Oppose Changes</b>                 |                                     |  |   |                  |
| Sub. No.   | Name of Submitter                   | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision         |
| 18.2   | Tony Batterton                      | Do not loosen or dilute the special character provisions   |   | Accepted in part |
| 107.2  | Robyn Rosemary Cameron              | Decline the plan change in respect of D18.6.1 Standards  |   | Accepted in part |
| 111.2  | Alexander and Julia Cowdell         | Plan 26, which seeks to change measurements, will have a detrimental effect on the quality of life of residents, not to mention the heritage value of properties. Building so close to boundaries inevitably means that issues of noise, sunlight and privacy can seriously impact neighbourly relations and mental health |   | Accepted in part |
| 121.4  | Darcy McNicoll                      | Decline the plan change in respect of D18.6.1 - Standards  |   | Accepted in part |
| 122.4  | Robyn McNicoll                      | Decline the plan change in respect of D18.6.1 - Standards  |   | Accepted in part |
| 136.3  | Kah Keng Low                        | Decline changes to additions & alterations.  |   | Rejected         |
| 157.3  | Roy Koshy                           | Implement the same rules as that of a single housing on special housing  |   | Rejected         |
| 257.10   | Housing New Zealand c/- Alex Devine | Oppose the proposed amendments to existing text (D18.6.1(a)), as well as the newly introduced text (D18.6.1(b)) in relation to the Standards for buildings in the SCA Overlay  | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Accepted in part |

| <b>Theme 16: Submissions on D18.6. Standards</b> |  |   |                                   |                 |
|--|--|---|-----------------------------------|-----------------|
| <b>Sub-theme: 18.6.1 (a)</b>                     |  |   |                                   |                 |
| <b>Sub. No.</b>                                  | <b>Name of Submitter</b>                         | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>        | <b>Decision</b> |
| 96.3   | Colin and Jocelyn Weatherall<br>Attn: David Wren | Amend D18.6 Standards by adding the words All activities "that are listed as permitted, controlled or restricted discretionary activities"..... | FS12 K Vernon<br>– Oppose in part | Rejected        |
| 97.3   | Peter Ng<br>Attn: David Wren                     | Amend D18.6 Standards by adding the words All activities "that are listed as permitted, controlled or restricted discretionary activities"..... | FS12 K Vernon<br>– Oppose in part | Rejected        |
| 127.3  | John Dillon<br>c/- David Wren                    | Amend D18.6.1. Standards paragraph (a) clause to relate to only permitted, controlled and restricted discretionary activities                   | FS12 K Vernon<br>– Oppose in part | Rejected        |
| 128.3  | Peter and Sarah Wren<br>c/- David Wren           | Amend D18.6.1. Standards paragraph (a) clause to relate to only permitted, controlled and restricted discretionary activities                   | FS12 K Vernon<br>– Oppose in part | Rejected        |

| <b>Theme 16: Submissions on D18.6. Standards</b>           |                          |   |   |                  |
|--|--------------------------|---|---|------------------|
| <b>Sub-theme: 18.6.1 (b) “Replace” v “Take Precedence”</b> |                          |   |   |                  |
| <b>Sub. No.</b>  | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>  | <b>Decision</b>  |
| 249.3  | Keith Vernon             | D18.6 - Standards - Amend the proposed new paragraph D18.6.1(b) by deleting “replace” in line 2 and insert the words “take precedence over” and delete “..do not apply” at the end of the last sentence and insert the words “.. apply to the extent that they are not in conflict with the corresponding standards in the SCA Overlay” | FS5 Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose<br>FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Accepted in part |

**Theme 16: Submissions on D18.6. Standards****Sub-theme: Recast the Standards**

| <b>Sub. No.</b> | <b>Name of Submitter</b>            | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>  | <b>Decision</b>  |
|-----------------|-------------------------------------|---|---|------------------|
| 257.3           | Housing New Zealand c/- Alex Devine | Re-cast the rule provisions to maintain their focus to the values associated with the special character amenity values that the SCA Overlay is seeking to recognise | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Accepted in part |

**Theme 16: Submissions on D18.6. Standards****Sub-theme: North Shore – Devonport & Stanley Point**

| <b>Sub. No.</b> | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>      | <b>Decision</b>  |
|-----------------|--------------------------|--|---------------------------------|------------------|
| 170.6           | Joe Martin               | Amend D18.6 - Standards by adding text 'and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point'   | FS14 Hayson Knell Ltd - Support | Accepted in part |
| 170.7           | Joe Martin               | Amend D18.6.2 - Standards by adding text 'and Special Character Areas Overlay – Residential : North Shore – Devonport and Stanley Point' | FS14 Hayson Knell Ltd - Support | Accepted in part |

**Theme 17: Submissions on Purpose Statements****Sub-theme: Support Purpose Statements**

| <b>Sub. No.</b> | <b>Name of Submitter</b>      | <b>Summary of the Relief Sought by the Submitter</b>                                    | <b>Further Submissions</b>                         | <b>Decision</b>  |
|-----------------|-------------------------------|---|--|------------------|
| 184.2           | Denny Boothe                  | Purpose statements of the Single House zone in the AUP are important and should prevail |  | Accepted in part |
| 222.2           | Rachael and Jonathan Sinclair | Support the inclusion of purpose statements for the various standards in the Overlay    | FS12 K Vernon – Support in part and Oppose in part | Rejected         |

| <b>Theme 17: Submissions on Purpose Statements</b> |   |   |                            |                 |
|--|---|---|----------------------------|-----------------|
| <b>Sub-theme: Amend Purpose Statements</b>         |   |   |                            |                 |
| <b>Sub. No.</b>                                    | <b>Name of Submitter</b>  | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 142.2  | Somersby Trust<br>C/- Craig Moriarity - Haines Planning Consultants Limited | Seeks the rewording of the proposed 'Yard Purpose' D18.6.1.3 - Yards  |                            | Rejected        |
| 207.3  | South Epsom Planning Group Inc<br>c/- Alfred Richar Bellamy                 | The Society supports the introduction of purpose statements for development standards, but has suggested amendments, in particular broadening the focus from 'streetscape' to also include rear yards and neighbourhoods more generally   |                            | Rejected        |
| 235.2  | M Reeves  | The new "Purpose" statements for "D18.6.1.1 Building Height" and "D18.6.1.2 Height in Relation to Boundary" remain open to interpretation. It is not clear what "retaining the character of the streetscape" and "enabling built form that reflects the character of the area" means. |                            | Rejected        |

| <b>Theme 17: Submissions on Purpose Statements</b> |   |   |   |                 |
|--|---|---|---|-----------------|
| <b>Sub-theme: Oppose/Remove Purpose Statements</b> |   |   |   |                 |
| <b>Sub. No.</b>                                    | <b>Name of Submitter</b>  | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>  | <b>Decision</b> |
| 178.2  | KCH Trust and Ifwersen Family Trust<br>c/- Bianca Tree, Minter Ellison Rudd Watts | That the proposed purpose statement in each of the standards in the Special Character Areas Overlay be removed  | FS12 K Vernon – Oppose in part  | Accepted        |
| 250.1  | Southern Cross Hospitals Limited<br>c/- Bianca Tree                               | That the proposed purpose statement in each of the standards in the Special Character Areas Overlay be removed  |   | Accepted        |
| 257.13   | Housing New Zealand<br>c/- Alex Devine  | Oppose the newly proposed 'purpose statements' in relation to Standards 'D18.6.1.1 Building height'; 'D18.6.1.2 Height in relation to boundary'; 'Standard D18.6.1.3 Yards'; 'Standard D18.6.1.4 Building coverage'; D18.6.1.5 Landscaped area'; 'Standard D18.6.1.6 Maximum impervious area'; and 'Standard D18.6.1.7 Fences and walls | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Accepted        |

| <b>Theme 18: Submissions on D18.6.1.1 Building Height</b> |  |  |   |                 |
|---|--|--|---|-----------------|
| <b>Sub. No.</b>   | <b>Name of Submitter</b>                                   | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b> |
| 7.1   | Graham William Arthur Bush and Norma Ann Bush              | Support the proposed change to building height   |   | Rejected        |
| 10.2  | John Mark Jones  | Oppose changes to height limits  |   | Rejected        |
| 16.1  | Natomi Family Trust<br>Attn : John Brockies                | Decline the plan modification in respect of building height  |   | Accepted        |
| 21.2  | Martin Evans   | Decline or amend Rule D18.6.1.1 - Building height  |   | Accepted        |
| 34.2  | William Wu   | Decline the plan modification in respect of H3.6.6 – Height  |   | Rejected        |
| 77.2  | Christopher and Louise Johnstone                           | Maximum height should not be increased   |   | Accepted        |
| 84.2  | Lambert Hoogeveen  | Building height to be 8m without exceptions  | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Rejected        |
| 107.3   | Robyn Rosemary Cameron                                     | Decline the plan change in respect of D18.6.1.1 Building Heights   |   | Accepted        |
| 110.11  | KTW Systems LP<br>c/- Rachel Dimery                        | Retain D18.6.1.1 - Building height as notified   |   | Rejected        |
| 121.5   | Darcy McNicoll   | Decline the plan change in respect of D18.6.11 - Building height   |   | Accepted        |
| 122.5   | Robyn McNicoll   | Decline the plan change in respect of D18.6.11 - Building height   |   | Accepted        |
| 123.5   | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1.1 Building Height |   | Rejected        |
| 150.6   | B Dayal<br>c/- Vijay Lala - Tattico Limited                | Amend purpose statement of building height in activity table - change wording as per submission  | FS12 K Vernon – Oppose in part  |                 |
| 152.1   | Marilyn Elvin  | Support the standard of no more than 2 levels for a dwelling   |   | Rejected        |
| 157.5   | Roy Koshy  | Maximum height to be kept at 8+1m for gable  |   | Accepted        |
| 159.2   | Dinah Holman   | Amend the first bullet point of the purpose statement for D18.6.1.1 -  |   | Rejected        |



| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
|----------|--|---|---|----------|
|          |  | Building height to read "retain the existing built form character of historically predominantly one storey in the established residential neighbourhoods" |   |          |
| 159.3    | Dinah Holman   | Require suitable greater restriction on two-storey houses, e.g. larger yards  |   | Rejected |
| 171.2    | Linda Whitcombe<br>Devonport Heritage                        | Retain the current height regulations for Devonport.  |   | Accepted |
| 207.6    | South Epsom Planning Group Inc<br>c/- Alfred Richard Bellamy | Change text for Building height in accordance with submission   | FS12 K Vernon – Support in part and Oppose in part<br>FS23 Remuera Heritage Inc – Support in part   | Rejected |
| 219.3    | Mark Crosbie,<br>Heid Crosbie and Adeux Trustee Limited      | Oppose the inclusion of "maintain a reasonable level of sunlight access..." in D18.6.1.1 Building height  | FS12 K Vernon – Support in part   | Rejected |
| 219.3    | Mark Crosbie,<br>Heid Crosbie and Adeux Trustee Limited      | Oppose the inclusion of "maintain a reasonable level of sunlight access..." in D18.6.1.1 Building height  | FS12 K Vernon – Oppose in part  | Rejected |
| 221.3    | Auckland Grammar School (AGS) c/- Sarah Burgess              | Opposes the inclusion of "maintain a reasonable level of sunlight access..." in D18.6.1.1 Building Height   | FS12 K Vernon – Oppose in part  | Rejected |
| 224.6    | Hume Architects Ltd c/ - Chris Hume                          | Supports Building Height D18.6.1.1 remaining as Special Character Area Overlay  | FS12 K Vernon – Oppose in part  | Accepted |
| 228.3    | The University of Auckland c/- Sarah Burgess                 | Opposes the inclusion of "maintain a reasonable level of sunlight access..." in D18.6.1.1 Building Height   | FS12 K Vernon – Oppose in part  | Rejected |
| 233.4    | Birkenhead Residents Associations                            | Discourage the support for two storey buildings that are out of character to the Special Character Areas  |   | Rejected |
| 249.4    | Keith Vernon   | D18.6.1.1 - Building height - Add a new bullet point to the purpose statement "Maintain a reasonable standard of residential amenity for adjoining sites" | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland - Oppose | Rejected |

| Sub. No. | Name of Submitter                     | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|---------------------------------------|--|---|----------|
| 258.2    | Parnell Heritage Inc c/- Julie M Hill | Amend the activity table to reflect the most restrictive criteria for building height from either the single house zone rules or the special character rules | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Rejected |

**Theme 19: Submissions on D18.6.1.2 Height in Relation to Boundary**  
**Sub-theme: Support**

| Sub No. | Name of Submitter  | Summary of the relief sought by the submitter   | Further Submissions   | Decision |
|---------|--|---|---|----------|
| 26.3    | Elisabeth Sullivan                                       | Support retaining max height to boundary of 3m for properties with frontages of less than 15m   |   | Rejected |
| 112.2   | Peter Desmond Withell                                    | The special character rules should always replace any conflicting rule  |   | Rejected |
| 145.2   | Patrick Reddington and Letitia Reddington                | Support height in relation to boundary  |   | Rejected |
| 151.4   | Bronwyn Hayes  | Retain the 3m 45 Hirtb  |   | Accepted |
| 154.1   | Mrs Anna Lomas Breckon                                   | Agree to HiRTB as proposed  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS7 The University of Auckland – Oppose<br>FS6 Auckland Grammar School – Oppose | Rejected |
| 204.4   | Mount St Johns Residents' Group Inc c/- Catherine Peters | Support the changes to the height to boundary rules, which allow for the development of sites which have a frontage of less than 15 metres to three metres, and then at a 45 degree angle |   | Rejected |
| 219.5   | Mark Crosbie, Heid Crosbie and Adeux                     | Supports the removal of the HIRTB planes from front boundaries  | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling  | Accepted |

|       |  |  |   |          |
|-------|--|--|---|----------|
|       | Trustee Limited                                      |  | Nominees Ltd – Support FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support FS16 R & M Donaldson – Support  |          |
| 219.6 | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited | Supports the inclusion of the exclusion provisions set out in D18.6.1.2(2)-(6)   | FS12 K Vernon – Oppose in part  | Rejected |
| 221.5 | Auckland Grammar School (AGS) c/- Sarah Burgess      | Supports the removal of the HIRTB planes from front boundaries   | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support FS16 R & M Donaldson – Support | Accepted |
| 221.6 | Auckland Grammar School (AGS) c/- Sarah Burgess      | Include the exclusion provisions set out in D18.6.1.2(2)-(6) as proposed in PC26   | FS12 K Vernon – Oppose in part  | Rejected |
| 222.4 | Rachael and Jonathan Sinclair                        | Standard D18.6.1.2 (4) - we support this clarification so that height in relation to boundary applies on the farthest boundary of the legal right of way, entrance strip, access site to pedestrian accessway. | FS12 K Vernon – Oppose in part  | Accepted |
| 224.9 | Hume Architects Ltd c/ - Chris Hume                  | Supports height in relation to boundary D18.6.1.2 (4), (5), (6)  | FS12 K Vernon – Oppose in part  | Accepted |
| 227.2 | Eden Park Neighbours' Assoc c/- Mark Donnelly        | Support the HiRTB for sites with greater than 15m frontage   |   | Rejected |

|       |   |  |   |          |
|-------|---|--|---|----------|
| 228.5 | The University of Auckland<br>c/- Sarah Burgess | Supports the removal of the HIRTB planes from front boundaries   | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS16 R & M Donaldson – Support | Accepted |
| 228.6 | The University of Auckland<br>c/- Sarah Burgess | The University supports the inclusion of the exclusion provisions set out in D18.6.1.2(2)-(6) which will make the SCAR provisions consistent with those applying to other residential zones. | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS16 R & M Donaldson – Support | Rejected |
| 245.2 | R & M Donaldson<br>c/- J A Brown                | Confirm the provisions of PC26 insofar as they relate to sites with a frontage less than 15m   |   | Rejected |
| 245.3 | R & M Donaldson<br>c/- J A Brown                | Confirm the application of a three-metre starting height for recession planes, applying on the side and rear boundaries only   |   | Accepted |

**Theme 19: Submissions on D18.6.1.2 Height in Relation to Boundary**  
**Sub-theme: Oppose**

| Sub No. | Name of Submitter | Summary of the relief sought by the submitter   | Further Submissions   | Decision |
|---------|-------------------|---|---|----------|
| 34.3    | William Wu        | Decline the plan modification in respect of H3.6.7 - Height in relation to boundary                   |   | Rejected |
| 49.2    | Wing Cheuk Chan   | Development criteria is inappropriately restrictive in a number of areas including height to boundary | FS32 Lim Che Cheung Chan – Support  | Rejected |
| 51.2    | Janet Digby       | Retain the current stricter height in relation to boundary control                                    | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland - Oppose | Rejected |

|              |                                  |   |  |          |
|--------------|----------------------------------|---|--|----------|
| 56.2         | Charles Laurence Digby           | Retain current rules relating to height in relation to boundary                                       | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland - Oppose  | Accepted |
| 70.2         | Lyndsay and Lianne Brock         | Do not support the proposed 15m frontage 'trigger' and ask that it be deleted                         | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust - Support  | Accepted |
| 77.3         | Christopher and Louise Johnstone | Height to boundary should remain the same   |  | Accepted |
| 78.2         | Lim Che Cheung Chan              | Development criteria is inappropriately restrictive in a number of areas including height to boundary | FS19 Wing Cheuk Chan – Support   | Rejected |
| 88.1         | Passion Fruit Trust              | The more restrictive height to boundary measure be used   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS7 The University of Auckland – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall – Oppose | Rejected |
| 89.2<br>89.4 | Kathy Prentice                   | Retain the Single House zone height in relation to boundary control                                   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS7 The University of  | Rejected |

|       |                                   |   |  |          |
|-------|-----------------------------------|---|--|----------|
|       |                                   |   | Auckland –<br>Oppose<br>FS6 Auckland<br>Grammar<br>School –<br>Oppose  |          |
| 91.2  | Raymond<br>Johnston               | The underlying (and presuming more restrictive) height in relation to boundary standard should not apply to a rear site - allow the 3.0m height in relation to boundary to also apply to rear sites |  | Rejected |
| 107.4 | Robyn<br>Rosemary<br>Cameron      | Decline the plan change in respect of D18.6.1.2 Height in Relation to Boundary  |  | Rejected |
| 111.1 | Alexander<br>and Julia<br>Coddell | Oppose SCAR Height in relation to boundary changes  |  | Rejected |
| 121.2 | Darcy<br>McNicoll                 | Retain the SHZ height in relation to boundary control   | FS5 Mark<br>Crosbie, Heidi<br>Crosbie and<br>Adeux Trustee<br>Limited –<br>Oppose<br>FS7 The<br>University of<br>Auckland –<br>Oppose<br>FS6 Auckland<br>Grammar<br>School –<br>Oppose | Rejected |
| 122.2 | Robyn<br>McNicoll                 | Retain the SHZ height in relation to boundary control   | FS5 Mark<br>Crosbie, Heidi<br>Crosbie and<br>Adeux Trustee<br>Limited –<br>Oppose<br>FS7 The<br>University of<br>Auckland –<br>Oppose<br>FS6 Auckland<br>Grammar<br>School –<br>Oppose | Rejected |
| 124.2 | Stephen<br>John Mills             | Retain the SHZ HiRTB control  |  | Rejected |
| 129.1 | Gretta<br>McLeay                  | Oppose relaxing the HiRTB for the front boundary  | FS5 Mark<br>Crosbie, Heidi<br>Crosbie and<br>Adeux Trustee<br>Limited –<br>Oppose<br>FS7 The<br>University of<br>Auckland –<br>Oppose<br>FS6 Auckland<br>Grammar<br>School –<br>Oppose | Rejected |
| 129.2 | Gretta<br>McLeay                  | Oppose the reduced HiRTB control from 3m 45deg to 2.5m 45 deg   |  | Rejected |
| 131.2 | Alastair<br>George                | Request that the more restrictive HiRTB prevail   |  | Rejected |

|       |                                     |  |  |          |
|-------|-------------------------------------|--|--|----------|
|       | McInnes Fletcher                    |  |  |          |
| 153.3 | Michael Neil Hayes                  | Height to boundary should be no more imposing than 45 degrees above 2.5m   |  | Rejected |
| 157.4 | Roy Koshy                           | HIRB rules should be same irrespective of where the dwelling is positioned/being positioned (front/rear of the property)                   |  | Rejected |
| 159.4 | Dinah Holman                        | For calculating height in relation to boundary, the point from which the recession plane is set in the Overlay Area be reduced to 2.5m     |  | Rejected |
| 160.3 | Helen Louise Phillips-Hill          | Oppose changes to the HiRTB  |  | Rejected |
| 160.5 | Helen Louise Phillips-Hill          | Oppose the different rules for longer frontages (for height in relation to boundary controls)  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS7 The University of Auckland – Support<br>FS6 Auckland Grammar School – Support | Accepted |
| 162.2 | Kirsty Gillon, Buchanan House Trust | Amend Overlay rule for height in relation to boundary to define the envelope to at least 2.5m vertical height and then a 45 degree incline |  | Rejected |
| 169.2 | Mary and Jonathan Mason             | Remove 3m 45 HiRTB and instead have a 2.5m vertical height and a 45 degree incline   |  | Rejected |
| 172.2 | Sam and Rhonda Mojel                | Hirtb rules should not be altered  |  | Rejected |
| 175.2 | Coralie Ann van Camp                | Oppose height to boundary reduction from 3m to 1m in character areas   |  | Rejected |
| 176.2 | Margot Jane McRae                   | HTB - should be 2.5m vertical height and 45 degrees angle  |  | Rejected |
| 186.2 | Tom Ang                             | Oppose the increase of HIRB from 2.5m to 3m - D18.6.1.2  |  | Rejected |
| 200.2 | Wendy Gray                          | Oppose the increase of HIRB from 2.5m to 3m - D18.6.1.2  |  | Rejected |
| 202.2 | Sue Cooper, Remuera Heritage        | The more restrictive HiRTB requirement should apply  |  | Rejected |
| 203.2 | Sally Hughes, Character Coalition   | The more restrictive HiRTB requirement should apply  |  | Rejected |
| 218.3 | Leighton Haliday                    | Retain more restrictive HiRTB  |  | Rejected |
| 224.7 | Hume Architects Ltd c/ - Chris Hume | Opposes height in relation to boundary D 18.6.1.2 (1) (a) The site has a frontage length of less than 15m.                                 | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen                          | Accepted |

|                |   |  |   |                  |
|----------------|---|--|---|------------------|
|                |   |  | Paterson as trustees of Galatea trust – Support   |                  |
| 224.8          | Hume Architects Ltd c/ - Chris Hume                         | Opposes height in relation to boundary D 18.6.1.2 (2) The underlying zone Hirtb standard applies where: (a) The site has a frontage length of 15m or greater. (b) The site is a rear site.   | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support | Accepted in part |
| 233.3          | Birkenhead Residents Associations                           | Retain the underlying zones 2.5m height/boundary requirement.  |   | Rejected         |
| 236.3          | Samson Corporation Ltd And Sterling Nominees Ltd            | The proposed addition into Rule D18.6.1.2 – Height in Relation to Boundary of the requirement for sites with a frontage of 15m or greater is not supported   |   | Accepted         |
| 237.2          | Matthew Douglas Easton                                      | Apply the more restrictive HiRTB   |   | Rejected         |
| 238.2<br>238.3 | Andrew Body and Karen Paterson as trustees of GALATEA TRUST | The proposed addition into Rule D18.6.1.2 – Height in Relation to Boundary of the requirement for sites with a frontage of 15m or greater is not supported   |   | Accepted         |
| 243.2          | Michael Fitzpatrick   | Apply SHZ rule of 2.5m vertical height and then a 45 degree incline to SCAO  |   | Rejected         |
| 244.2          | Julie Raddon Raddon   | Apply SHZ rule of 2.5m vertical height and then a 45 degree incline to SCAO  |   | Rejected         |
| 248.2          | Jacqui Goldingham   | Opposed to changes to height in relation to boundary   |   | Accepted in part |
| 249.6          | Keith Vernon  | Do not support the 3m and 45 degree HIRB standard for sites with a frontage less than 15m as proposed under sub-clause (1) - the normal HIRB standard (in most cases the single house 2.5m and 45 degrees) should continue to apply regardless of the frontage width | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose  | Rejected         |
| 252.2          | Brendan Kell  | Oppose changes to D18.6.1.2 Height in relation to boundary   |   | Accepted in part |
| 253.2          | Barbara Cuthbert and Michael Ashmore                        | Delete the proposed change to the height in relation to the boundary standard  |   | Accepted in part |
| 257.7          | Housing New Zealand c/- Alex Devine                         | Oppose the proposed amendments and new text introduced into Standard 'D18.6.1.2 Height in relation to boundary', including D18.6.1.2(1), (2), (3), (4), (6) and (7)  | F12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals  | Accepted in part |



|       |          |   |  |                  |
|-------|----------|---|--|------------------|
|       |          |   | Limited – Support FS22 South Epsom Planning Group Inc - Oppose |                  |
| 266.2 | Iain Rea | Remove the amendments to D18.6.1.2 - Height in relation to boundary |  | Accepted in part |

**Theme 19: Submissions on D18.6.1.2 Height in Relation to Boundary**  
**Sub – theme: Amend**

| Sub. No. | Name of Submitter                                | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision         |
|----------|--|---|---|------------------|
| 8.1      | Adonis Souloglou                                 | Accept the plan modification with amendments to the height in relation to boundary control - Remove the 15m frontage distinction from D18.6.1.2 in the proposed plan change | FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support<br>FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support  | Accepted         |
| 21.3     | Martin Evans                                     | The angle needs to reduce to at least 35 degrees and preferably 30 degrees  |   | Rejected         |
| 24.2     | Steven Lloyd Francis                             | Amend the height-in-relation to boundary control to allow the 3m+45 control to apply to all additions/extensions to existing buildings                                      |   | Rejected         |
| 55.3     | Wong Liu Shueng                                  | Maintain access to sunlight and air   |   | Rejected         |
| 73.2     | Catherine Spencer                                | Maintain the envelope (i.e. height in relation to boundary) based on a 3m vertical height and then a 45-degree incline for height in relation to boundary                   |   | Accepted in part |
| 96.4     | Colin and Jocelyn Weatherall<br>Attn: David Wren | Delete the distinction in the height in relation to boundary control for sites less than or greater than 15m frontage, corner sites and rear sites                          | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS7 The University of Auckland – Support<br>FS6 Auckland Grammar School – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as | Accepted in part |

| Sub. No.        | Name of Submitter  | Summary of the Relief Sought by the Submitter  | Further Submissions  | Decision         |
|-----------------|--|--|--|------------------|
|                 |  |  | trustees of Galatea trust – Support<br>FS23 Remuera Heritage Inc – Support in part   |                  |
| 97.4            | Peter Ng<br>Attn: David Wren                               | Delete the distinction in the height in relation to boundary control for sites less than or greater than 15m frontage, corner sites and rear sites   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS7 The University of Auckland – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support | Accepted in part |
| 110.12          | KTW Systems LP<br>c/- Rachel Dimery                        | Amend D18.6.1.2(2) as per the submission   |  | Rejected         |
| 123.6<br>123.15 | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited | Amend Standard D18.6.1.2 Height in Relation to Boundary by the deletion of clause (1a) and 1(b) so that all sites in the SCAO are required to comply with a 45 degree recession plane measured from a point 3m above the ground level along side and rear boundaries | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support  | Accepted in part |
| 127.4           | John Dillon<br>c/- David Wren                              | Remove the 15m trigger for HiRTB rule  | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support  | Accepted         |
| 128.4           | Peter and Sarah Wren<br>c/- David Wren                     | Remove the 15m trigger for HiRTB rule  | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support  | Accepted         |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision         |
|----------|---|---|---|------------------|
|          |   |   | FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support  |                  |
| 150.7    | B Dayal<br>c/- Vijay Lala - Tattico Limited                                       | Amend HiRTB in D18.6.1.2 - height in relation to boundary - change wording to delete 15m trigger  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS7 The University of Auckland – Support<br>FS6 Auckland Grammar School – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support | Accepted in part |
| 153.3    | Michael Neil Hayes  | Retain 2.5m 45 Hirtb  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS7 The University of Auckland – Oppose<br>FS6 Auckland Grammar School – Oppose   | Rejected         |
| 160.3    | Helen Louise Phillips-Hill  | Oppose changes to the HiRTB   |   | Accepted in part |
| 164.2    | Alex Findlay, Expanse Ltd   | Allow rear sites and those with a 15 m or more frontage to utilise the more flexible 3 m and 45° height in relation to boundary control | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support   | Rejected         |
| 173.2    | John Childs<br>c/- John Childs Consultants Limited                                | Rear sites should have the Overlay HiRTB applied in D18.6.1.2 by deleting Clause (2)  | FS3 Colin Hardacre - Support  | Rejected         |
| 178.3    | KCH Trust and Ifwersen Family Trust<br>c/- Bianca Tree, Minter Ellison Rudd Watts | Allow the changes to D18.6.1.2 Height in relation to boundary subject to removal of purpose statement                                   | FS12 K Vernon – Oppose in part  | Accepted in part |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|--|--|---|----------|
| 182.2    | Michael Snowden<br>c/- Philip Brown - Campbell Brown Planning            | That standard D18.6.1.2 be amended so that all sites within the SCA Overlay are subject to a 3.0m+45o HIRB standard  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS7 The University of Auckland – Support<br>FS6 Auckland Grammar School – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support<br>FS16 R & M Donaldson – Support | Rejected |
| 202.2    | Chair Sue Cooper Remuera Heritage  | Although this is not explicitly stated in the submission, it is inferred that they seek the dimension for the standard be similar to single house zone.  |   | Rejected |
| 207.7    | South Epsom Planning Group Inc<br>c/- Alfred Richard Bellamy             | Change text for Hirtb in accordance with submission . Proposed changes to the purpose statement  | FS12 K Vernon – Support in part and Oppose in part<br>FS23 Remuera Heritage Inc – Support in part   | Rejected |
| 219.4    | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                     | Amend the provisions in D18.6.1.2 Height in relation to boundary for the 3m + 45° to apply to all Isthmus A sites and sites with frontages less than 15m, and for the underlying zone provisions to apply to all other sites | FS12 K Vernon – Oppose in part  | Rejected |
| 219.7    | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                     | Seeks that the provisions set out in underlying zones that do not require HiRTB from Open Space zoned sites exceeding 2,000m <sup>2</sup> and Business-zoned sites, should be adopted in the SCAR overlay                    | FS12 K Vernon – Oppose in part  | Rejected |
| 220.2    | Roman Catholic Bishop of the Diocese of Auckland<br>c/- Michael Campbell | Amend Standard D18.6.1.2 Height in relation to boundary so that all sites within the SCA Overlay are subject to a 3.0m+45o HIRB standard - photo example and site frontage diagrams provided                                 | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS18 Andrew Body and Karen Paterson as trustees of   | Rejected |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision         |
|----------|---|---|---|------------------|
|          |   |   | Galatea trust – Support   |                  |
| 221.4    | Auckland Grammar School (AGS) c/- Sarah Burgess                         | Amend the provisions in D18.6.1.2 Height in relation to boundary for the 3m + 45° to apply to all Isthmus A sites and sites with frontages less than 15m, and for the underlying zone provisions to apply to all other sites  | FS12 K Vernon – Oppose in part  | Rejected         |
| 221.7    | Auckland Grammar School (AGS) c/- Sarah Burgess                         | Preclude the HiRTB standards on sites bordering business zoned sites and on open space zones exceeding 2000m2   | FS12 K Vernon – Oppose in part  | Rejected         |
| 222.3    | Rachael and Jonathan Sinclair   | Support Overlay height to boundary being applied (3m and 45 degree) but believe it should apply to all sites in the area (not just those 15m or less frontage)  | FS12 K Vernon – Oppose in part and support in part FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support | Accepted in part |
| 228.4    | The University of Auckland c/- Sarah Burgess                            | Amend the provisions in D18.6.1.2 Height in relation to boundary for the 3m + 45° to apply to all Isthmus A sites and sites with frontages less than 15m, and for the underlying zone provisions to apply to all other sites  | FS12 K Vernon – Oppose in part  | Rejected         |
| 228.7    | The University of Auckland c/- Sarah Burgess                            | Preclude the HiRTB standards on sites bordering business zoned sites and on open space zones exceeding 2000m2   | FS12 K Vernon – Oppose in part  | Rejected         |
| 236.2    | Samson Corporation Ltd and Sterling Nominees Ltd (Samson) c/- J A Brown | Modify Rule D18.6.1.2 by removing the restriction that applies Rule D18.6.1.2 to sites with a frontage length of less than 15 metres only and deleting the application of the underlying zone height in relation to boundary standard to those sites with a frontage length of 15 metres or greater in Rule D18.6.1.2(3)(a); or   | FS18 Andrew Body and Karen Paterson as trustees of Galatea trust – Support  | Accepted         |
| 238.2    | Andrew Body and Karen Paterson (Galatea) c/- J A Brown                  | Modify Rule D18.6.1.2 in the manner set out in paragraph 1.5 of this submission, which as the effect of applying a three-metre starting height for recession planes, on the side and rear boundaries only, of all sites within the SCAOR, by removing the restriction that applies Rule D18.6.1.2 to sites with a frontage length of less than 15 metres only and deleting the application of the underlying zone height in relation to boundary standard to those sites with a frontage length of 15 metres or greater in Rule D18.6.1.2(3)(a); or |   | Accepted in part |

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision |
|----------|-------------------|---|--|----------|
| 239.3    | Marian Kohler     | Amend D18.6.1.2 - height in relation to boundary to limit 3m plus 45 degree recession plane standard to properties that have less than 15m frontage length and are less than 400 sqm net size   |  | Rejected |
| 249.5    | Keith Vernon      | D18.6.1.2 - Height in relation to boundary - Add a new bullet point "Maintain a reasonable standard of residential amenity for adjoining sites"   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose FS7 The University of Auckland – Oppose FS6 Auckland Grammar School – Oppose    | Rejected |
| 249.7    | Keith Vernon      | Any breach of this HIRB standard should require a notified consent with neighbours given the opportunity to be heard.   |  | Rejected |
| 249.8    | Keith Vernon      | In the single house zone the HIRB standard applies on the side and rear boundaries only. There is therefore a case to retain a HIRB standard for the front boundary in the SCA Overlay. The 3m and 45 degree control that currently applies is acceptable on the frontage only.     |  | Rejected |
| 249.9    | Keith Vernon      | The Figure D18.6.1.2.1 is misleading as the 3m step applies to sites with a frontage less than 15m only. If this Figure is retained the heading should be changed to "Height in Relation to Boundary for sites with a frontage length of less than 15m"                             | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support FS7 The University of Auckland – Support FS6 Auckland Grammar School – Support | Rejected |
| 249.10   | Keith Vernon      | The current wording in D18.6.1.2 Height in relation to boundary "... or where a common wall is proposed" should be deleted and to ensure that any underlying provision does not apply the following wording added – "...this provision does not apply if a common wall is proposed" |  | Rejected |
| 249.11   | Keith Vernon      | The gable end, dormer or roof projection provisions in (5) and (6) in D18.6.1.2 Height in relation to boundary, are also unclear. This should be the total sum length of all projections on any elevation   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support FS7 The University of Auckland – Support FS6 Auckland Grammar School – Support | Rejected |

| Sub. No. | Name of Submitter                                | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision         |
|----------|--|--|---|------------------|
| 249.12   | Keith Vernon                                     | In D18.6.1.2 Height in relation to boundary, (6) allows up to two projections per 6m of site boundary. It would be clearer to state the maximum number of projections allowed per site. I propose not more than 4 projections per site                                 | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose FS7 The University of Auckland – Oppose FS6 Auckland Grammar School – Oppose | Rejected         |
| 249.15   | Keith Vernon                                     | In D18.6.1.2 Height in relation to boundary, (2), (3) and (4) where the term “height” is used it must be “.. height and height in relation to boundary standard (whichever is the lesser height)..”  |   | Rejected         |
| 249.38   | Keith Vernon                                     | Combine sub-clauses (1) and (2) in D18.6.1.2 - Height in relation to boundary and amended to provide for a 3m and 45 degree HIRB on the front boundary of front sites and the underlying Zone provisions applying on all other boundaries regardless of frontage width | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – oppose FS7 The University of Auckland – Oppose FS6 Auckland Grammar School – Oppose | Rejected         |
|          | Southern Cross Hospitals Limited c/- Bianca Tree | That the amendments to the height in relation to boundary standard D18.6.1.2 be allowed subject to the removal of the purpose statement  |   | Accepted in part |
|          | Parnell Heritage Inc c/- Julie M Hill            | Amend the activity table to reflect the most restrictive criteria for height in relation to boundary from either the single house zone rules or the special character rules  | FS8 Peter Ng – Oppose FS9 Peter and Sarah Wren – Oppose FS10 John Dillon – Oppose FS11 Colin and Jocelyn Weatherall - Oppose                    | Rejected         |
|          | Yolande Wong                                     | Remove the road frontage rule and retain the 3m plus 45 height in relation to boundary for all sites in the overlay  | FS16 Samson Corporation Ltd and Sterling Nominees Ltd - Support   | Accepted in part |

| <b>Theme 20: Submissions on D18.6.1.3 Yards (General)</b> |                   |  |                     |                  |
|---|-------------------|--|---------------------|------------------|
| Sub. No.  | Name of Submitter | Summary of the Relief Sought by the Submitter              | Further Submissions | Decision         |
| 21.4  | Martin Evans      | Oppose changes to Rule D18.6.1.3 Yards                     |                     | Accepted in part |
| 34.4  | William Wu        | Decline the plan modification in respect of H3.6.8 - Yards |                     | Accepted in part |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter  | Further Submissions  | Decision         |
|----------|--|--|--|------------------|
| 68.2     | Darren Pang  | Rules applying to site boundaries (yards) should be eased  |  | Rejected         |
| 74.3     | Dean Tony Turner   | Ease yard requirement restrictions   |  | Rejected         |
| 96.5     | Colin and Jocelyn Weatherall<br>Attn: David Wren                               | Delete the side and rear yard controls   | FS12 K Vernon – Oppose in part<br>FS23 Remuera Heritage Inc. – Oppose in part                    | Rejected         |
| 97.5     | Peter Ng<br>Attn: David Wren   | Delete the side and rear yard controls   | FS12 K Vernon – Oppose in part   | Rejected         |
| 106.2    | Dougall Kraayvanger  | Amend side and front yard setbacks to allow for close living and protection from uninvited public access   |  | Rejected         |
| 107.5    | Robyn Rosemary Cameron   | Decline the plan change in respect of D18.6.1.3 Yards  |  | Accepted in part |
| 110.13   | KTW Systems LP<br>c/- Rachel Dimery  | Retain D18.6.1.3 - Yards as notified   | FS23 Remuera Heritage Inc. - Oppose  | Accepted in part |
| 123.7    | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited                     | 123.7 Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1.3 Yards |  | Accepted in part |
| 131.3    | Alastair George McInnes Fletcher   | Request that yards (proximity to the boundary) not be reduced  |  | Accepted         |
| 136.2    | Kah Keng Low   | Decline changes to yards   |  | Accepted in part |
| 142.2    | Somersby Trust<br>C/- Craig Moriarity - Haines<br>Planning Consultants Limited | Seeks the rewording of the proposed 'Yard Purpose' D18.6.1.3 - Yards   |  | Rejected         |
| 145.3    | Patrick Reddington and Letitia Reddington                                      | Support yards  |  | Accepted in part |
| 171.3    | Linda Whitcombe<br>Devonport Heritage  | Retain the boundary regulations for Devonport  |  | Accepted in part |
| 207.8    | South Epsom Planning Group Inc<br>c/- Alfred Richard Bellamy                   | Change text for yards in accordance with submission  | FS12 K Vernon – Support in part & Oppose in part<br>FS23 Remuera Heritage Inc. – Support in part | Accepted in part |
| 209.3    | John and Sarah Walker  | Yard rules are confusing   |  | Rejected         |



| <b>Sub. No.</b> | <b>Name of Submitter</b>              | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>   | <b>Decision</b>  |
|-----------------|---------------------------------------|---|--|------------------|
| 224.11          | Hume Architects Ltd c/ - Chris Hume   | Supports underlying zone yard standards apply for all other yards not specified within Table D18.6.1.3.1.   | FS12 K Vernon – Oppose in part   | Accepted         |
| 248.3           | Jacqui Goldingham                     | Opposed to changes to yards   |  | Accepted in part |
| 249.16          | Keith Vernon                          | Add “.. and to maintain a reasonable standard of residential amenity for adjoining sites” to the purpose statement for D18.6.1.3 - Yards                      | FS5 Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland - Oppose | Rejected         |
| 249.23          | Keith Vernon                          | In sub-clause (2) of D18.6.1.3 Yards, delete “.. or where a common wall is proposed” and add ““..this provision does not apply if a common wall is proposed”. |  | Rejected         |
| 252.3           | Brendan Kell                          | Oppose changes to D18.6.1.3 Yards   |  | Accepted in part |
| 257.8           | Housing New Zealand c/- Alex Devine   | Oppose the proposed amendments and new text introduced into Standard 'D18.6.1.3 Yards', including D18.6.1.3(2) and (3)  | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc – Oppose                      | Accepted in part |
| 257.14          | Housing New Zealand c/- Alex Devine   | Support the proposed deletion of the 'rear yard' rule in Standard 'D18.6.1.3 Yards'   | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited - Support<br>FS13 South Epsom Planning Group Inc – Support                     | Rejected         |
| 258.4           | Parnell Heritage Inc c/- Julie M Hill | Add “.. and to maintain a reasonable standard of residential amenity for adjoining sites” to the purpose statement for D18.6.1.3 - Yards                      | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose                  | Rejected         |
| 266.3           | Iain Rea                              | 266.3 Remove the amendments to D18.6.1.3 - Yards  |  | Accepted in part |

| <b>Theme 21: Submissions on D18.6.1.3 Front Yard</b> |                          |  |  |                 |
|--|--------------------------|--|--|-----------------|
| <b>Sub. No.</b>                                      | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>   | <b>Decision</b> |
| 70.3   | Lyndsay and Lianne Brock | Request that the current flexibility control of front yards be retained to ensure consistency of streetscapes  |  | Rejected        |
| 249.17   | Keith Vernon             | 249.17 Reword for the Front Yard averaging calculation provision to ensure the sites included in the calculation must be in the same SC Area as the subject site, are Front sites only and must contain a dwelling   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose  | Rejected        |
| 249.18   | Keith Vernon             | Include in Table D18.6.1.3.1 - Yards, the option of (up to) 6 sites on one side to apply only where there are less than 3 sites on any side, to make up the required number of sites (that is 6 in total), for instance where there is only 2 on one side include 4 on the other | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support   | Rejected        |
| 249.19   | Keith Vernon             | Include a figure for D18.6.1.3 - Yards to establish a minimum Front yard to avoid unusual outcomes – I propose “..but not less than 3m”  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose<br>FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall – Oppose<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>R & M Donaldson – Oppose | Rejected        |

|        |              |  |   |          |
|--------|--------------|--|---|----------|
| 249.20 | Keith Vernon | Include a figure in D18.6.1.3 - Yards for a maximum Front yard of “.. and not more than 8m”. | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Rejected |
|--------|--------------|--|---|----------|

| <b>Theme 22: Submissions on D18.6.1.3 Side Yard</b> |   |  |  |                 |
|---|---|--|--|-----------------|
| <b>Sub. No.</b>                                     | <b>Name of Submitter</b>                    | <b>Summary of the Relief Sought by the Submitter</b>                                     | <b>Further Submissions</b>   | <b>Decision</b> |
| 26.2  | Elisabeth Sullivan                          | Remove the requirement for 1.2m minimum side yard for Isthmus A properties, should be 1m | FS6 Auckland Grammar School – Support<br>FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS7 The University of Auckland - Support                                   | Rejected        |
| 127.6   | John Dillon<br>c/- David Wren               | Remove side yard rule  | FS12 K Vernon – Oppose in part   | Rejected        |
| 128.6   | Peter and Sarah Wren<br>c/- David Wren      | Remove side yard rule  | FS12 K Vernon – Oppose in part   | Rejected        |
| 139.2   | Anna Dales                                  | Requests deletion of 1.2m side yard rule and leave as 1m                                 |  | Rejected        |
| 141.3   | Susan and John Moody                        | Request more generous side boundary control  |  | Rejected        |
| 150.8   | B Dayal<br>c/- Vijay Lala - Tattico Limited | Amend side yard setback to 1m in D18.6.1.3.1 - Yards                                     | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support<br>FS12 K Vernon – Oppose in part | Rejected        |
| 154.2   | Mrs Anna Lomas Breckon                      | Amend side yard depth to 1m not 1.2m   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Support<br>FS6 Auckland Grammar School – Support   | Rejected        |

| Sub. No. | Name of Submitter                                    | Summary of the Relief Sought by the Submitter  | Further Submissions  | Decision |
|----------|--|--|--|----------|
|          |  |  | FS7 The University of Auckland – Support   |          |
| 161.2    | Anthony Chapman                                      | Change side yard to 1m   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support | Rejected |
| 219.9    | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited | Seeks the 1.2m side yard standard to be deleted and reversion to the underlying zone side yard setback | FS12 K Vernon – Oppose in part   | Rejected |
| 221.9    | Auckland Grammar School (AGS) c/- Sarah Burgess      | Delete the 1.2m side yard standard   | FS12 K Vernon – Oppose in part   | Rejected |
| 224.10   | Hume Architects Ltd c/ - Chris Hume                  | Opposes 1.2m side yard   | FS12 K Vernon – Oppose in part   | Rejected |
| 228.9    | The University of Auckland c/- Sarah Burgess         | Delete the 1.2m side yard standard   | FS12 K Vernon – Oppose in part   | Rejected |
| 230.2    | Natasha Markham                                      | Amend D18.6.1.3.1 and reduce the side yard to 1 metre to provide greater consistency.                  |  | Rejected |
| 249.21   | Keith Vernon   | Increase the Side yard figure to 1.5m  | FS5 Mark Crosbie, Heidi Crosbie, and Adeuz Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose   | Rejected |

| <b>Theme 23: Submissions on D18.6.1.3 Rear Yard</b> |  |  |  |                  |
|---|--|--|--|------------------|
| <b>Sub. No.</b>                                     | <b>Name of Submitter</b>                         | <b>Summary of the Relief Sought by the Submitter</b>           | <b>Further Submissions</b>   | <b>Decision</b>  |
| 6.2   | Neale Jackson                                    | Retain a 3m rear yard set back to ensure density is restricted |  | Accepted         |
| 7.2   | Graham William Arthur Bush and Norma Ann Bush    | Reinstate a rear yard of 3m                                    | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose  | Accepted         |
| 35.2  | Heritage Landscapes<br>Attn :<br>Amanda McMullin | Back yard to be kept at 3m minimum                             | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose<br>FS15 Housing New Zealand Corporation – Oppose | Accepted         |
| 36.1  | Romily Properties Mt Eden Limited                | Accept the plan modification                                   |  | Accepted in part |
| 51.3  | Janet Digby                                      | Oppose the change to the rear yard from 3m to 1m               | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose  | Accepted         |
| 56.3  | Charles Laurence Digby                           | Opposed to changing the 3m boundary to just 1m                 | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose  | Accepted         |
| 70.4  | Lyndsay and Lianne Brock                         | Request that the 3m rear yard measurement be retained          |  | Accepted         |

| <b>Sub. No.</b> | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b> |
|-----------------|--------------------------|--|---|-----------------|
| 73.3            | Catherine Spencer        | Maintain the current 3m boundary for rear yard setback | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted        |
| 84.3            | Lambert Hoogeveen        | Re-instate the rear yard set-back of 3m                | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted        |
| 88.2            | Passion Fruit Trust      | The more restrictive rear yard setback be used         | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted        |
| 89.3            | Kathy Prentice           | Retain the Single House zone rear yard control of 3m   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted        |
| 102.2           | M.Carol Scott            | Retain rear yard setbacks at 3m                        | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted        |
| 121.3           | Darcy McNicoll           | Retain the 3m rear yard                                | FS5 Mark Crosbie, Heidi Crosbie and   | Accepted        |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
|----------|--|---|---|----------|
|          |  |   | Adeux Trustee Limited - Oppose FS6 Auckland Grammar School – Oppose FS7 The University of Auckland – Oppose                                     |          |
| 122.3    | Robyn McNicoll   | Retain the 3m rear yard   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose FS6 Auckland Grammar School – Oppose FS7 The University of Auckland – Oppose | Accepted |
| 124.3    | Stephen John Mills   | Retain the 3m rear yard   |   | Accepted |
| 127.5    | John Dillon c/- David Wren   | Support removal of rear yard  | FS12 K Vernon – Oppose in part  | Rejected |
| 128.5    | Peter and Sarah Wren c/- David Wren                                      | Support removal of rear yard  | FS12 K Vernon – Oppose in part  | Rejected |
| 129.3    | Gretta McLeay  | Retain the 3m rear yard   |   | Accepted |
| 142.3    | Somersby Trust C/- Craig Moriarity - Haines Planning Consultants Limited | Seeks a 10m minimum rear yard setback for those sites within the Special Character Area Overlay: Isthmus B2 which adjoin Cornwall Park (and its Open Space zones) | FS15 Housing New Zealand Corporation – Oppose   | Rejected |
| 149.2    | Philip John Mayo   | Retain the 3m rear yard   |   | Accepted |
| 151.3    | Bronwyn Hayes  | Retain 3m rear yard   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose FS6 Auckland Grammar School – Oppose FS7 The University of Auckland – Oppose | Accepted |
| 153.2    | Michael Neil Hayes   | Retain 3m rear yard   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose FS6 Auckland Grammar School – Oppose   | Accepted |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
|----------|---|---|---|----------|
|          |   |   | FS7 The University of Auckland – Oppose   |          |
| 159.5    | Dinah Holman  | Rear yards be restored to 3m  |   | Accepted |
| 160.4    | Helen Louise Phillips-Hill                                | Oppose changes to the rear yard setback   |   | Accepted |
| 162.3    | Kirsty Gillon, Buchanan House Trust c/- Grant Gillon      | Retain 3m rear yard   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted |
| 169.3    | Mary and Jonathan Mason                                   | Retain 3m rear yard   |   | Accepted |
| 173.3    | John Childs c/- John Childs Consultants Limited           | Include the rear yards of 3m in Table 18.6.1.3  | FS3 Colin Hardacre - Support  | Accepted |
| 176.3    | Margot Jane McRae   | Rear yard building setback should be 3 metres   |   | Accepted |
| 184.5    | Denny Boothe  | The 3m back yard provision of the Special character overlay standards should remain   |   | Accepted |
| 202.3    | Sue Cooper, Remuera Heritage                              | Opposes the intention to reduce the requirement for sufficient space to be provided in rear yards in order to separate housing and ancillary buildings from the rear boundary of a site | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose   | Accepted |
| 203.3    | Sally Hughes, Character Coalition                         | Opposes the intention to reduce the requirement for sufficient space to be provided in rear yards in order to separate housing and ancillary buildings from the rear boundary of a site | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson - Oppose   | Accepted |
| 207.2    | South Epsom Planning Group Inc c/- Alfred Richard Bellamy | Retain the 3m rear yard setback   | FS12 K Vernon – Support in part & Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose   | Accepted |



| Sub. No. | Name of Submitter                                    | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision         |
|----------|--|---|--|------------------|
| 218.2    | Leighton Haliday                                     | Retain 3m rear yard setback   |  | Accepted         |
| 219.8    | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited | Supports the deletion of the 3m rear yard and the reversion to the underlying zone rear yard setback  | FS12 K Vernon – Oppose in part   | Rejected         |
| 221.8    | Auckland Grammar School (AGS) c/- Sarah Burgess      | Supports the deletion of the 3m rear yard   | FS12 K Vernon – Oppose in part   | Rejected         |
| 222.5    | Rachael and Jonathan Sinclair                        | Support the removal of the 3m rear yard requirement   | FS12 K Vernon – Oppose in part & Support in part   | Rejected         |
| 227.3    | Eden Park Neighbours' Assoc c/- Mark Donnelly        | Oppose the reduction in the rear yard from 3m to 1m   | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose  | Accepted         |
| 228.8    | The University of Auckland c/- Sarah Burgess         | Supports the deletion of the 3m rear yard   | FS12 K Vernon – Oppose in part   | Rejected         |
| 233.2    | Birkenhead Residents Associations                    | Retain the 3m rear yard setback requirement   | FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson - Oppose  | Accepted         |
| 239.4    | Marian Kohler  | Amend D18.6.1.3 - Yards to reinstate 3m setback standard for rear yards   |  | Accepted         |
| 241.2    | Patricia Grinlinton                                  | Rear boundary setback should remain at 3m   |  | Accepted         |
| 243.3    | Michael Fitzpatrick                                  | Retain current rule of 3m setback for rear yards in SCAO  |  | Accepted         |
| 244.3    | Julie Raddon Raddon                                  | Retain current rule of 3m setback for rear yards in SCAO  |  | Accepted         |
| 247.5    | Grey Lynn Residents Association c/- Tania Fleur Mace | Do not replace the Special Character overlay rule relating to rear yards with the corresponding underlying zone rule. Instead, retain the existing 3-metre rear yard rule in the Special Character overlay and stipulate that this rule should apply rather than the underlying zone rule where the underlying zone is Single House | FS15 Housing New Zealand Corporation – Oppose<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Oppose<br>FS17 R & M Donaldson – Oppose | Accepted in part |

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision         |
|----------|-------------------|--|---|------------------|
| 249.22   | Keith Vernon      | Do not support total deletion of the Rear Yard provision from the Table. A Rear yard should be retained in the Table. A figure of 1m is proposed | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited - Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Accepted in part |

**Theme 24: Submissions on D18.6.1.4 Building Coverage**  
**Sub-theme: Support**

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter  | Further Submissions | Decision |
|----------|--|--|---------------------|----------|
| 110.14   | KTW Systems LP<br>c/- Rachel Dimery                        | Retain D18.6.1.4 - Building coverage as notified   |                     | Rejected |
| 123.8    | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1.4 Building Coverage |                     | Rejected |

**Theme 24: Submissions on D18.6.1.4 Building Coverage**  
**Sub-theme: Oppose**

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter                       | Further Submissions            | Decision |
|----------|-------------------------------------|---|--------------------------------|----------|
| 70.5     | Lyndsay and Lianne Brock            | Do not support 40% building coverage as contained in Plan Change 26 |                                | Rejected |
| 77.4     | Christopher and Louise Johnstone    | Building coverage should not be increased                           |                                | Accepted |
| 186.3    | Tom Ang                             | Oppose the increases in building coverage - D18.6.1.4               |                                | Accepted |
| 200.3    | Wendy Gray                          | Oppose the increases in building coverage - D18.6.1.4               |                                | Accepted |
| 224.12   | Hume Architects Ltd c/ - Chris Hume | Opposes purpose statement for building coverage rule                | FS12 K Vernon – Oppose in part | Accepted |

**Theme 24: Submissions on D18.6.1.4 Building Coverage**  
**Sub-theme: Amend**

| Sub. No. | Name of Submitter               | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision |
|----------|---------------------------------|---|---------------------|----------|
| 132.2    | Michael and Jennifer Ballantyne | Request less restrictive building coverage thresholds - Up to 200m <sup>2</sup> : 55 percent of net site area; 200m <sup>2</sup> - 500m <sup>2</sup> : 55 percent of the first 200m <sup>2</sup> + 45% of the next 300m <sup>2</sup> ; 500m <sup>2</sup> and above: 43% of first 500m <sup>2</sup> , 35% of any additional m <sup>2</sup> |                     | Rejected |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions   | Decision |
|----------|---|---|---|----------|
| 141.2    | Susan and John Moody                                      | Request more generous building coverage at greater than 30%   |   | Rejected |
| 149.3    | Philip John Mayo  | Increase building coverage from 45% to 50%  |   | Rejected |
| 173.4    | John Childs c/- John Childs Consultants Limited           | Adjust the Building Coverage rule for sites over 1000 sqm - D18.6.1.4 to 35%  | FS3 Colin Hardacre - Support  | Rejected |
| 176.4    | Margot Jane McRae   | Building Coverage on 300m-500m sites should be 35%.   |   | Rejected |
| 184.3    | Denny Boothe  | Site coverage of the Single House zone should prevail.  |   | Rejected |
| 207.9    | South Epsom Planning Group Inc c/- Alfred Richard Bellamy | Change text for building coverage in accordance with submission   | FS12 K Vernon – Support in part and Oppose in part  | Rejected |
| 219.10   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited      | Opposes the retention of the building coverage provisions being based on arbitrary thresholds relating to site areas. Suggests new coverage limits, formulas and re wording | FS12 K Vernon – Oppose in part  | Rejected |
| 221.10   | Auckland Grammar School (AGS) c/- Sarah Burgess           | Opposes the retention of the building coverage provisions being based on arbitrary thresholds relating to site areas. Suggests new coverage limits, formulas and re wording | FS12 K Vernon – Oppose in part  | Rejected |
| 224.13   | Hume Architects Ltd c/ - Chris Hume                       | Opposes Overlay building coverage thresholds. The table should be amended to be more equitable with less stages and relate to the underlying zone                           | FS12 K Vernon – Oppose in part  | Rejected |
| 228.1    | The University of Auckland c/- Sarah Burgess              | Opposes the retention of the building coverage provisions being based on arbitrary thresholds relating to site areas. Suggests new coverage limits, formulas and re wording | FS12 K Vernon – Oppose in part  | Rejected |
| 249.24   | Keith Vernon  | Amend Table D18.6.1.4.1 - Building Coverage to read; 500m2 to 1500m2 - coverage 35% of net site area & Greater than 1500m2 - coverage 25% of net site area                  |   | Rejected |
| 258.5    | Parnell Heritage Inc c/- Julie M Hill                     | Amend the activity table to reflect the most restrictive criteria for building coverage from either the single house zone rules or the special character rules              | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Rejected |

**Theme 25: Submissions on D18.6.1.5 Landscape Area****Sub-theme: Support**

| Sub. No. | Name of Submitter                                       | Summary of the Relief Sought by the Submitter  | Further Submissions | Decision |
|----------|---|--|---------------------|----------|
| 123.9    | V H Bull c/- Gael McKitterick 4Sight Consulting Limited | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1.5 Landscaping |                     | Rejected |

**Theme 25: Submissions on D18.6.1.5 Landscape Area****Sub-theme: Oppose**

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter | Further Submissions | Decision |
|----------|-------------------|---|---------------------|----------|
| 68.4     | Darren Pang       | Oppose changes to landscaped area             |                     | Accepted |
| 252.4    | Brendan Kell      | Oppose changes to D18.6.1.5 Landscaped area   |                     | Accepted |

**Theme 25: Submissions on D18.6.1.5 Landscape Area****Sub-theme: Amend**

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter  | Further Submissions                           | Decision |
|----------|--|--|---|----------|
| 45.2     | Peter Stone  | Landscaped area needs to be strengthened in terms of retaining significant trees which would need to be identified in the relevant areas   | FS15 Housing New Zealand Corporation - Oppose | Rejected |
| 77.5     | Christopher and Louise Johnstone   | Landscaped area should not be increased  |   | Accepted |
| 173.5    | John Childs c/- John Childs Consultants Limited                                | Adjust the Landscaped Area rule - D18.6.15 to 40% for sites over 1000msq   | FS3 Colin Hardacre – Support                  | Rejected |
| 178.4    | KCH Trust and Ifwersen Family Trust c/- Bianca Tree, Minter Ellison Rudd Watts | Allow the amendments to the landscaped area standard D18.6.1.5 subject to removal of purpose statement   | FS12 K Vernon – Oppose in part                | Accepted |
| 219.11   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                           | Opposes the retention of the landscaped area provisions being based on coverage minimum relating to site areas for Isthmus A sites. Suggests new coverage minimums, formulas and re wording  | FS12 K Vernon – Oppose in part                | Rejected |
| 221.11   | Auckland Grammar School (AGS) c/- Sarah Burgess                                | Opposes the retention of the landscaped area provisions being based on coverage minimums relating to site areas for Isthmus A sites. Suggests new coverage minimums, formulas and re wording | FS12 K Vernon – Oppose in part                | Rejected |
| 224.14   | Hume Architects Ltd c/- Chris Hume   | Opposes Overlay Landscape Area coverage minimums. The table should be amended to be more equitable with less stages and relate to the underlying zone  | FS12 K Vernon – Oppose in part                | Rejected |

| <b>Sub. No.</b> | <b>Name of Submitter</b>                         | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>   | <b>Decision</b> |
|-----------------|--|--|--|-----------------|
| 228.11          | The University of Auckland c/- Sarah Burgess     | Opposes the retention of the landscaped area provisions being based on coverage minimums relating to site areas for Isthmus A sites. Suggests new coverage minimums, formulas and re wording         | FS12 K Vernon – Oppose in part   | Rejected        |
| 249.25          | Keith Vernon                                     | Amend D18.6.1.5 - Landscaped area by deleting " and trees" from the purpose statement  | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support | Rejected        |
| 249.26          | Keith Vernon                                     | Amend Table D18.6.1.5.1 - Landscaped Area, so that the "break point" for larger sites should be 1500m2. That is; 500m2 to 1500m2 - 40% of net site area & Greater than 1500m2 - 50% of net site area |  | Rejected        |
| 250.3           | Southern Cross Hospitals Limited c/- Bianca Tree | That the amendments to the landscaped area standard D18.6.1.5 be allowed if purpose statement is removed   |  | Accepted        |
| 258.6           | Parnell Heritage Inc c/- Julie M Hill            | Amend the activity table to reflect the most restrictive criteria for landscaped area from either the single house zone rules or the special character rules   | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose          | Rejected        |

| <b>Theme 26: Submissions on D18.6.1.6 Maximum Impervious Area</b> |   |  |  |                 |
|---|---|--|--|-----------------|
| <b>Sub-theme: Support</b>   |   |  |  |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>                                    | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>                         | <b>Decision</b> |
| 21.5  | Martin Evans  | Support wording changes from "paved" to "impervious" for Rule D18.6.1.6 - Maximum impervious area  |  | Rejected        |
| 70.6  | Lyndsay and Lianne Brock                                    | Support the new definition 'maximum impervious area'   |  | Rejected        |
| 110.15  | KTW Systems LP<br>c/- Rachel Dimery                         | Retain D18.6.1.6 Maximum impervious area as notified   |  | Rejected        |
| 123.10  | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited  | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1.6 Maximum impervious area |  | Rejected        |
| 145.4   | Patrick Reddington and Letitia Reddington                   | Support paved areas: Accept the plan modification  |  | Rejected        |
| 204.3   | Mount St Johns Residents' Group Inc<br>c/- Catherine Peters | Support the clarification of the overlay in relation to zoning for impervious areas  |  | Rejected        |
| 222.6   | Rachael and Jonathan Sinclair                               | Support the increase in impervious surface in the Overlay.   | FS12 K Vernon – Oppose in part and Support in part | Rejected        |

| <b>Theme 26: Submissions on D18.6.1.6 Maximum Impervious Area</b> |   |  |   |                 |
|---|---|--|---|-----------------|
| <b>Sub-theme: Oppose</b>  |   |  |   |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>                      | <b>Summary of the Relief Sought by the Submitter</b>                         | <b>Further Submissions</b>  | <b>Decision</b> |
| 7.3   | Graham William Arthur Bush and Norma Ann Bush | Oppose changes to impervious area  | FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose<br>FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Oppose | Accepted        |
| 21.6  | Martin Evans                                  | Oppose changes to Rule D18.6.1.6 - Maximum impervious area.                  |   | Accepted        |
| 34.5  | William Wu                                    | Decline the plan modification in respect of H3.6.9 - Maximum impervious area |   | Accepted        |
| 35.3  | Heritage Landscapes<br>Attn : Amanda McMullin | Maximum impermeable area to be kept at existing % of site                    |   | Accepted        |

| Sub. No. | Name of Submitter        | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision |
|----------|--------------------------|---|---------------------|----------|
| 70.7     | Lyndsay and Lianne Brock | Do not support the percentages included in the plan change tables (for maximum impervious area) |                     | Accepted |
| 137.2    | Robyn Gandell            | 137.2 No increase in impervious areas   |                     | Accepted |
| 184.4    | Denny Boothe             | Maximum impervious area of the Single House zone standards should prevail                       |                     | Rejected |
| 186.4    | Tom Ang                  | Oppose increase in maximum impervious areas - D18.6.1.6   |                     | Accepted |
| 200.4    | Wendy Gray               | Oppose increase in maximum impervious areas - D18.6.1.6   |                     | Accepted |
| 248.4    | Jacqui Goldingham        | Opposed to changes to paved areas   |                     | Accepted |

**Theme 26: Submissions on D18.6.1.6 Maximum Impervious Area**  
**Sub-theme: Amend**

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision         |
|----------|--|---|--|------------------|
| 21.7     | Martin Evans   | The current percentages of impermeable area be reduced by at least 25% to mitigate for climate change rainfall intensity and peak flows (currently estimated to increase by at least 10% due to climate change) and to further reduce costs of upgrading the current stormwater management system | FS15 Housing New Zealand Corporation - Oppose                  | Rejected         |
| 21.8     | Martin Evans   | The existing allowance for impermeable area needs to be further qualified to require on site treatment prior to discharge   |  | Rejected         |
| 129.4    | Gretta McLeay  | Question the permeable surface change in definition, as unclear what the impact is  |  | Rejected         |
| 173.6    | John Childs c/- John Childs Consultants Limited                                | 173.6 Adjust the Impervious surfaces rule - D18.6.1.6 to 60% for sites over 1000msq   | FS3 Colin Hardacre – Support<br>FS12 K Vernon – Oppose in part | Rejected         |
| 178.5    | KCH Trust and Ifwersen Family Trust c/- Bianca Tree, Minter Ellison Rudd Watts | Allow the amendments to the maximum impervious area standard D18.6.1.6 subject to removal of purpose statement  |  | Accepted in part |
| 219.12   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                           | Submitter opposes the retention of the impervious area provisions being based on coverage limits relating to site areas. Suggests new coverage limits and re wording  | FS12 K Vernon – Oppose in part                                 | Rejected         |
| 221.12   | Auckland Grammar School (AGS) c/-  | Opposes the retention of the impervious area provisions being based on coverage limits relating to site areas.  | FS12 K Vernon – Oppose in part                                 | Rejected         |

|        |  |   |                                |                  |
|--------|--|---|--------------------------------|------------------|
|        | Sarah Burgess                                    | Suggests new coverage limits and re wording   |                                |                  |
| 224.15 | Hume Architects Ltd c/ - Chris Hume              | Opposes Overlay Maximum Impervious Area coverage limits. The table should be amended to be more equitable with less stages and relate to the underlying zone  | FS12 K Vernon – Oppose in part | Rejected         |
| 228.12 | The University of Auckland c/- Sarah Burgess     | Opposes the retention of the impervious area provisions being based on coverage limits relating to site areas. Suggests new coverage limits and re wording  | FS12 K Vernon – Oppose in part | Rejected         |
| 249.27 | Keith Vernon                                     | Amend Table D18.6.1.6.1 - Maximum Impervious Area, so that the "break point" for larger sites should be 1500m <sup>2</sup> . That is; 500m <sup>2</sup> to 1500m <sup>2</sup> - 60% of net site area Greater than 1500m <sup>2</sup> - 50% of net site area |                                | Rejected         |
| 250.4  | Southern Cross Hospitals Limited c/- Bianca Tree | That the amendments to the maximum impervious area standard D18.6.1.6 be allowed subject to the removal of the purpose statement  |                                | Accepted in part |

| <b>Theme 27: Submissions on D18.6.1.7 Fences and Walls</b> |                            |  |   |                  |
|--|----------------------------|--|---|------------------|
| <b>Sub. No.</b>  | <b>Name of Submitter</b>   | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b>  |
| 3.1  | Glen Marsh                 | Delete the restriction on front and side fences  |   | Rejected         |
| 3.2  | Glen Marsh                 | Enable a higher fence for reasons such as privacy, wind protection and aesthetics  |   | Accepted in part |
| 21.9   | Martin Evans               | Oppose the rule change to restricting the fence height in the front to only 1.2 metres - 1.5m or 1.6m height is more appropriate | FS15 Housing New Zealand Corporation – Support in part  | Rejected         |
| 21.10  | Martin Evans               | Object to a 2-metre height along the sides and rear of properties as it is too high - fence height be amended to 1.8m            | FS6 Auckland Grammar School – Oppose<br>FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited<br>FS7 The University of Auckland – Oppose<br>FS15 Housing New Zealand Corporation – Oppose | Rejected         |
| 26.4   | Elisabeth Sullivan         | Support reinstating max fence height of 2m for rear yard   |   | Rejected         |
| 34.6   | William Wu                 | Decline the plan modification in respect of H3.6.12 - Front, side and rear fences and walls                                      |   | Accepted in part |
| 35.4   | Heritage Landscapes Attn : | Fences and walls - Support proposed changes to wording and support the existing rules limiting the height of fences and walls.   |   | Accepted in part |



| Sub. No. | Name of Submitter                                | Summary of the Relief Sought by the Submitter  | Further Submissions  | Decision         |
|----------|--|--|--|------------------|
|          | Amanda McMullin                                  |  |  |                  |
| 38.2     | Peter Lucas                                      | For the fence rules, define the front of beach side houses (i.e. fronting the beach) as the front  |  | Rejected         |
| 41.1     | Christine Major                                  | Decline the plan modification relating to fences and walls   |  | Accepted in part |
| 44.2     | Jennifer Anne Clark                              | Opposed to the requirement for front fences to be limited to 1.2m in height. The requirement for front fence height to be up to the discretion of owners, to the previous maximum of 1.8m.     |  | Rejected         |
| 44.3     | Jennifer Anne Clark                              | I would support an amendment that says the fence should be in keeping with the style of the house  |  | Rejected         |
| 46.2     | Vinod Vyas                                       | To make families secure, fences on all sides should be considered high enough to keep intruders away e.g. 2m on all sides  |  | Rejected         |
| 52.2     | Christina Chua                                   | Enable properties which are nearer to the road to have the option of higher fences for better privacy  |  | Rejected         |
| 67.2     | Brendan Christopher Kell                         | Oppose the proposed 1.2m height allowance for fencing which would destroy any privacy and security to our side and back yard outdoor living areas  |  | Rejected         |
| 68.3     | Darren Pang                                      | 1.2m in height for fences and walls - unreasonable requirement as that height provides no privacy and no security, especially families with young children and dogs                            |  | Rejected         |
| 69.2     | Ying Chen  | Fencing and walls 1.2m in height - unreasonable requirement as that height provides no privacy and no security   |  | Rejected         |
| 74.2     | Dean Tony Turner                                 | Remove fence height restrictions   |  | Rejected         |
| 76.2     | Dame Denise L'Estrange-Corbet                    | Decline the plan modification in respect of fence and wall heights   |  | Rejected         |
| 96.6     | Colin and Jocelyn Weatherall<br>Attn: David Wren | Amend the controls for fences and walls by only limiting the height on corner sites to the shorter frontage, and defining the front fascade as the one facing the shorter frontage of the site | FS12 K Vernon – Oppose in part<br>FS23 Remuera Heritage Inc – Oppose                     | Accepted in part |
| 97.6     | Peter Ng<br>Attn: David Wren                     | Amend the controls for fences and walls by only limiting the height on corner sites to the shorter frontage, and defining the front fascade as the one facing the shorter frontage of the site | FS12 K Vernon – Oppose in part<br>FS15 Housing New Zealand Corporation – Support in part | Accepted in part |
| 110.16   | KTW Systems LP<br>c/- Rachel Dimery              | Retain D18.6.1.7 - Fences and walls as notified  |  | Accepted in part |
| 114.2    | Graeme Cummings                                  | Opposed to the imposition of the 1.2m front fencing restriction  |  | Rejected         |

| Sub. No. | Name of Submitter                                       | Summary of the Relief Sought by the Submitter   | Further Submissions                  | Decision         |
|----------|---|---|--------------------------------------|------------------|
| 115.4    | David Barber  | Do not allow new fences that are deemed to be not in character with the area  |                                      | Rejected         |
| 117.2    | Victoria Toon   | Do not apply the proposed plan change to replacement fencing  |                                      | Rejected         |
| 117.3    | Victoria Toon   | Increase the 1.2m fence height, which is too low and not practical  |                                      | Rejected         |
| 123.11   | V H Bull c/- Gael McKitterick 4Sight Consulting Limited | Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to D18.6.1.7 Fences and walls   |                                      | Accepted in part |
| 127.7    | John Dillon c/- David Wren                              | Amend fencing rules to allow a 2m high fence on front boundaries of corner sites  | FS12 K Vernon – Oppose in part sites | Rejected         |
| 128.7    | Peter and Sarah Wren c/- David Wren                     | Amend fencing rules to allow a 2m high fence on front boundaries of corner sites  | FS12 K Vernon – Oppose in part sites | Rejected         |
| 141.4    | Susan and John Moody                                    | Request fencing to be 1.4m  |                                      | Rejected         |
| 145.5    | Patrick Reddington and Letitia Reddington               | Support fences and walls  |                                      | Accepted in part |
| 149.4    | Philip John Mayo  | Increase side yard fencing in front of façade to 2m   |                                      | Rejected         |
| 150.9    | B Dayal c/- Vijay Lala - Tattico Limited                | Amend purpose statement of D18.6.1.7 - Fences and walls   | FS12 K Vernon – Oppose in part       | Rejected         |
| 150.10   | B Dayal c/- Vijay Lala - Tattico Limited                | Amend D18.6.1.7 - Fences and walls - change wording to remove the 1.2m side fence in front of façade in accordance with the submission  | FS12 K Vernon – Oppose in part       | Rejected         |
| 154.3    | Mrs Anna Lomas Breckon                                  | Amend the height of fences within the front yard to 1.8m if 50% visually open   |                                      | Rejected         |
| 154.4    | Mrs Anna Lomas Breckon                                  | Amend all fences within the side and rear yards should be allowed to be 2 metres high   |                                      | Rejected         |
| 155.2    | Alan Stokes   | There should not be an exact height for fences/walls specified (front boundary) Instead, the height of fences/walls should be similar to other fences/walls in the streetscape  |                                      | Rejected         |
| 156.2    | Brent Swain   | Oppose 1.2 metre height for front and side fences at the front of the house. Front fencing to be at height of 1.5m maximum, side fencing at front of house at height 1.8 maximum. Fencing at the front of the house to be in keeping with the house |                                      | Rejected         |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision         |
|----------|--|---|--|------------------|
| 158.2    | Robert G Felix   | Amend rule D18.6.1.7 - Fences and walls to limit back yard fences to 1.7 or 1.8 metres, not 2.0 metres  |  | Rejected         |
| 161.3    | Anthony Chapman  | Support allowing 2m high fences   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support | Accepted in part |
| 166.2    | John Andrew Silva  | Amend the fence heights to about 2m   |  | Rejected         |
| 166.3    | John Andrew Silva  | Apply more appropriate fence height to Hill Park, Manurewa  |  | Rejected         |
| 178.6    | KCH Trust and Ifwersen Family Trust c/- Bianca Tree, Minter Ellison Rudd Watts | Allow the amendments to the fences, walls and other structures standard D18.6.1.7 subject to removal of purpose statement                         | FS12 K Vernon – Oppose in part   | Accepted in part |
| 182.3    | Michael Snowden c/- Philip Brown - Campbell Brown Planning                     | That standard D18.6.1.7 be amended so that a fence up to 2m high is enabled on one front boundary of a corner site                                | FS12 K Vernon – Oppose in part   | Accepted in part |
| 199.2    | Western Bays Community Group Inc c/- Bryan Bates                               | Amend Rule D18.6.1.7 to include the words “and other structures” wherever they are struck out in the text of PC26                                 |  | Rejected         |
| 202.4    | Sue Cooper, Remuera Heritage   | Retain the maximum heights for fencing from a house to the rear yard at a 1.8m maximum not 2m   |  | Rejected         |
| 204.5    | Mount St Johns Residents' Group Inc c/- Catherine Peters                       | Retain the current options for the 1.8 metre high front fence rule  |  | Rejected         |
| 209.2    | John and Sarah Walker  | Fencing rules should be as per single house zone  |  | Rejected         |
| 219.2    | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                           | Support the proposed inclusion of these activity statuses, as they provide clarity (A5A) and (A5B) (Activity statuses – fencing) in Table D18.4.1 | FS12 K Vernon – Oppose in part   | Accepted in part |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions               | Decision         |
|----------|---|---|-----------------------------------|------------------|
| 219.13   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                  | Amend the Purpose Statement for D18.6.1.7 Fences and walls to add reference to providing privacy for rear yards and outdoor spaces  | FS12 K Vernon<br>– Oppose in part | Rejected         |
| 219.14   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                  | Objects to corner sites being treated as having two front facades which would be subject to a 1.2m high fence height. Provides a diagram showing suggested 50% at 1.8m height | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 219.15   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                  | Request a diagram of fence heights be inserted as per the submission  | FS12 K Vernon<br>– Oppose in part | Rejected         |
| 220.3    | Roman Catholic Bishop of the Diocese of Auckland c/- Michael Campbell | Amend Standard D18.6.1.7 Fences and walls so that a fence up to 2m high is enabled on one front boundary of a corner site   | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 221.13   | Auckland Grammar School (AGS) c/- Sarah Burgess                       | Objects to corner sites being treated as having two front facades which would be subject to a 1.2m high fence height. Provides a diagram showing suggested 50% at 1.8m height | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 221.14   | Auckland Grammar School (AGS) c/- Sarah Burgess                       | Reword Purpose statement for fences and walls   | FS12 K Vernon<br>– Oppose in part | Rejected         |
| 221.15   | Auckland Grammar School (AGS) c/- Sarah Burgess                       | Insert a new diagram of fence heights. Submitter has supplied one   | FS12 K Vernon<br>– Oppose in part | Rejected         |
| 221.16   | Auckland Grammar School (AGS) c/- Sarah Burgess                       | Change fences and walls standard wording as per submission  | FS12 K Vernon<br>– Oppose in part | Rejected         |
| 224.16   | Hume Architects Ltd c/ - Chris Hume                                   | Opposes Overlay Fences and Walls. Underlying zoning fencing should apply  | FS12 K Vernon<br>– Oppose in part | Rejected         |
| 225.2    | Dirk Hudig  | Amend Rule D18.6.1.7 to include the words “and other structures” wherever they are struck out in the text of PC26   |                                   | Rejected         |
| 226.2    | Herne Bay Residents Association Incorporated                          | Amend Rule D18.6.1.7 to include the words “and other structures” wherever they are struck out in the text of PC26.  |                                   | Rejected         |

| Sub. No. | Name of Submitter                                  | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision         |
|----------|--|---|--|------------------|
|          | c/- Dirk Hudig and Don Mathieson                   |   |  |                  |
| 228.2    | The University of Auckland c/- Sarah Burgess       | Supports the proposed inclusion of the activity statuses - (A5A) and (A5B) (Activity statuses – fencing) in Table D18.4.1   | FS12 K Vernon – Oppose in part   | Accepted in part |
| 228.13   | The University of Auckland c/- Sarah Burgess       | Objects to corner sites being treated as having two front facades which would be subject to a 1.2m high fence height. Provides a diagram showing suggested 50% at 1.8m height | FS12 K Vernon – Oppose in part   | Accepted in part |
| 228.14   | The University of Auckland c/- Sarah Burgess       | Reword Purpose statement for fences and walls   | FS12 K Vernon – Oppose in part   | Rejected         |
| 228.15   | The University of Auckland c/- Sarah Burgess       | Insert a new diagram of fence heights. Submitter has supplied one   | FS12 K Vernon – Oppose in part   | Rejected         |
| 228.16   | The University of Auckland c/- Sarah Burgess       | Change fences and walls standard wording as per submission  | FS12 K Vernon – Oppose in part   | Rejected         |
| 231.2    | Tom Rowe   | Adjust the maximum height of front fences and fences forward of front façade to 1.4m high   |  | Rejected         |
| 239.5    | Marian Kohler                                      | Reinstate "other structures" in D18.6.1.7 - Fences and walls  |  | Rejected         |
| 240.2    | The St Mary's Bay Association Inc c/- David Abbott | Amend rule D18.6.1.7 - Fences and walls to include the words "and other structures" wherever they are struck out in the text of PC26  | FS12 K Vernon – Support in part and Oppose in part   | Rejected         |
| 248.5    | Jacqui Goldingham                                  | Opposed to changes to fences  |  | Accepted in part |
| 249.28   | Keith Vernon                                       | Amend the title D18.6.1.7 – Fences (and) walls (and other structures) to "Front, side and rear fences and walls" for consistency with underlying zone standards               | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support | Rejected         |
| 249.29   | Keith Vernon                                       | Amend the proposed Purpose Statement for D18.6.1.7 - Fences and walls by adding ".and to allow for a reasonable level of privacy and security"                                | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support  | Rejected         |

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions  | Decision         |
|----------|---|---|--|------------------|
|          |   |   | FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support  |                  |
| 249.30   | Keith Vernon  | Amend the height for fences and walls in D18.6.1.7 - Fences and walls (1)(a) and (b) to 1.8m  |  | Rejected         |
| 249.31   | Keith Vernon  | Amend sub-clause (b) of D18.6.1.7 - Fences and walls to remove the confusion particularly in respect of fences between the house and side boundary and forward of the front façade of the house | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support | Rejected         |
| 249.32   | Keith Vernon  | Use the defined term "dwelling" instead of the undefined term "house" in D18.6.1.7 - Fences and walls   | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support | Rejected         |
| 250.5    | Southern Cross Hospitals Limited c/- Bianca Tree  | That the amendments to the fences, walls and other structures standard D18.6.1.7 be allowed   |  | Accepted in part |
| 254.2    | Jeanette Heilbronn  | Retain 2m fencing height if the fence is not solid and allows the house to be viewed from the street. Side fences should just have 2 m height   |  | Rejected         |
| 255.2    | Tunncliffe Investment Limited and Tunncliffe Glass Family Trust c/- Kenneth Tunncliffe and Esther Glass | Maintain the fence height at 1.8m to allow for both privacy and animal control  |  | Rejected         |
| 257.15   | Housing New Zealand c/- Alex Devine   | Support the proposed amendments to Standard 'D18.6.1.7 Fences and walls', where amendments have been proposed to those aspects of the   | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals  | Accepted         |

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|-------------------|--|---|----------|
|          |                   | standard which set height limits for rear and side fences  | Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose |          |
| 264.2    | Debbie Holdsworth | Increase the height threshold for fences and walls to 1.5m   |   | Rejected |
| 272.3    | Diana Renker      | That the fencing provisions of the heritage zone apply wherever there is interface with the single house zone sites, at 70, 76, 80, 90 & 92 Stanley Point Road   |   | Rejected |
| 272.4    | Diana Renker      | That maximum fence heights for side fences be 1.2m, forward of the front face line of abutting homes, e.g. 92 and 94 Stanley Point Rd  |   | Rejected |
| 272.5    | Diana Renker      | That all ROW side fences be limited to 1.2m within 5m of the front boundary, to allow for improved legibility of the special character zone from the street and to contribute to improved safety outcomes for pedestrians and other road users |   | Rejected |
| 273.2    | Robin Rive        | Swimming pool fences should be built at least 1m away from climbable structures  |   | Rejected |

**Theme 28: Submissions on D18.8 Assessment – Restricted Discretionary Activities, D18.8.1 Matters of Discretion and D18.8.2 Assessment Criteria**  
**Sub theme: D18.8.1 Matters of Discretion & D18.8.2 Assessment Criteria**

| Sub. No. | Name of Submitter                                       | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision |
|----------|---|---|---------------------|----------|
| 123.13   | V H Bull c/- Gael McKitterick 4Sight Consulting Limited | 123.13 Adopt the amendments proposed in PC26 to standard D18 Special Character Area Overlay as notified including the amendments to Section 18.8 Assessment - Restricted discretionary activities |                     | Rejected |

**Theme 28: Submissions on D18.8 Assessment – Restricted Discretionary Activities, D18.8.1 Matters of Discretion and D18.8.2 Assessment Criteria**  
**Sub theme: Matters of Discretion**

| Sub. No. | Name of Submitter                             | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision |
|----------|---|---|---------------------|----------|
| 96.7     | Colin and Jocelyn Weatherall Attn: David Wren | Amend the Matters of Discretion by including reference to any policy that is relevant, the purpose statement, the effects of the infringement, the effects on the amenity of neighbouring sites, the effects of any unusual characteristics of the site, characteristics of the development, any other matters and the effects of all infringements |                     | Rejected |

| <b>Sub. No.</b> | <b>Name of Submitter</b>   | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
|-----------------|--|---|----------------------------|-----------------|
| 97.7            | Peter Ng<br>Attn: David Wren   | Amend the Matters of Discretion by including reference to any policy that is relevant, the purpose statement, the effects of the infringement, the effects on the amenity of neighbouring sites, the effects of any unusual characteristics of the site, characteristics of the development, any other matters and the effects of all infringements |                            | Rejected        |
| 110.17          | KTW Systems LP<br>c/- Rachel Dimer   | 110.17 Retain D18.8.1.1 (3)(c) - Matters of Discretion  |                            | Accepted        |
| 127.8           | John Dillon<br>c/- David Wren  | 127.8 Do not support cross referencing of matters for discretion. These matters should be self contained within the overlay   |                            | Accepted        |
| 128.8           | Peter and Sarah Wren<br>c/- David Wren   | 128.8 Do not support cross referencing of matters for discretion. These matters should be self contained within the overlay   |                            | Accepted        |
| 199.3           | Western Bays Community Group Inc<br>c/- Bryan Bates                              | Amend Rule D18.8.1.1(3) by adding to sub-para (a) – “while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/ building to allow repairs, maintenance and painting   |                            | Rejected        |
| 207.10          | South Epsom Planning Group Inc<br>c/- Alfred Richard Bellamy                     | 207.10 Change text throughout Matters of discretion in accordance with submission   |                            | Rejected        |
| 225.3           | Dirk Hudig   | Amend Rule D18.8.1.1(3) by adding to sub-para (a) – “while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/ building to allow repairs, maintenance and painting.  |                            | Rejected        |
| 226.3           | Herne Bay Residents Association Incorporated<br>c/- Dirk Hudig and Don Mathieson | 226.3 Amend Rule D18.8.1.1(3) by adding to sub-para (a) – “while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/ building to allow repairs, maintenance and painting.  |                            | Rejected        |
| 226.4           | Herne Bay Residents Association Incorporated<br>c/- Dirk Hudig and Don Mathieson | 226.4 Amend Rule D18.8.2.1(4)(c) by adding - “while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/building to allow repairs, maintenance and painting.  |                            | Rejected        |



| Sub. No. | Name of Submitter                                  | Summary of the Relief Sought by the Submitter  | Further Submissions                                | Decision |
|----------|--|--|--|----------|
| 240.3    | The St Mary's Bay Association Inc c/- David Abbott | Amend rule D18.8.2.1(4)(c) - Assessment criteria by adding " while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/building to allow repairs, maintenance and painting".                             | FS12 K Vernon – Support in part and Oppose in part | Rejected |
| 240.4    | The St Mary's Bay Association Inc c/- David Abbott | Amend rule D18.8.2.1(4) - Assessment criteria by adding (c ) Maintaining a building service space of not less than 1200mm between the walls of existing or proposed dwelling/building on adjacent sites regardless of the location of the intervening site boundary" | FS12 K Vernon – Support in part and Oppose in part | Rejected |
| 249.33   | Keith Vernon                                       | 249.33 Support the proposed addition of D18.8.1.1 (c ) in D18.8 Assessment - Restricted discretionary activities   |  | Accepted |
| 257.16   | Housing New Zealand c/- Alex Devine                | The proposed amendments to the matters of discretion (Chapter D18.8.1.1(c)) do better align with the intent of the Environment Court Declaration Decision.   |  | Rejected |

**Theme 28: Submissions on D18.8 Assessment – Restricted Discretionary Activities, D18.8.1 Matters of Discretion and D18.8.2 Assessment Criteria**  
**Sub theme: Assessment Criteria 4(b)**

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|-------------------------------------|--|---|----------|
| 249.34   | Keith Vernon                        | Support the proposed addition of D18.8.2.1(4)(b) in D18.8 Assessment - Restricted discretionary activities |   | Rejected |
| 257.17   | Housing New Zealand c/- Alex Devine | Support the proposed amendments to the assessment criteria (Chapter D18.8.2.1(4)(b))                       | FS12 K Vernon - Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Rejected |

**Theme 28: Submissions on D18.8 Assessment – Restricted Discretionary Activities, D18.8.1 Matters of Discretion and D18.8.2 Assessment Criteria**  
**Sub theme: New Assessment Criteria 4(c) etc**

| Sub. No. | Name of Submitter                        | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|--|--|---|----------|
| 150.11   | B Dayal c/- Vijay Lala - Tattico Limited | Amend D18.8.2.1 - Assessment Criteria - by adding reference to the relevant assessment criteria for the standard (or equivalent standard) in the underlying zone | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson - Support | Rejected |

| <b>Sub. No.</b> | <b>Name of Submitter</b>                             | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>  | <b>Decision</b> |
|-----------------|--|---|---|-----------------|
| 153.4           | Michael Neil Hayes                                   | Criteria for discretion and assessment should be specific to the dominant rules for the area and criteria for other zones should not be used in consideration of applications   |   | Rejected        |
| 199.4           | Western Bays Community Group Inc c/- Bryan Bates     | Amend Rule D18.8.2.1(4)(c) by adding - "while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/building to allow repairs, maintenance and painting.  |   | Rejected        |
| 225.4           | Dirk Hudig   | Amend Rule D18.8.2.1(4)(c) by adding - "while ensuring that there is enough space between the wall of the subject dwelling/building and any adjacent dwelling/building to allow repairs, maintenance and painting.  |   | Rejected        |
| 227.4           | Eden Park Neighbours' Assoc c/- Mark Donnelly        | Add an assessment criteria to allow for property security issues to be taken into consideration   |   | Rejected        |
| 239.6           | Marian Kohler  | Limit D18.8.2.1(3)(c) - Assessment criteria to criteria which do not permit more density or intensification   |   | Rejected        |
| 240.5           | The St Mary's Bay Association Inc c/- David Abbott   | 240.5 Amend rule D18.8.2.1(4) - Assessment criteria by adding (c) Maintaining a building service space of not less than 1200mm between the walls of existing or proposed dwelling/building on adjacent sites regardless of the location of the intervening site boundary" |   | Rejected        |
| 247.4           | Grey Lynn Residents Association c/- Tania Fleur Mace | Include consideration of amenity values of neighbouring sites when assessing consent applications within the Special Character overlay  | FS2 BA Trusties Limited – Oppose<br>FS15 Housing New Zealand Corporation – Oppose | Rejected        |

| <b>Theme 29: Submissions on E38. Subdivision - Urban</b> |  |   |                                |                 |
|--|--|---|--------------------------------|-----------------|
| <b>Sub – theme: Support Changes</b>                      |  |   |                                |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b>                                 | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>     | <b>Decision</b> |
| 123.14   | V H Bull c/- Gael McKitterick 4Sight Consulting Limited  | Adopt the amendments to standard E38 Urban Subdivision as notified  |                                | Accepted        |
| 204.2  | Mount St Johns Residents' Group Inc c/- Catherine Peters | Strongly support the clarification of isthmus zoning C2A and B1 zonings (Refer table E38.8.2.6.1 – Special Character Areas Overlay – residential and Business Subdivision Controls). This refers specifically to the 1000 square metre 'minimum net site area |                                | Accepted        |
| 219.16   | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited     | Supports overlay subdivision rules prevailing but clarity required on activity status   | FS12 K Vernon – Oppose in part | Accepted        |
| 221.17   | Auckland Grammar School (AGS) c/- Sarah Burgess          | Supports overlay subdivision rules prevailing but requires clarity on activity status   | FS12 K Vernon – Oppose in part | Accepted        |
| 228.17   | The University of Auckland c/- Sarah Burgess             | Supports overlay subdivision rules prevailing but requires clarity on activity status   | FS12 K Vernon – Oppose in part | Accepted        |
| 249.35   | Keith Vernon   | Support the proposed addition of E38.8.2.6 (3) to Subdivision   |                                | Accepted        |

| <b>Theme 29: Submissions on E38. Subdivision - Urban</b> |                          |  |                            |                 |
|--|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Oppose Changes</b>                       |                          |  |                            |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 45.5   | Peter Stone              | It would be against the spirit and concept of the Special Areas concerned to permit smaller subdivisions (than 600 sqm)  |                            | Rejected        |
| 95.2   | Adam and Sue Berry       | Oppose that larger sites be subdivided or that a home can only be rebuilt on quarter of a larger site or smaller part of a half site as per Building Coverage allowed in Table D18.6.1.4 |                            | Rejected        |
| 103.3  | Rosemary McElroy         | Keep minimum site size at 1000sqm  |                            | Rejected        |
| 149.5  | Philip John Mayo         | Reject amendments to subdivision in SCAR. Minimum lot size for underlying zoning should prevail i.e. retain 600 sqm  |                            | Rejected        |
| 241.3  | Patricia Grinlinton      | Retain the minimum net site area at 600 sqm  |                            | Rejected        |

|        |                                     |   |   |          |
|--------|-------------------------------------|---|---|----------|
| 243.4  | Michael Fitzpatrick                 | Retain SHZ standard of 600m <sup>2</sup> minimum lot size   | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Rejected |
| 244.4  | Julie Raddon Raddon                 | Retain SHZ standard of 600m <sup>2</sup> minimum lot size   |   | Rejected |
| 257.11 | Housing New Zealand c/- Alex Devine | Oppose the newly proposed text at E38.8.2.6(3), in relation to subdivision controls specific to the SCA Overlay | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group Inc - Oppose     | Rejected |
| 269.1  | Brian Wood                          | 269.1 Opposes the proposed reduction in minimum section size from 750m <sup>2</sup> to 600m <sup>2</sup>        |   | Rejected |

**Theme 29: Submissions on E38. Subdivision - Urban**  
**Sub – theme: “Take Precedence” v “Replace”**

| <b>Sub. No.</b> | <b>Name of Submitter</b>                         | <b>Summary of the Relief Sought by the Submitter</b>                                 | <b>Further Submissions</b>   | <b>Decision</b> |
|-----------------|--|--|--|-----------------|
| 96.8            | Colin and Jocelyn Weatherall<br>Attn: David Wren | Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace" | FS5 Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support | Rejected        |

|       |   |   |   |          |
|-------|---|---|---|----------|
| 97.8  | Peter Ng<br>Attn: David<br>Wren           | Amend E38.8.2.6 Subdivision by replacing the words "takes precedence" with "replace"        | FS5 Mark Crosbie, Heidi Crosbie and Adeux Trustee Limited – Support<br>FS6 Auckland Grammar School – Support<br>FS7 The University of Auckland – Support<br>FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galalea trust - Support | Rejected |
| 127.9 | John Dillon<br>c/- David<br>Wren          | Amend the clause 'take precedence' in E38.8.2.6 Subdivision by inserting the word 'replace' | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galalea Trust - Support   | Rejected |
| 128.9 | Peter and Sarah Wren<br>c/- David<br>Wren | Amend the clause 'take precedence' in E38.8.2.6 Subdivision by inserting the word 'replace' | FS12 K Vernon – Oppose in part<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS17 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galalea Trust - Support   | Rejected |

| <b>Theme 29: Submissions on E38. Subdivision - Urban</b> |                          |   |                            |  |
|--|--------------------------|---|----------------------------|--|
| <b>Sub – theme: Site Specific Matters</b>                |                          |   |                            |  |
| <b>Sub. No.</b>  | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b>  |
| 71.2   | Shamal Charan            | Amend D18 Subdivision to enable ability to build minor dwelling at 106 Grande Vue Road, Manurewa    |                            | Rejected<br><br>(Note: the site is in the Single House zone which provides for a minor dwelling) |
| 75.1   | Wendy and Bruce Hadden   | Retain the right to subdivide down to 600 sqm in the Special Character area (Victoria Ave, Remuera) |                            | Rejected   |
| 85.3   | Joanna Keane             | Enable the section (5 Quadrant Road, Onehunga) to be subdivided                                     |                            | Rejected   |

| <b>Theme 29: Submissions on E38. Subdivision - Urban</b> |   |  |                                   |                 |
|--|---|--|-----------------------------------|-----------------|
| <b>Sub – theme: Land Use/Subdivision</b>                 |   |  |                                   |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b>                    | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>        | <b>Decision</b> |
| 150.12   | B Dayal<br>c/- Vijay Lala - Tattico Limited | Amend E38.8.2.6 - Subdivision - add wording - min lot sizes not appropriate when considering a joint land-use and subdivision application. | FS12 K Vernon<br>– Oppose in part | Rejected        |

| <b>Theme 29: Submissions on E38. Subdivision - Urban</b> |   |   |                            |                 |
|--|---|---|----------------------------|-----------------|
| <b>Sub – theme: Minimum Lot Sizes – Hillpark</b>         |   |   |                            |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b>                    | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 180.2  | Glen Frost, Hillpark Resident's Association | Add to Table E38.8.2.4.1 Subdivision of sites identified in the Subdivision Variation Control to be updated to include Hillpark / Manurewa with 750sqm minimum lot size |                            | Rejected        |

| <b>Theme 29: Submissions on E38. Subdivision - Urban</b> |                          |  |                            |                 |
|--|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Isthmus A</b>                            |                          |  |                            |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 239.2  | Marian Kohler            | 239.2 Amend E38.8.2.6.1 by deleting Isthmus A SCAO residential properties in SH zone from Table E38.8.2.6.1, or alternatively amend E38.8.2.6(3) to state that Isthmus A SCAO residential properties in SH zone are not included in Table 38.8.2.6.1 |                            | Rejected        |

**Theme 29: Submissions on E38. Subdivision - Urban  
Sub – theme: Isthmus B2**

| Sub. No. | Name of Submitter                      | Summary of the Relief Sought by the Submitter                          | Further Submissions | Decision |
|----------|--|--|---------------------|----------|
| 246.2    | Nyo Ban Liong & Henny Widijanti Sawang | Amend the minimum net site area for Isthmus B2 from 600 sqm to 400 sqm |                     | Rejected |

**Theme 30: Submissions on further or other relief**

| Sub. No. | Name of Submitter   | Summary of the Relief Sought by the Submitter   | Further Submissions               | Decision         |
|----------|---|---|-----------------------------------|------------------|
| 96.9     | Colin and Jocelyn Weatherall<br>Attn: David Wren              | Any alternative and additional changes to PC26 that would provide for the matters set out in this submission.   | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 96.10    | Colin and Jocelyn Weatherall<br>Attn: David Wren              | Any other consequential or alternative amendments arising from these changes  | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 97.9     | Peter Ng<br>Attn: David Wren                                  | Any alternative and additional changes to PC26 that would provide for the matters set out in this submission  | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 97.10    | Peter Ng<br>Attn: David Wren                                  | Any other consequential or alternative amendments arising from these changes  | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 110.5    | KTW Systems LP<br>c/- Rachel Dimery                           | Provide further, consequential or alternative relief as may be necessary, desirable, or appropriate to give effect to the decision sought   |                                   | Accepted in part |
| 123.16   | V H Bull c/- Gael McKitterick<br>4Sight Consulting Limited    | Adopt any other such relief, including additions, deletions, consequential amendments or alternative relief necessary to give effect to these submissions as a result of the matters raised   |                                   | Accepted in part |
| 127.10   | John Dillon<br>c/- David Wren                                 | Any alternative and additional changes to PC26 that would provide for the matters set out in this submission and any other consequential or alternative amendments arising from these changes | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 128.10   | Peter and Sarah Wren<br>c/- David Wren                        | Any alternative and additional changes to PC26 that would provide for the matters set out in this submission and any other consequential or alternative amendments arising from these changes | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 146.4    | Z Energy Limited<br>BP Oil NZ Limited<br>Mobil Oil NZ Limited | Adopt any other such relief, including additions, deletions, consequential amendments or alternative relief necessary to give effect to these submissions as a result of the matters          |                                   | Accepted in part |

| <b>Sub. No.</b> | <b>Name of Submitter</b>  | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>        | <b>Decision</b>  |
|-----------------|---|---|-----------------------------------|------------------|
|                 | c/- Gael McKitterick - 4Sight Consulting Limited                                  | raised  |                                   |                  |
| 150.13          | B Dayal<br>c/- Vijay Lala - Tattico Limited                                       | Any other consequential amendments that are necessary to give effect to the matters raised in this submission   | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 170.8           | Joe Martin  | Any alternative and additional changes to PC26 that would provide for the matters set out in this submission  |                                   | Accepted in part |
| 170.9           | Joe Martin  | Any other consequential or alternative amendments arising from these changes  |                                   | Accepted in part |
| 173.7           | John Childs<br>c/- John Childs Consultants Limited                                | Any further or consequential relief in accordance with the reasons for this submission  | FS3 Colin Hardacre - Support      | Accepted in part |
| 178.7           | KCH Trust and Ifwersen Family Trust<br>c/- Bianca Tree, Minter Ellison Rudd Watts | Such relief and/or amendments to the Plan Change as may be necessary to address the Trustees' concerns, as outlined above                                     | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 182.4           | Michael Snowden<br>c/- Philip Brown - Campbell Brown Planning                     | Such other amendments to the provisions of the AUP as may be necessary to give effect to the relief sought in this submission                                 | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 219.17          | Mark Crosbie, Heid Crosbie and Adeux Trustee Limited                              | Such further or other consequential or alternative relief as may be necessary to fully give effect to the matters raised and relief sought in this submission | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 220.4           | Roman Catholic Bishop of the Diocese of Auckland<br>c/- Michael Campbell          | Such other amendments to the provisions of the AUP as may be necessary to give effect to the relief sought in this submission                                 | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 221.18          | Auckland Grammar School (AGS) c/- Sarah Burgess                                   | Such further or other consequential or alternative relief as may be necessary to fully give effect to the matters raised and relief sought in this submission | FS12 K Vernon<br>– Oppose in part | Accepted in part |
| 228.18          | The University of Auckland c/- Sarah Burgess                                      | Such further or other consequential or alternative relief as may be necessary to fully give effect to the matters raised and relief sought in this submission | FS12 K Vernon<br>– Oppose in part | Accepted in part |



| <b>Sub. No.</b> | <b>Name of Submitter</b>  | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b>  |
|-----------------|---|--|---|------------------|
| 234.5           | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield            | Such alternative relief that addresses the issues raised in this submission  |   | Accepted in part |
| 236.3           | Samson Corporation Ltd and Sterling Nominees Ltd (Samson) c/- J A Brown | Any other further amendments necessary to give effect to the intent of this submission   |   | Accepted in part |
| 238.3           | Andrew Body and Karen Paterson (Galatea) c/- J A Brown                  | Any other further amendments necessary to give effect to the intent of this submission   |   | Accepted in part |
| 245.4           | R & M Donaldson c/- J A Brown   | Any other amendments necessary to address the matters raised in this submission  |   | Accepted in part |
| 249.36          | Keith Vernon  | Make changes and amendments to the Auckland Unitary Plan / Proposed Plan Change 26 as required to address the above submission points                                    |   | Accepted in part |
| 249.37          | Keith Vernon  | Make such other amendments to the Auckland Unitary Plan as are necessary or appropriate as a consequence of the primary relief sought                                    |   | Accepted in part |
| 250.6           | Southern Cross Hospitals Limited c/- Bianca Tree                        | Such relief and/or amendments to the Plan Change as may be necessary to address Southern Cross' concerns, as outlined in their submission                                |   | Accepted in part |
| 257.6           | Housing New Zealand c/- Alex Devine                                     | Such further or other relief, or other consequential or other amendments, as are considered appropriate and necessary to address the concerns set out in this submission | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS22 South Epsom Planning Group - Oppose | Accepted in part |

### **Theme 31: Submissions on other methods**

| <b>Sub. No.</b> | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>         | <b>Decision</b> |
|-----------------|--------------------------|--|------------------------------------|-----------------|
| 49.7            | Wing Cheuk Chan          | Consider financial compensation to current owners while their applications for further development are restricted by the new rules | FS21 Lim Che Cheung Chan – Support | Rejected        |
| 63.3            | Teresa Lyndsay           | The Plan Changes should incorporate a provision to assist home owners to maintain their houses and preserve                        |                                    | Rejected        |

| Sub. No. | Name of Submitter  | Summary of the Relief Sought by the Submitter  | Further Submissions                           | Decision |
|----------|--------------------|--|---|----------|
|          | Marene Davis       | their character  |   |          |
| 95.3     | Adam and Sue Berry | Can Auckland Council reserve some areas with homes built in proportion to section sizes as a unique liveable part of Auckland City landscape | FS15 Housing New Zealand Corporation - Oppose | Rejected |

### Theme 32: Submissions on other matters

#### Sub – theme: Heritage Concepts

| Sub. No. | Name of Submitter                   | Summary of the Relief Sought by the Submitter  | Further Submissions   | Decision |
|----------|-------------------------------------|--|---|----------|
| 257.12   | Housing New Zealand c/- Alex Devine | Oppose any amendments which seek to introduce heritage concepts within the SCA Overlay provisions, including the newly proposed 'purpose statement' for Standard 'D18.6.1.3 Yards'.<br>Housing New Zealand | FS12 K Vernon – Oppose in part<br>FS13 Southern Cross Hospitals Limited – Support<br>FS16 Samson Corporation Ltd and Sterling Nominees Ltd – Support<br>FS217 R & M Donaldson – Support<br>FS18 Andrew Body and Karen Paterson as trustees of Galatea Trust – Support<br>FS22 South Epsom Planning Group Inc - Oppose | Accepted |

### Theme 32: Submissions on other matters

#### Sub – theme: Double garages

| Sub. No. | Name of Submitter | Summary of the Relief Sought by the Submitter   | Further Submissions | Decision  |
|----------|-------------------|---|---------------------|---|
| 17.2     | Kimberley McLean  | Allow the building of double garages where appropriate, and not a blanket rule of no double garaging. |                     | Rejected<br><br>(Note: The plan already enables this to occur). |

| <b>Theme 32: Submissions on other matters</b> |  |   |                            |                 |
|---|--|---|----------------------------|-----------------|
| <b>Sub – theme: Existing Agreements</b>       |  |   |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b>                       | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 43.2  | Frank William Frazer and Mary Catherine Frazer | The following clause should be inserted. "Where the Council has entered into a specific agreement with a property owner relating to a property, the provisions of the agreement shall prevail over the requirements of the Special Character Overlay" |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b>      |                          |  |                            |                 |
|--|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Implementation and Enforcement</b> |                          |  |                            |                 |
| <b>Sub. No.</b>                                    | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 45.3   | Peter Stone              | Concerns regarding implementation , oversight and enforcement and the Proposed Plan does not detail if there are any moves to strengthen oversight and so on |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |                 |
|---|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Controlled Activities</b>     |                          |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b> | <b>Further Submissions</b> | <b>Decision</b> |
| 45.4  | Peter Stone              | Clarify that there are no controlled activities      |                            | Accepted        |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |  |
|---|--------------------------|--|----------------------------|--|
| <b>Sub – theme: Open Space</b>                |                          |  |                            |  |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b> | <b>Further Submissions</b> | <b>Decision</b>  |
| 45.6  | Peter Stone              | Oppose removal of open spaces                        |                            | Accepted in part<br><br>(Note: The plan change doesn't propose the removal of open spaces) |

| <b>Theme 32: Submissions on other matters</b> |                          |  |   |                 |
|---|--------------------------|--|---|-----------------|
| <b>Sub – theme: Chimneys</b>                  |                          |  |   |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b> |
| 46.3  | Vinod Vyas               | Most of the chimneys in such old houses are posing danger. These should be allowed to demolished by licensed builder without consent | FS15 Housing New Zealand Corporation – Support in part<br>FS20 Heritage New Zealand Pouhere Taongā - Oppose | Rejected        |

| <b>Theme 32: Submissions on other matters</b>      |                          |  |                            |                 |
|--|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Shower &amp; toilet facilities</b> |                          |  |                            |                 |
| <b>Sub. No.</b>                                    | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 46.4   | Vinod Vyas               | Allow the addition of shower and toilet areas without need of consent. The number can be restricted to number of bed rooms |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b>                       |                          |   |                            |                 |
|---|--------------------------|---|----------------------------|-----------------|
| <b>Sub – theme: Rules Relating to Renovations and New Dwellings</b> |                          |   |                            |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>                        | <b>Further Submissions</b> | <b>Decision</b> |
| 55.2  | Wong Liu Shueng          | Clarify the rules applying to renovations and the building of new dwellings |                            | Accepted        |

| <b>Theme 32: Submissions on other matters</b> |                          |  |  |                 |
|---|--------------------------|--|--|-----------------|
| <b>Sub – theme: Infrastructure</b>            |                          |  |  |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>                             | <b>Decision</b> |
| 57.2  | Jae Ellis                | Backdate and clarify that the overlay priorities also apply to all recent and future infrastructure development in the same way as for residential | FS15 Housing New Zealand Corporation – Support in part | Rejected        |

| <b>Theme 32: Submissions on other matters</b>               |                          |   |                            |                 |
|---|--------------------------|---|----------------------------|-----------------|
| <b>Sub – theme: St Marys Bay beachwater quality project</b> |                          |   |                            |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 57.3  | Jae Ellis                | Revisit the decision for the St Marys Bay - Masefield Beach Water Quality Improvement Project |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |                 |
|---|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: School zones</b>              |                          |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b> | <b>Further Submissions</b> | <b>Decision</b> |
| 62.2  | Hui Chen                 | Don't change the school zones & single house zone    |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b>                 |                                      |   |                            |                 |
|---|--------------------------------------|---|----------------------------|-----------------|
| <b>Sub – theme: Railway houses – Station Road, Papatoetoe</b> |                                      |   |                            |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>             | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 63.2  | Teresa<br>Lyndsay<br>Marene<br>Davis | Provide further protection and maintenance for the 7 Railway Houses at Station Road Papatoetoe and a restriction on high density housing on the land occupied by the houses |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |                 |
|---|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Density</b>                   |                          |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 69.3  | Ying Chen                | Special Character Areas Overlay provides no flexible density requirements, which is contradictory to housing affordability |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                          |   |                            |                 |
|---|--------------------------|---|----------------------------|-----------------|
| <b>Sub – theme: 5 Quadrant Road, Onehunga</b> |                          |   |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>              | <b>Further Submissions</b> | <b>Decision</b> |
| 85.2  | Joanna<br>Keane          | Retain heritage status on dwelling (at 5 Quadrant Road, Onehunga) |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                                   |  |                            |                 |
|---|-----------------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Thames Street, Mt Eden</b>    |                                   |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b>          | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 86.2  | Patrick Noel<br>Joseph<br>Griffin | Leave the street (Thames Street, Mt Eden) as it is - if people own the property it should be their right to make changes as they see fit |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                                   |   |   |                  |
|---|-----------------------------------|---|---|------------------|
| <b>Sub – theme: Effects on neighbours</b>     |                                   |   |   |                  |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b>          | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>                    | <b>Decision</b>  |
| 88.3  | Passion Fruit Trust               | The plan (change) needs to take into account the effects of development on neighbours as well as on streetscape   | FS15 Housing New Zealand Corporation – Oppose | Accepted         |
| 202.5   | Sue Cooper, Remuera Heritage      | Plan needs to take into account the effects of development on neighbours as well as on streetscape  |   | Accepted         |
| 203.4   | Sally Hughes, Character Coalition | Plan needs to take into account the effects of development on neighbours as well as on streetscape  |   | Accepted         |
| 216.2   | Don Huse                          | SCAR provisions to ensure any house alterations or new-builds will not adversely affect the amenity and value of any other properties included in the applicable special character area |   | Accepted         |
| 216.5   | Don Huse                          | Want “cast-iron” assurance that the amenity and value of our house (and all others located in the special character areas) is fully protected by PC26                                   |   | Rejected         |
| 218.4   | Leighton Haliday                  | Protect sunlight access and privacy   |   | Accepted in part |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |                  |
|---|--------------------------|--|----------------------------|------------------|
| <b>Sub – theme: Demolition</b>                |                          |  |                            |                  |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b>  |
| 88.4  | Passion Fruit Trust      | We do not support anything which will make special character and heritage buildings more easily able to be demolished and special character areas to be eroded |                            | Accepted in part |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |                 |
|---|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Schedule 15</b>               |                          |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 90.1  | Sharyn Qu                | The characters/styles outlined in the Schedule 15 Special Character Schedule Statements and Maps for Princes Avenue special area are inaccurate - therefore, the overlay rules should not take precedent | FS4 Sharyn Qu – Support    | Rejected        |

| <b>Theme 32: Submissions on other matters</b>               |                          |  |                            |                 |
|---|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: D18.6 Standards &amp; D18.7 Assessments</b> |                          |  |                            |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>                                 | <b>Further Submissions</b> | <b>Decision</b> |
| 90.4  | Sharyn Qu                | Clarify what are “D18.6 Standards” and “D18.7 Assessments” and how are they applied. | FS4 Sharyn Qu – Support    | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                          |  |                            |                 |
|---|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: D18.6 Rear Sites</b>          |                          |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 91.3  | Raymond Johnston         | The amendments do not outline or address what is considered as the front or side of a rear site. |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b>      |                          |  |                            |  |
|--|--------------------------|--|----------------------------|--|
| <b>Sub – theme: Rebuilding a Home in Herne Bay</b> |                          |  |                            |  |
| <b>Sub. No.</b>                                    | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b>  |
| 95.1   | Adam and Sue Berry       | A home in the Herne Bay area should be able to be rebuilt in the exact same style it was originally and be rebuilt in proportion to the section size if it were destroyed. |                            | Accepted<br><br>(Note: this is covered by existing use rights under the Resource Management Act) |

| <b>Theme 32: Submissions on other matters</b>                 |                          |  |  |                 |
|---|--------------------------|--|--|-----------------|
| <b>Sub – theme: Suitable Restriction on Two Storey Houses</b> |                          |  |  |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>                       | <b>Further Submissions</b>   | <b>Decision</b> |
| 102.3   | M.Carol Scott            | Apply suitable greater restriction on two-storey houses, e.g. larger yards | FS5 Mark Crosbie, Heidi Crosbie, and Adeux Trustee Limited – Oppose<br>FS6 Auckland Grammar School – Oppose<br>FS7 The University of Auckland – Oppose | Rejected        |

| <b>Theme 32: Submissions on other matters</b>               |  |  |                            |                 |
|---|--|--|----------------------------|-----------------|
| <b>Sub – theme: Business Special Character Area Overlay</b> |  |  |                            |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>                             | <b>Summary of the Relief Sought by the Submitter</b>                                   | <b>Further Submissions</b> | <b>Decision</b> |
| 108.2   | Gull NZ Ltd<br>C/- Tracy Hayson,<br>Hayson Knell Ltd | Apply the business special character overlay to business zoned land, - not residential |                            | Accepted        |

| <b>Theme 32: Submissions on other matters</b> |                                     |  |                            |                 |
|---|-------------------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: 5 Palmerston Road</b>         |                                     |  |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b>            | <b>Summary of the Relief Sought by the Submitter</b> | <b>Further Submissions</b> | <b>Decision</b> |
| 110.3   | KTW Systems LP<br>c/- Rachel Dimery | Enable appropriate development at 5 Palmerston Road  |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b> |                          |   |                            |                 |
|---|--------------------------|---|----------------------------|-----------------|
| <b>Sub – theme: Special Housing Area</b>      |                          |   |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 157.2   | Roy Koshy                | Applications on the special housing area need to be considered on a case by case basis with a focus on development. |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b>                      |                          |  |                            |                 |
|--|--------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Multi-storey Apartment or Commercial Buildings</b> |                          |  |                            |                 |
| <b>Sub. No.</b>  | <b>Name of Submitter</b> | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 216.3  | Don Huse                 | That no multi-storey apartment or commercial buildings can in any circumstances be built in (or immediately adjacent to) the applicable special character area |                            | Rejected        |

| <b>Theme 32: Submissions on other matters</b>                     |                                   |  |                            |                 |
|---|-----------------------------------|--|----------------------------|-----------------|
| <b>Sub – theme: Integrated Residential Development Provisions</b> |                                   |  |                            |                 |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>          | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b> | <b>Decision</b> |
| 233.5   | Birkenhead Residents Associations | Request Council add clarification as to the purpose of the Integrated Residential Development provision. |                            | Rejected        |



| <b>Theme 32: Submissions on other matters</b> |                                   |   |                            |                 |
|---|-----------------------------------|---|----------------------------|-----------------|
| <b>Sub – theme: Subjective terms</b>          |                                   |   |                            |                 |
| <b>Sub. No.</b>                               | <b>Name of Submitter</b>          | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b> | <b>Decision</b> |
| 233.7   | Birkenhead Residents Associations | Remove the following subjective terms and replace with those that can be defined consistently & introduce objective terminology with solid definitions not open to interpretation :<br>1. “maintain the relationship of built form”; 2. “reasonable” level of sunlight access; 3. “minimise visual dominance” effects |                            | Accepted        |

| <b>Theme 32: Submissions on other matters</b>   |  |   |   |                  |
|---|--|---|---|------------------|
| <b>Sub – theme: Special Character Area – Residential &amp; the Healthcare Facility Zone</b> |  |   |   |                  |
| <b>Sub. No.</b>   | <b>Name of Submitter</b>                                     | <b>Summary of the Relief Sought by the Submitter</b>  | <b>Further Submissions</b>                        | <b>Decision</b>  |
| 234.2   | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | That PC26 be amended to provide an exclusion to the standards of the SCAR overlay in D18.6.1 for land which is subject to the Special Purpose – Healthcare Facility and Hospital zone as per the submission                             | FS20 Heritage New Zealand Pouhere Taongā - Oppose | Rejected         |
| 234.3   | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | That PC26 be amended to provide an exclusion to the standards of the SCAR overlay in D18.6.1 for the landholdings owned by Ascot and the land at 92 Mountain Road by including a new rule as per the submission                         | FS20 Heritage New Zealand Pouhere Taongā - Oppose | Rejected         |
| 234.4   | The Ascot Hospital and Clinics Limited c/- Anthony Blomfield | As an alternative, and less preferred outcome, that PC26 be amended to require the standards of the SCAR overlay and of the Special Purpose – Healthcare Facility and Hospital Zone to apply with equal weighting as per the submission | FS20 Heritage New Zealand Pouhere Taongā - Oppose | Accepted in part |

**Theme 32: Submissions on other matters****Sub – theme: Out of Scope Topics**

| <b>Sub. No.</b> | <b>Name of Submitter</b>         | <b>Summary of the Relief Sought by the Submitter</b>   | <b>Further Submissions</b>  | <b>Decision</b> |
|-----------------|----------------------------------|--|---|-----------------|
| 103.2           | Rosemary McElroy                 | Protect mature trees   | FS15 Housing New Zealand Corporation - Oppose   | Rejected        |
| 110.2           | KTW Systems LP c/- Rachel Dimery | Provide for the preservation of views from a dwelling at 5 Palmerston Road and amenity values on this site |   | Rejected        |
| 115.2           | David Barber                     | Require a resource consent for the trimming or felling of trees over 8m                                    |   | Rejected        |
| 115.3           | David Barber                     | Provide greater control for signage outside residential properties   |   | Rejected        |
| 152.2           | Marilyn Elvin                    | Request future plan change to address increased traffic congestion and # of vehicles per owner             |   | Rejected        |
| 249.13          | Keith Vernon                     | Amend the definition of building in accordance with the submission   | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Rejected        |
| 249.14          | Keith Vernon                     | Amend the definition of height in accordance with the submission   | FS8 Peter Ng – Oppose<br>FS9 Peter and Sarah Wren – Oppose<br>FS10 John Dillon – Oppose<br>FS11 Colin and Jocelyn Weatherall - Oppose | Rejected        |